

**JOURNAL**  
OF THE  
**House of Representatives**  
OF THE  
**2001**  
**GENERAL ASSEMBLY**  
OF THE  
**STATE OF NORTH CAROLINA**

**SECOND**  
**SESSION 2002**





**OFFICERS AND MEMBERS**  
**OF THE**  
**HOUSE OF REPRESENTATIVES**  
**SECOND SESSION 2002**

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..... Winton

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).  
Mark F. Crawford (R)..... Buncombe..... Black Mountain  
Martin L. Nesbitt, Jr. (D) ..... Buncombe..... Asheville  
Wilma M. Sherrill (R)..... Buncombe..... Asheville

52nd District: (2) Graham, Haywood, Jackson (Part), Madison, Swain.  
Margaret M. 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).  
Shelly M. Willingham (D)..... Edgecombe .....Rocky Mount
- 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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## SECOND SESSION 2002

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### ONE HUNDRED EIGHTIETH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, May 28, 2002

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:

"Grant us, O Lord, the grace of Your presence as we assemble to do the work of the people of this State. Dwell among us and remain faithful to us, even when we are not faithful to You. Endow us with the gifts necessary to accomplish the tasks that have been set before us.

"Grant us a spirit of courage to remain true to our convictions, our faith and ourselves.

"Grant us a spirit of openness to hear the ideas of others, to search for creative solutions, and to hear Your divine call.

"Grant us a spirit of willingness, that we might work with You and with each other for the good of all people.

"Bless us, O God, that we might be a blessing to others and to the State of North Carolina. 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 December 6, 2001, has been

examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Davis, Hiatt, Holmes, and Setzer for today. Representative Russell is 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 Representatives Thompson, Buchanan, M. Crawford, Underhill, and Walend:

**H.B. 1479**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF FACILITY SERVICES TO STUDY AND REEVALUATE THE MINIMUM STANDARDS FOR LOCAL CONFINEMENT FACILITIES TO PROVIDE FOR IMPROVED FIRE PROTECTION FOR STAFF AND INMATES AND TO APPROPRIATE FUNDS TO IMPLEMENT THAT STUDY, is referred to the Committee on Rules, Calendar, and Operations of the House.

### **INTRODUCTION OF PAGES**

Pages for the week of May 28 are introduced to the membership. They are: Graham Ashe of Henderson; Chad Giles of Wake; Jared L. Graham of Richmond; Phillip Isaac, Jr., of Halifax; Ambria Jenkins of Wake; Anthony Jessup of Montgomery; Jonathan Johnson of Wake; Phylecia Jones of Durham; Lindsay Kirkham of Gaston; Seth McDaniel of Burke; Alexa Kay McMurtrey of Pender; Courtney Nesbit of Wake; Amy Oraefo of Wake; Lebron Sauter of Wake; Daniel Spake of Lincoln; Katina Summerford of Chowan; Meredith Teague of Mecklenburg; Brooke Webster of Nash; Trevelyn Williams of Halifax; and Zelleno Patrice Williams of Forsyth.

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

The following Special Message is received from the Senate:

**S.J.R. 1110**, A JOINT RESOLUTION HONORING THE MEMORY OF NORMAN H. JOHNSON, THE FIRST ATTORNEY GENERAL OF THE NORTH CAROLINA RETAIL MERCHANTS ASSOCIATION, ON

May 28, 2002

THE ONE HUNDREDTH ANNIVERSARY OF THE NORTH CAROLINA RETAIL MERCHANTS ASSOCIATION, is read the first time.

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 (113-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

On motion of Representative Culpepper, seconded by Representative Alexander, the House adjourns at 1:03 p.m. to reconvene May 29 at 1:30 p.m.

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## ONE HUNDRED EIGHTY-FIRST DAY

HOUSE OF REPRESENTATIVES  
Wednesday, May 29, 2002

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 Mike Frese, House Chaplain:

"Almighty God, come and be present among us. Guide us, lest we stumble in our service to others. In our work together, save us from empty slogans or senseless controversies. Grant us wisdom, that we might know when to respect and retain the tried and true methods of the past and when to welcome the new opportunities and novel approaches to the needs around us. In all our discussions, debates, and decisions, keep before us our common quest of what is good for all people. Let our Assembly not only do the work of this State, but Your will as well. 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 Alexander, Bowie, Davis, Hiatt, Hill, Holmes, Russell, Setzer, Sutton, and Warren for today.

May 29, 2002

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

The Speaker notes the receipt of three resolutions from the Pitt County Board of Commissioners: Resolution Asking that the Criminal Justice Partnership Act Program (CORP) be Retained by the Department of Corrections; A Resolution Requesting That Local Government Revenue Sources Be Made Secure; and Resolution Asking the N.C. Department of Corrections Not to Eliminate the Work Release Prisoner Work Program.

The resolutions are filed in the office of the Principal Clerk.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

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

By Representatives Baker, M. Crawford, Harrington, Johnson, Mitchell, Rayfield, and Underhill:

**H.B. 1480**, A BILL TO BE ENTITLED AN ACT TO ACCELERATE THE REPEAL OF THE UPPER-INCOME TAX BRACKET, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Baker (By Request):

**H.B. 1481**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF THE FORSYTH TECHNICAL COMMUNITY COLLEGE/STOKES COUNTY CENTER, is referred to the Committee on Appropriations.

By Representatives Justus, Clary, M. Crawford, Dedmon, and Weatherly:

**H.B. 1482**, A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF SALUDA, is referred to the Committee on Finance.

**ENROLLED BILLS**

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

May 29, 2002

**S.J.R. 1110**, A JOINT RESOLUTION HONORING THE MEMORY OF NORMAN H. JOHNSON, THE FIRST ATTORNEY GENERAL OF THE NORTH CAROLINA RETAIL MERCHANTS ASSOCIATION, ON THE ONE HUNDREDTH ANNIVERSARY OF THE NORTH CAROLINA RETAIL MERCHANTS ASSOCIATION. (RESOLUTION 2002-1)

On motion of Representative Culpepper, seconded by Representative Esposito, the House adjourns at 1:33 p.m. to reconvene May 30 at 10:15 a.m.

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## ONE HUNDRED EIGHTY-SECOND DAY

HOUSE OF REPRESENTATIVES  
Thursday, May 30, 2002

The House meets at 10:15 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, the earth was made through Your power. The cosmos was established through Your wisdom. The heavens were aligned by Your understanding. The world and all that is in it belongs to You. Forgive us for making the distinction between the sacred and the secular - that which belongs to You and that which belongs to us. For all that was, all that is, and all that ever will be is from You and of You. Thus, we claim that the work we do here is not only our civic duty, but also a sacred activity. Help us to understand ourselves as agents of the Divine. May the enormity of that task drive us back to Your will, seeking Your guidance, offering Your love, and striving for Your justice. 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 Alexander, Davis, Eddins, Gray, Hill, Holmes, Miner, Russell, and Setzer for today.

May 30, 2002

**INTRODUCTION OF BILLS AND RESOLUTIONS**

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

By Representatives Goodwin, Allred, Bell, Church, Coates, Cole, M. Crawford, Hall, Insko, Lucas, Morris, Nye, and Underhill:

**H.B. 1483**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SUSPENSION OF PER DIEM PAYMENTS TO MEMBERS OF THE GENERAL ASSEMBLY IF THE STATE BUDGET IS NOT ENACTED BY JUNE 30, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Dockham and Culp:

**H.B. 1484**, A BILL TO BE ENTITLED AN ACT REPEALING THE SECTION OF THE CHARTER OF THE CITY OF TRINITY THAT PROHIBITS THE CITY COUNCIL FROM HOLDING CLOSED SESSIONS AS AUTHORIZED UNDER THE GENERAL LAW, is referred to the Committee on Local Government II.

By Representatives Baker, Allred, Barbee, Barnhart, Capps, Carpenter, M. Crawford, Creech, Decker, Hiatt, Hilton, Johnson, Morris, Pope, Shubert, Walker, and C. Wilson:

**H.B. 1485**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO REDUCE PROPERTY TAXES AFTER JULY 1 AND BEFORE JANUARY 1 IF THEY RECEIVE UNANTICIPATED REVENUES, is referred to the Committee on Local Government I and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rogers and Hunter:

**H.B. 1486**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE IN THE VICINITY OF THE ROANOKE RIVER BRIDGE ON HIGHWAY 17 IN BERTIE COUNTY, is referred to the Committee on Local Government II.

By Representatives J. Crawford and Cole:

**H.B. 1487**, A BILL TO BE ENTITLED AN ACT TO EXTEND EXPIRATION OF THE REQUIREMENT THAT JUST COMPENSATION BE

May 30, 2002



PAID FOR THE REMOVAL BY LOCAL AUTHORITIES OF BILLBOARDS ON INTERSTATE AND FEDERAL-AID PRIMARY HIGHWAYS, AS REQUIRED BY FEDERAL LAW, is referred to the Committee on Transportation.

By Representatives J. Crawford and Cole:

**H.B. 1488**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON THE LAW GOVERNING TRANSPORTATION OF OPEN CONTAINERS OF ALCOHOLIC BEVERAGES, is referred to the Committee on Transportation.

By Representatives Owens, Allen, Allred, Barefoot, Bell, Cole, Cunningham, Goodwin, Hurley, Lucas, McMahan, Nye, Redwine, Underhill, Wainwright, and Walker:

**H.B. 1489**, 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 referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gibson, Goodwin, Baddour, and Gray (Primary Sponsors); Allen, Allred, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, M. Crawford, Creech, Culp, Cunningham, Decker, Esposito, Fox, Gillespie, Gulley, Hackney, Hall, Harrington, Hiatt, Hilton, Holliman, Hurley, Insko, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Morris, Nesbitt, Nye, Owens, Pope, Preston, Rayfield, Redwine, Saunders, Sherrill, Shubert, Smith, Starnes, Thompson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weiss, C. Wilson, G. Wilson, and Yongue:

**H.B. 1490**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gibson, Goodwin, Baddour, and Gray (Primary Sponsors); Allen, Allred, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Buchanan, Capps, Carpenter, Church, Clary, Cole, Cox, M. Crawford, Creech, Culp, Cunningham, Decker, Esposito, Fox, Gulley, Hall, Harrington, Hiatt, Hilton, Holliman, Hurley, Insko, Johnson, Justus, Kiser, Lucas, McCombs, McLawhorn, McMahan, Morris, Nesbitt, Nye, Pope, Preston, Rayfield,

May 30, 2002

Redwine, Saunders, Sherrill, Shubert, Smith, Starnes, Thompson, Tucker, Underhill, Wainwright, Walend, Walker, Warren, Warwick, C. Wilson, and G. Wilson:

**H.B. 1491**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION, SUBJECT TO APPROVAL OF THE VOTERS OF THE STATE, TO PROHIBIT THE GOVERNOR FROM WITHHOLDING CERTAIN LOCAL FUNDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, seconded by Representative McAllister, the House adjourns at 10:19 a.m. to reconvene Monday, June 3, 2002, at 7:15 p.m.

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## ONE HUNDRED EIGHTY-THIRD DAY

HOUSE OF REPRESENTATIVES  
Monday, June 3, 2002

The House meets at 7:15 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:

"Caring Creator, You formed us from the dust of the earth, and breathed into us Your divine Spirit. You shared with us Your creative power and entrusted to us the task of forging our future. Yet, we are a strange amalgam of earth and heaven, finite and infinite, sinner and saint, capable of great accomplishments and equally capable of extreme disintegration. We continually find ourselves tempted by the dark side of our created dignity, the power of creation brings with it the capability of destruction, our ambition threatens to outrun patience, our desires conflict with a call to prudence. Guide us, O God. Protect us from ourselves, lest in trying to do the right thing in the wrong way, we will destroy the good which we strive toward. 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.

June 3, 2002

Leaves of absence are granted Representatives Adams, Carpenter, Culp, Harrington, Hiatt, Holmes, Insko, Miner, and Sexton 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

May 8, 2002

The Honorable Beverly E. Perdue  
*President of the Senate and Lieutenant Governor*  
310 North Blount Street  
Raleigh, NC 27603

The Honorable James Black  
*The Speaker of the House*  
Room 2304  
Legislative Building  
Raleigh, NC 27601-1096

Dear Madam and Sir:

Please be advised that I have appointed Joseph A. Smith, Jr. as North Carolina Commissioner of Banks, effective June 1, 2002. Mr. Smith replaces Commissioner Hal Lingerfelt, who will retire May 31, 2002.

As provided for in N.C.G.S. 53-92, Mr. Smith's appointment is subject to confirmation by the General Assembly by joint resolution.

I appreciate your assistance in securing a favorable resolution for the appointment of Mr. Smith as Commissioner of Banks.

With kindest regards, I remain.

Very truly yours,  
S/ Michael F. Easley  
*Governor*

The Speaker refers the letter to the Committee on Financial Institutions.

June 3, 2002

**INTRODUCTION OF BILLS AND RESOLUTIONS**

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

By Representative Buchanan:

**H.B. 1492**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CONDEMN LAND FOR SECONDARY ROAD PAVING OR MAINTENANCE PROJECTS WHEN THE OWNERS OF THE MAJORITY OF THE ROAD FRONTAGE ADJACENT TO THE PROJECT AGREE TO PROVIDE THE NECESSARY RIGHT-OF-WAY FOR THE PROJECT, is referred to the Committee on Transportation.

By Representatives Fox, Allen, and J. Crawford:

**H.B. 1493**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE OFFICE OF CORONER IN GRANVILLE COUNTY, is referred to the Committee on Local Government II.

By Representative M. Crawford:

**H.B. 1494**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MORE FISCAL RESPONSIBILITY BY TREATING SALARY ADJUSTMENTS FOR THE GOVERNOR, COUNCIL OF STATE, AND JUDICIARY THE SAME AS FOR OTHER OFFICERS AND EMPLOYEES OF THE STATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative M. Crawford:

**H.B. 1495**, AN ACT REDUCING THE PAY OF MEMBERS OF THE GENERAL ASSEMBLY; LIMITING MEMBER PER DIEM PAYMENTS DURING SESSION TO LEGISLATIVE DAYS ONLY; AND LOWERING THE PAY OF CERTAIN OTHER STATE OFFICERS AND EMPLOYEES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Preston and Smith:

**H.B. 1496**, A BILL TO BE ENTITLED AN ACT TO ALLOW EMERALD ISLE TO EXERCISE THE POWER OF EMINENT DOMAIN

June 3, 2002

FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS, is referred to the Committee on Local Government I.

By Representative Tolson:

**H.B. 1497**, A BILL TO BE ENTITLED AN ACT MAKING IT A MISDEMEANOR TO SEND CERTAIN UNSOLICITED ELECTRONIC MAIL TRANSMISSIONS, is referred to the Committee on Judiciary III.

By Representative Tolson:

**H.B. 1498**, A BILL TO BE ENTITLED AN ACT MODIFYING THE FELONY AND MISDEMEANOR OFFENSES RELATED TO CONDUCTING CERTAIN UNAUTHORIZED SOUND AND VIDEO RECORDINGS, is referred to the Committee on Judiciary III.

By Representative Tolson:

**H.B. 1499**, A BILL TO BE ENTITLED AN ACT TO ENACT THE INTERNET PRIVACY POLICY ACT, is referred to the Committee on Science and Technology and, if favorable, to the Committee on State Government.

By Representative Tolson:

**H.B. 1500**, A BILL TO BE ENTITLED AN ACT AMENDING THE LOCAL GOVERNMENT PURCHASING LAWS UNDER THE LAWS RELATING TO PUBLIC CONTRACTS FOR CITIES AND TOWNS, is referred to the Committee on Local Government I.

By Representative Tolson:

**H.B. 1501**, A BILL TO BE ENTITLED AN ACT MAKING IT A FELONY TO ACCESS A GOVERNMENT COMPUTER FOR FRAUDULENT OR RELATED ACTIVITY OR TO CAUSE A DENIAL OF SERVICE AFFECTING A GOVERNMENT COMPUTER, is referred to the Committee on Judiciary III.

By Representative Redwine:

**H.B. 1502**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE SANDERS FOREST AND BENT TREE PLANTATION COMMUNITIES

June 3, 2002

IN BRUNSWICK COUNTY, is referred to the Committee on Local Government I.

### INTRODUCTION OF PAGES

Pages for the week of June 3 are introduced to the membership. They are:

Thomas Boyd of Wake; Allison Buckner of Lincoln; Rose Burlingham of Pitt; Haddon Manly Clark, IV, of Wake; William Gardner Culpepper of Chowan; James Nicholas Harper, IV, of Warren; Katie Hinson of Stanly; Angela Hinton of Wake; Jane-Randolph Johnston of Guilford; Christopher Jones of Wake; Jessica Kilpatrick of Wake; Kathryn King of Bladen; Joseph Leahy of Craven; Michael Lee Marshall of Johnston; Joshua Mobley of Wake; Grace Northington of Wayne; William Pruden of Chowan; Brandi Alexandria Pugh of Bertie; Dexter Elijah Ruffin of Wilson; Chelsey Saunders of Wake; Elizabeth Hanna Smith of Alamance; Justin Winstead of Wake; and Jeffrey Woodard of Pitt.

On motion of Representative Culpepper, seconded by Representative Boyd-McIntyre, the House adjourns at 7:21 p.m. to reconvene June 4 at 2:00 p.m.

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## ONE HUNDRED EIGHTY-FOURTH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, June 4, 2002

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 wisdom, with shortfalls of revenues and a widening budget deficit, we are keenly aware of the enormity of the task given to those who hold office in this honorable Body. Beyond every line item is a life and beyond every proposal is people. I pray that in the clamoring of loyalties and lobbyists, in the claims of programs and policies, we might hear Your voice as well. Grant us Your wisdom as we adjudicate between competing claims for the same scarce dollar. Give insight and foresight as

June 4, 2002

we consider the consequences of our decisions. Our task cannot be accomplished well without You. Guide us, we pray. Show us the way. For we ask not only for our own sakes, but on behalf of all the people of North Carolina. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 3 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Carpenter, Harrington, Hiatt, Holmes, and Miner for today.

### INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative Culpepper:

**H.B. 1503**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO SPECIAL MEETINGS OF SHAREHOLDERS UNDER THE NORTH CAROLINA BUSINESS CORPORATION ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

By Representative Culpepper:

**H.B. 1504**, A BILL TO BE ENTITLED AN ACT TO REPEAL AN OBSOLETE ATTESTATION REQUIREMENT THAT CONVEYANCES BY BANKS MUST BE EXECUTED BY THE SECRETARY OR THE CASHIER AND TO VALIDATE CONVEYANCES BY BANKS THAT OTHERWISE COMPLY WITH THE STATUTE ON EXECUTION OF CORPORATE CONVEYANCES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

By Representative Culpepper:

**H.B. 1505**, A BILL TO BE ENTITLED AN ACT TO AMEND THE VOTING REQUIREMENT FOR MEMBER APPROVAL OF AMENDMENTS TO BYLAWS TO CONFORM TO THE VOTING REQUIREMENT FOR MEMBER APPROVAL OF AMENDMENTS TO ARTICLES OF INCORPORATION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

June 4, 2002

By Representatives Wright, Church, and Hill:

**H.B. 1506**, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX CREDITS FOR JOB CREATION AND INVESTMENT IN MACHINERY AND EQUIPMENT FOR CERTAIN TAXPAYERS ENGAGED IN BUSINESS AS GROCERY STORES, is referred to the Committee on Finance.

By Representatives Hensley:

**H.B. 1507**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CIGARETTE TAX FROM FIVE CENTS A PACK TO FIFTY- FIVE CENTS A PACK AND TO EARMARK THE RESULTING REVENUES FOR PUBLIC EDUCATION, is referred to the Committee on Finance.

By Representatives Edwards, Alexander, Church, M. Crawford, Hill, and Wainwright:

**H.B. 1508**, A BILL TO BE ENTITLED AN ACT TO PROMOTE READINESS FOR AND TO IMPROVE MANAGEMENT OF A PUBLIC HEALTH THREAT THAT MAY RESULT FROM AN ACT OF TERRORISM USING NUCLEAR, BIOLOGICAL, OR CHEMICAL AGENTS AS RECOMMENDED BY THE NORTH CAROLINA PUBLIC HEALTH STUDY COMMISSION, is referred to the Committee on Public Health and, if favorable, to the Committee on Judiciary II.

By Representatives Holliman, Luebke, and Wainwright (Primary Sponsors); Allen, Buchanan, Hill, and Jarrell:

**H.B. 1509**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALES AND USE TAX EXEMPTION REGARDING CERTAIN AGRICULTURAL SUBSTANCES AND TO MAKE VARIOUS ADMINISTRATIVE CHANGES IN THE TAX LAWS, is referred to the Committee on Finance.

By Representatives Buchanan and Thompson:

**H.B. 1510**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ICARD FIRE DISTRICT TO LEVY AN AD VALOREM TAX AT THE GENERAL LAW RATE, is referred to the Committee on Finance.

By Representatives Walend and Weatherly (Primary Sponsors):

**H.B. 1511**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE POLK, RUTHERFORD, AND TRANSYLVANIA COUNTIES TO REQUIRE

June 4, 2002



THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, is referred to the Committee on Local Government II.

By Representative Culpepper:

**H.B. 1512**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE LIST OF SECTIONS OF THE NORTH CAROLINA CONDOMINIUM ACT THAT APPLY TO CONDOMINIUMS CREATED ON OR BEFORE OCTOBER 1, 1986, AND TO CODIFY AN APPLICABILITY PROVISION RELATING TO THE NORTH CAROLINA PLANNED COMMUNITY ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

By Representative Culpepper:

**H.B. 1513**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE RECENT ESTABLISHMENT OF A ROLLING UPSET BID PROCEDURE FOR JUDICIAL AND EXECUTION SALES DID NOT AFFECT THE REQUIREMENT THAT SALES BE CONFIRMED BY THE APPROPRIATE JUDICIAL OFFICIAL, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

By Representatives Alexander and Insko (Primary Sponsors); Adams, Church, J. Crawford, M. Crawford, Earle, Esposito, Gray, and Nye:

**H.B. 1514**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PROVIDE FOR THE COORDINATION OF THE ADOPTION OF RULES BY VARIOUS COMMISSIONS, is referred to the Committee on Health.

By Representatives Alexander and Insko (Primary Sponsors); Adams, Church, J. Crawford, M. Crawford, Earle, Esposito, Gray, and Nye:

**H.B. 1515**, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE MEMBERSHIP OF THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, is referred to the Committee on Mental Health.

Without objection, Rule 31(a) is suspended and **H.R. 1527**, A HOUSE RESOLUTION HONORING THE CAROLINA HURRICANES HOCKEY TEAM, WINNER OF THE PRINCE OF WALES TROPHY AS EASTERN CONFERENCE CHAMPIONS OF THE NATIONAL HOCKEY LEAGUE,

June 4, 2002

AND FINALIST IN THE CHAMPIONSHIP SERIES FOR THE STANLEY CUP, NAMED FOR LORD STANLEY, THE EARL OF PRESTON AND GOVERNOR GENERAL OF CANADA, is introduced, read the first time, and referred to the Committee on Rules, Calendar and Operations of the House.

Primary Sponsor of the bill is Representative Howard. Co-Sponsors are: Representatives Adams, Alexander, Allred, Baker, Barnhart, Blue, Bowie, Brubaker, Capps, M. Crawford, Creech, Davis, Ellis, Esposito, Hilton, Johnson, Kiser, Miller, Pope, Preston, Rayfield, Russell, Sexton, Shubert, Tucker, Wainwright, and G. Wilson.

On motion of Representative Culpepper, seconded by Representative Insko, the House adjourns at 2:13 p.m. to reconvene June 5 at 2:00 p.m.

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## ONE HUNDRED EIGHTY-FIFTH DAY

HOUSE OF REPRESENTATIVES  
Wednesday, June 5, 2002

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, speak to us again the good news of Your passion for Your people. Remind us anew that You are a God who is in love with His creation. For You are ever more willing to be found than we are to seek You. Help us now to be aware of Your nearness. Teach us to be still and search our hearts for Your divine voice. For You are ever-present to us and deeply interested in our affairs. May our lives reflect our interest in You and our orientation to Your virtues and values. 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.

Leaves of absence are granted Representatives Alexander, Arnold, Carpenter, Hiatt, and Russell for today.

June 5, 2002

**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. 1487**, A BILL TO BE ENTITLED AN ACT TO EXTEND EXPIRATION OF THE REQUIREMENT THAT JUST COMPENSATION BE PAID FOR THE REMOVAL BY LOCAL AUTHORITIES OF BILLBOARDS ON INTERSTATE AND FEDERAL-AID PRIMARY HIGHWAYS, AS REQUIRED BY FEDERAL LAW, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 6.

**H.B. 1492**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CONDEMN LAND FOR SECONDARY ROAD PAVING OR MAINTENANCE PROJECTS WHEN THE OWNERS OF THE MAJORITY OF THE ROAD FRONTAGE ADJACENT TO THE PROJECT AGREE TO PROVIDE THE NECESSARY RIGHT-OF-WAY FOR THE PROJECT, 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. 1484**, A BILL TO BE ENTITLED AN ACT REPEALING THE SECTION OF THE CHARTER OF THE CITY OF TRINITY THAT PROHIBITS THE CITY COUNCIL FROM HOLDING CLOSED SESSIONS AS AUTHORIZED UNDER THE GENERAL LAW, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 6.

**H.B. 1486**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE IN THE VICINITY OF THE ROANOKE RIVER BRIDGE ON HIGHWAY 17 IN BERTIE COUNTY, 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.

June 5, 2002

**INTRODUCTION OF BILLS AND RESOLUTIONS**

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

By Representatives J. Crawford and M. Crawford:

**H.B. 1516**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING PLANNING BY THE DEPARTMENT OF TRANSPORTATION, is referred to the Committee on Transportation.

By Representatives J. Crawford, Allen, and Hurley:

**H.B. 1517**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF LITTLETON, is referred to the Committee on Finance.

By Representatives J. Crawford and Bowie:

**H.B. 1518**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INFORMAL BID LIMIT FOR DEPARTMENT OF TRANSPORTATION PROJECTS, AND TO INCREASE FROM THREE TO TWENTY THE LIMIT ON THE NUMBER OF DESIGN-BUILD PROJECTS THE DEPARTMENT OF TRANSPORTATION MAY AWARD EACH YEAR, is referred to the Committee on Transportation.

By Representatives J. Crawford and Bowie:

**H.B. 1519**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAWS AFFECTING MOTOR CARRIER SAFETY, is referred to the Committee on Judiciary I.

By Representatives Allen and Luebke (Primary Sponsors); Alexander, Buchanan, Cox, Dedmon, Edwards, Hill, Holliman, Hurley, Jarrell, McComas, Morris, and Wainwright:

**H.B. 1520**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON TAX CREDITS FOR QUALIFIED BUSINESS INVESTMENTS, is referred to the Committee on Finance.

By Representatives Allen and Luebke (Primary Sponsors); Alexander, Buchanan, Cox, Edwards, Gibson, Hill, Holliman, Hurley, Jarrell, McComas, Wainwright, and Womble:

June 5, 2002

**H.B. 1521**, A BILL TO BE ENTITLED AN ACT TO CONFORM SOURCING OF MOBILE TELECOMMUNICATIONS SERVICES TO THE FEDERAL MOBILE TELECOMMUNICATIONS SOURCING ACT AND TO CODIFY THE SOURCING PRINCIPLES FOR OTHER TELECOMMUNICATIONS SERVICES, is referred to the Committee on Finance.

By Representatives Walend, Justus, and Lucas:

**H.J.R. 1522**, A JOINT RESOLUTION AUTHORIZING THE 2001 GENERAL ASSEMBLY, REGULAR SESSION 2002, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO DEFRAUD DRUG OR ALCOHOL SCREENING TESTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hill, Allen, Buchanan, Holliman, Jarrell, Luebke, and Wainwright:

**H.B. 1523**, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS PROPERTY TAX LAWS, is referred to the Committee on Finance.

By Representatives Preston and Smith (Primary Sponsors):

**H.B. 1524**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CARTERET COUNTY BOARD OF EDUCATION TO LEASE PROPERTY TO CHARITABLE ORGANIZATIONS, is referred to the Committee on Local Government II.

By Representatives Barbee, Gibson, and Goodwin (Primary Sponsors):

**H.B. 1525**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF RED CROSS, is referred to the Committee on Local Government II and, if favorable, to the Committee on Finance.

By Representatives Haire, Alexander, Barefoot, Bowie, Buchanan, Cox, M. Crawford, Dedmon, Goodwin, Justus, Lucas, Luebke, Smith, Warwick, Weiss, and West:

**H.J.R. 1526**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LISTON BRYAN RAMSEY, FORMER MEMBER AND SPEAKER OF THE HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

June 5, 2002

By Representatives Allred, Baker, Barbee, Buchanan, Davis, Hilton, Pope, Rayfield, Smith, Teague, Thompson, Walend, and G. Wilson:

**H.B. 1528**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SALES AND USE TAX ON SEEDS AND FERTILIZERS, is referred to the Committee on Finance.

By Representatives Tucker, Barefoot, Bell, Cox, Gibson, Hackney, Haire, Hurley, Luebke, McAllister, McLawhorn, Underhill, Walker, Warner, Warren, Warwick, Willingham, and Womble:

**H.B. 1529**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PURCHASE OF WITHDRAWN SERVICE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND TO CORRECT THE CALCULATION OF BENEFITS FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM WHO PURCHASE WITHDRAWN SERVICE, is referred to the Committee on Pensions and Retirement.

By Representative Hill:

**H.B. 1530**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF TABOR CITY TO LEVY SPECIAL ASSESSMENTS FOR STREET OR SIDEWALK IMPROVEMENTS WITHOUT PETITION, is referred to the Committee on Finance.

By Representative Miller:

**H.B. 1531**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CIGARETTE TAX FROM FIVE CENTS A PACK TO TWENTY-FIVE CENTS A PACK AND TO EARMARK THE RESULTING REVENUES FOR PUBLIC SCHOOL CLASS SIZE REDUCTION, THE MORE AT FOUR PROGRAM, AND TEACHER SALARIES, is referred to the Committee on Finance.

By Representatives Warner, Bowie, Buchanan, Church, M. Crawford, Lucas, Morris, and Owens:

**H.B. 1532**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION, SUBJECT TO APPROVAL OF THE VOTERS OF THE STATE, TO PROHIBIT THE GOVERNOR FROM WITHHOLDING LOCAL FUNDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

June 5, 2002

By Representative Hunter:

**H.B. 1533**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HERTFORD AND NORTHAMPTON COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, is referred to the Committee on Local Government II.

By Representatives Sherrill, Bowie, M. Crawford, Johnson, Morris, Thompson, and Walend:

**H.B. 1534**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO GRANT THE DOMESTIC VIOLENCE COMMISSION AUTHORITY TO ADOPT RULES TO APPROVE ABUSER TREATMENT PROGRAMS, is referred to the Committee on State Government.

On motion of Representative Culpepper, seconded by Representative Daughtry, the House adjourns at 2:14 p.m. to reconvene June 6 at 10:00 a.m.

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## ONE HUNDRED EIGHTY-SIXTH DAY

HOUSE OF REPRESENTATIVES  
Thursday, June 6, 2002

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 Dr. Robert C. Sawyer, The Church of the Good Shepard, Raleigh, North Carolina.

"Eternal Father,

"We give You thanks for another beautiful morning. On this sixth of June 2002, we remember especially this day the fifty-eighth anniversary of the Normandy Invasion and give thanks for those of that great generation who willingly went into Harm's Way to defend the freedoms that we hold so dear. We also ask You to watch over the men and women of the 82<sup>nd</sup> Airborne who will deploy from our State to Afghanistan. Help them and their families to know a sense of Your abiding presence.

June 6, 2002

"As this daily session begins, we ask Your special blessing upon all the Representatives gathered here and upon the people that they represent. Help them each to stand firm in their convictions but at the same time to be able to come together as one in putting the needs of the people of North Carolina before any desire for political gain. Give our Representatives this day clearness of mind and soundness of heart to make the tough decisions that are necessary at this time in the life of our beloved State. In Your Holy Name we pray. 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.

Leaves of absence are granted Representatives Alexander, Bonner, Brubaker, Carpenter, Hiatt, Hill, Howard, Russell, Thompson, and West for today.

#### **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:

**H.B. 1488**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON THE LAW GOVERNING TRANSPORTATION OF OPEN CONTAINERS OF ALCOHOLIC BEVERAGES, with a favorable report as to the committee substitute bill, unfavorable as to the 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 J. Crawford:

**H.B. 1535**, A BILL TO BE ENTITLED AN ACT TO LOWER THE TAX RATE IN THE BUTNER FIRE AND POLICE PROTECTION DISTRICT, is referred to the Committee on Finance.

June 6, 2002



By Representatives Pope, Arnold, Gray and Shubert (Primary Sponsors); Allred, Baker, Barnhart, Bowie, Capps, M. Crawford, Creech, Daughtry, Davis, Ellis, Esposito, Gulley, Hilton, Howard, Johnson, McComas, McCombs, McMahan, Mitchell, Morris, Preston, Setzer, Sexton, Starnes, Thompson, Walend, Weatherly, and C. Wilson:

**H.B. 1536**, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, is referred to the Committee on Finance.

By Representatives Hill, Gibson, and Warwick:

**H.B. 1537**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE PILOT PROGRAM FOR INSPECTION OF ANIMAL WASTE MANAGEMENT SYSTEMS BY THE DIVISION OF SOIL AND WATER CONSERVATION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and Natural Resources.

By Representatives Culpepper and Gibson:

**H.B. 1538**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO DISTRIBUTION TO KNOWN BUT UNLOCATED DEVISEES OR HEIRS TO CONFORM TO THE NORTH CAROLINA UNCLAIMED PROPERTY ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

By Representative Culpepper:

**H.B. 1539**, A BILL TO BE ENTITLED AN ACT TO REPEAL AN OBSOLETE PROHIBITION ON THE ESTABLISHMENT OF AUTOMATED TELLER MACHINES OR OTHER INFORMATION-PROCESSING DEVICES OR MACHINES BY OUT-OF-STATE FINANCIAL INSTITUTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

By Representatives Culpepper and Gibson:

**H.B. 1540**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE COASTAL AREA MANAGEMENT ACT (CAMA) RULE REGARDING OCEANFRONT SETBACK EXCEPTIONS THAT IS TO BECOME

June 6, 2002

EFFECTIVE AUGUST 1, 2002, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Buchanan, Gibson, and Gillespie:

**H.B. 1541**, A BILL TO BE ENTITLED AN ACT TO DELINEATE THE NOLICHUCKY RIVER BASIN AND TO REQUIRE THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION DEVELOP AND IMPLEMENT A SEPARATE BASINWIDE WATER QUALITY MANAGEMENT PLAN FOR THE NOLICHUCKY RIVER BASIN, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and Natural Resources.

By Representative Nesbitt:

**H.B. 1542**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO CLARIFY THAT THE NORTH CAROLINA BUILDING CODE COUNCIL MAY NOT INCORPORATE MATERIAL INTO A RULE BY REFERENCE EXCEPT IN CERTAIN CIRCUMSTANCES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Weiss:

**H.J.R. 1543**, A JOINT RESOLUTION HONORING JEREMIAH MORRIS, FOUNDER OF THE TOWN OF MORRISVILLE, ON THE TOWN'S 150TH ANNIVERSARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Weiss, Insko, McComas, and Miller:

**H.B. 1544**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS BY WHICH A VARIANCE MAY BE GRANTED BY THE COASTAL RESOURCES COMMISSION UNDER THE COASTAL AREA MANAGEMENT ACT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and Natural Resources.

By Representatives Baker and Gibson:

**H.B. 1545**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF ELK KNOB STATE NATURAL AREA AND BEECH CREEK BOG STATE NATURAL AREA TO THE STATE PARKS

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SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and Natural Resources.

By Representatives Clary, Bowie, Brubaker, Cox, M. Crawford, Earle, Easterling, Harrington, Hunter, Insko, Johnson, Luebke, Preston, Shubert, and Weiss:

**H.B. 1546**, A BILL TO BE ENTITLED AN ACT TO PROVIDE CERTAIN OCCUPANCY LIMITATIONS FOR VEHICLES DRIVEN BY LEVEL 2 DRIVERS WITH LIMITED PROVISIONAL LICENSES, is referred to the Committee on Judiciary I.

By Representatives Michaux, Insko, Miller, and Weiss:

**H.B. 1547**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CIGARETTE TAX FROM FIVE CENTS A PACK TO ONE DOLLAR A PACK, is referred to the Committee on Finance.

By Representatives Michaux, Insko, Miller, and Weiss:

**H.B. 1548**, A BILL TO BE ENTITLED AN ACT TO APPLY THE GENERAL SALES AND USE TAX TO SALES OF AIRCRAFT, BOATS, RAILWAY CARS, AND LOCOMOTIVES, is referred to the Committee on Finance.

By Representatives Michaux, Insko, Miller, and Weiss:

**H.B. 1549**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE SALES TAX APPLICABLE TO SALES OF CERTAIN MACHINERY; TO RAISE THE SALES TAX RATE APPLICABLE TO SALES OF CERTAIN MACHINERY; AND TO CREATE AN EARNED INCOME TAX CREDIT, is referred to the Committee on Finance.

By Representatives Michaux, Insko, Miller, and Weiss:

**H.B. 1550**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE INCOME TAX CREDIT FOR MANUFACTURING CIGARETTES FOR EXPORTATION, is referred to the Committee on Finance.

By Representatives Michaux, Insko, Miller, and Weiss:

**H.B. 1551**, A BILL TO BE ENTITLED AN ACT TO CONFORM STATE INCOME TAX ON BANKS TO FEDERAL INCOME TAX ON BANKS, is referred to the Committee on Finance.

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By Representatives Redwine and Hurley (Primary Sponsors):

**H.B. 1552**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO DELAY THE EFFECTIVE DATE OF THE LOCKSMITH LICENSING ACT AND TO ALLOW THE LOCKSMITH LICENSING BOARD TO ADOPT TEMPORARY RULES, is referred to the Committee on State Government.

By Representative Sutton:

**H.B. 1553**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ALLOW A CRIMINAL DEFENDANT IN A NONCAPITAL CASE TO WAIVE A JURY TRIAL, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION, is referred to the Committee on Judiciary I.

By Representative Owens:

**H.B. 1554**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NONPROFIT ORGANIZATIONS TO OPERATE "CASINO NIGHTS" AND TO REQUIRE AN ENFORCEMENT FEE, is referred to the Committee on Finance.

By Representatives Wright and Luebke:

**H.B. 1555**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE 1898 WILMINGTON RACE RIOT COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

**H.B. 1556**, 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 Judiciary II.

By Representative Wainwright:

**H.B. 1557**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON ISSUING NEW SHELLFISH CULTIVATION LEASES IN CORE SOUND AND TO DIRECT THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO STUDY VARIOUS MARINE FISHERIES ISSUES, AS RECOMMENDED

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BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, is referred to the Committee on Environment and Natural Resources.

By Representatives Baddour, M. Crawford, Gibson, Hilton, Shubert, and Warwick:

**H.B. 1558**, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND WITH AT LEAST TEN YEARS OF SERVICE TO CONTINUE AS MEMBERS AFTER THE TAKEOVER OF A VOLUNTEER DEPARTMENT BY A CITY OR COUNTY, is referred to the Committee on Pensions and Retirement.

By Representatives Earle, Bell, Easterling, Hackney, Insko, Lucas, Wainwright, Weiss, Willingham, and Wright:

**H.B. 1559**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY WAYS TO ESTABLISH A GROUP HEALTH INSURANCE PURCHASING ARRANGEMENT FOR LONG-TERM CARE STAFF, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Earle, Bell, Easterling, Hackney, Insko, Lucas, Wainwright, Weiss, Willingham, and Wright:

**H.B. 1560**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY WAYS THE STATE CAN COORDINATE AND FACILITATE PUBLIC ACCESS TO PUBLIC AND PRIVATE FREE AND DISCOUNT PRESCRIPTION DRUG PROGRAMS FOR SENIOR CITIZENS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Earle, Bell, Easterling, Hackney, Insko, Lucas, Wainwright, Weiss, Willingham, and Wright:

**H.B. 1561**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATED TO CRIMINAL HISTORY RECORD CHECKS OF EMPLOYEES OF LONG-TERM CARE PROVIDERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Mitchell, M. Crawford, Setzer, and Shubert:

**H.B. 1562**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ATTORNEY GENERAL TO REVIEW AND REPORT TO THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS ALL PROPOSED AGREEMENTS ENTERED INTO BY THE STATE TO RESOLVE LITIGATION OR POTENTIAL LITIGATION THAT INVOLVES THE PAYMENT OF PUBLIC MONIES, is referred to the Committee on Judiciary I.

By Representatives Hackney, Blue, and Weiss:

**H.B. 1563**, A BILL TO BE ENTITLED AN ACT TO AMEND THE FEES APPLICABLE TO HAZARDOUS WASTE GENERATORS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Finance.

By Representatives Hackney and Blue:

**H.B. 1564**, A BILL TO BE ENTITLED AN ACT TO AMEND THE INACTIVE HAZARDOUS SITES RESPONSE ACT OF 1987 AND PROVIDE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES WITH EXPLICIT AUTHORITY TO ASSESS A PENALTY FOR A VIOLATION INVOLVING A VOLUNTARY REMEDIAL ACTION UNDER THE INACTIVE HAZARDOUS SITES PROGRAM CONDUCTED BY A PRIVATE ENVIRONMENTAL CONSULTING OR ENGINEERING FIRM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and Natural Resources.

By Representatives Hackney, Dedmon, Insko, and Weiss:

**H.B. 1565**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A RECYCLING PROGRAM FOR CERTAIN ELECTRONIC DEVICES AND TO IMPOSE A TAX ON THOSE DEVICES IN ORDER TO FUND THE PROGRAM AND TO PROVIDE LOCAL GOVERNMENTS WITH FUNDS TO ENABLE THEM TO RECYCLE ELECTRONIC DEVICES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Finance.

By Representatives Fox, Allen, Baddour, Bonner, Church, Coates, Cole, Cox, Dedmon, Edwards, Gibson, Goodwin, Haire, Harrington, Hill,

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Hurley, Insko, Jarrell, Lucas, Luebke, Nye, Oldham, Redwine, Setzer, Smith, Tucker, Underhill, Warner, Warwick, Weiss, and Yongue:

**H.B. 1566**, A BILL TO BE ENTITLED AN ACT TEMPORARILY REDUCING THE PAY AND PER DIEM OF MEMBERS OF THE GENERAL ASSEMBLY BY TEN PERCENT AND LOWERING THE PAY OF CERTAIN OTHER STATE OFFICERS AND EMPLOYEES BY FIVE PERCENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Sherrill, Nesbitt, and M. Crawford (Primary Sponsors):

**H.B. 1567**, A BILL TO BE ENTITLED AN ACT TO REDUCE THE TERMS OF ASHEVILLE HOUSING AUTHORITY MEMBERS FROM FIVE YEARS TO THREE YEARS, is referred to the Committee on Local Government II.

By Representatives Weiss, Hackney, and Insko:

**H.B. 1568**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Finance.

By Representatives Gibson, Insko, and Morris:

**H.B. 1569**, A BILL TO BE ENTITLED AN ACT PROVIDING FOR VOLUNTARY FLEXIBLE WORK SCHEDULES FOR STATE EMPLOYEES, is referred to the Committee on State Personnel.

By Representative Gibson:

**H.B. 1570**, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, PUBLIC HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and Natural Resources.

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By Representative Gibson:

**H.B. 1571**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ANSON COUNTY TO LEVY A ONE-CENT SALES AND USE TAX TO BE USED FOR MEDICAID ONLY, is referred to the Committee on Finance.

By Representative Gibson:

**H.B. 1572**, A BILL TO BE ENTITLED AN ACT TO REPEAL, AMEND, AND CODIFY VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and Natural Resources.

By Representative Gibson:

**H.B. 1573**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET OF THE EXISTING SCRAP TIRE DISPOSAL TAX STRUCTURE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Finance.

By Representative Gibson:

**H.B. 1574**, A BILL TO BE ENTITLED AN ACT TO MERGE THE DIVISION OF RADIATION PROTECTION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES INTO THE DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, TO CREATE THE RADIATION PROTECTION SECTION OF THE DIVISION OF ENVIRONMENTAL HEALTH, AND TO MAKE CONFORMING STATUTORY CHANGES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and Natural Resources.

By Representatives Gibson and Morris:

**H.B. 1575**, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN STATUTES RELATED TO LAND-USE RESTRICTIONS AND RECORDATION OF THOSE RESTRICTIONS IN CONNECTION WITH THE CLEANUP OF RELEASES FROM PETROLEUM UNDERGROUND STORAGE TANKS, AS RECOMMENDED BY THE

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ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and Natural Resources.

By Representatives Gibson, Barbee, and Goodwin (Primary Sponsors):

**H.B. 1576**, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CHARTER OF THE TOWN OF BADIN A PROVISION ON THE AD VALOREM TAX RATE, is referred to the Committee on Finance.

By Representative Gibson:

**H.B. 1577**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN ANIMAL WASTE MANAGEMENT SYSTEMS SHALL NOT QUALIFY FOR SPECIAL PROPERTY CLASSIFICATION AND EXCLUSION FROM THE TAX BASE PURSUANT TO G.S. 105-275(8) AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY ISSUES RELATED TO THE TAX EXCLUSION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Finance.

By Representative Gibson:

**H.B. 1578**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE SCRAP TIRE DISPOSAL TAX, is referred to the Committee on Finance.

By Representative Gibson:

**H.B. 1579**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE OPERATION OF AIRBOATS ON LAKE TILLERY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and Natural Resources.

By Representative Wright (By Request):

**H.B. 1580**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN PROVIDES BENEFITS ON A CALENDAR YEAR BASIS, TO PROVIDE FOR AN ALTERNATIVE BENEFIT DESIGN FOR OFFICE VISITS UNDER THE PLAN, AND TO MAKE CONFORMING CHANGES TO DEDUCTIBLES AND AGGREGATE

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

By Representatives Saunders, Gulley, Morris, and C. Wilson:

**H.B. 1581**, A BILL TO BE ENTITLED AN ACT AFFECTING ELECTRONIC SIGNATURES AND PLATS FILED WITH THE MECKLENBURG COUNTY REGISTER OF DEEDS, is referred to the Committee on Local Government I.

By Representatives Clary, Barefoot, Harrington, Kiser, Rayfield, and Weatherly:

**H.B. 1582**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE PUBLIC RADIO STATION AT GASTON COLLEGE, is referred to the Committee on Appropriations.

By Representatives Michaux and Miller:

**H.B. 1583**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGAL EFFECT OF THE USE OF ELECTRONIC TECHNOLOGY IN CRIMINAL PROCESS AND PROCEDURE, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION, is referred to the Committee on Judiciary III.

By Representative McComas:

**H.B. 1584**, A BILL TO BE ENTITLED AN ACT TO MAKE THE STATE DEADLINE FOR APPROVAL OF HAZARD MITIGATION PLANS CONSISTENT WITH THE FEDERAL DEADLINE FOR APPROVAL OF THESE PLANS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Environment and Natural Resources.

By Representative Fox:

**H.B. 1585**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HENDERSON TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS, is referred to the Committee on Local Government II.

By Representatives Redwine, Dedmon, Hurley, McComas, Nye, Preston, Smith, and Wright:

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**H.B. 1586**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A REINSURANCE FACILITY FOR HOMEOWNER'S INSURANCE IN NORTH CAROLINA, is referred to the Committee on Insurance.

By Representative Warren:

**H.B. 1587**, A BILL TO BE ENTITLED AN ACT TO ANNEX DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE, is referred to the Committee on Finance.

By Representatives Cox, M. Crawford, Dedmon, Hilton, Morris, Setzer, Shubert, Tucker, and Warwick:

**H.B. 1588**, 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.

### CALENDAR

Action is taken on the following:

**H.B. 1484**, A BILL TO BE ENTITLED AN ACT REPEALING THE SECTION OF THE CHARTER OF THE CITY OF TRINITY THAT PROHIBITS THE CITY COUNCIL FROM HOLDING CLOSED SESSIONS AS AUTHORIZED UNDER THE GENERAL LAW, 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. 1487**, A BILL TO BE ENTITLED AN ACT TO EXTEND EXPIRATION OF THE REQUIREMENT THAT JUST COMPENSATION BE PAID FOR THE REMOVAL BY LOCAL AUTHORITIES OF BILLBOARDS ON INTERSTATE AND FEDERAL-AID PRIMARY HIGHWAYS, AS REQUIRED BY FEDERAL LAW.

Representative Morgan requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

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.

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On motion of Representative Culpepper, seconded by Representative Weiss, the House adjourns at 10:25 a.m. to reconvene Monday, June 10, 2002, at 6:00 p.m.

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## ONE HUNDRED EIGHTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES  
Monday, June 10, 2002

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:

"Gracious God, as we gather this evening, incline Your ear to us as we pray. We ask that You would focus our attention on Your holiness so that our solemn act of prayer will be more than a mere custom or tradition of this Body. Rather, may our prayers be an authentic exercise in seeking Your divine guidance and Your will upon our actions. Through Your grace, help our work to be a channel of Your justice. Keep each of us true to You, true to each other, true to our constituents, and true to ourselves. Empower us to act with great conviction for what is right and good and just. In the end, bring us to a peaceful evening and let us rest in the knowledge that we have worked for the betterment of this State and for Your Kingdom. Amen."

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 Arnold, Blue, Cole, Eddins, Harrington, Hiatt, Hurley, Pope, Redwine, Russell, Underhill, and Wright for today.

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

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

**H.B. 1490**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR, 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 Daughtry:

**H.B. 1589**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF PRINCETON, is referred to the Committee on Finance.

By Representatives Church, Buchanan, and Wainwright:

**H.J.R. 1590**, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF JOSEPH A. SMITH, JR. AS COMMISSIONER OF BANKS, is referred to the Committee on Financial Institutions.

By Representatives M. Crawford and Insko:

**H.B. 1591**, A BILL TO BE ENTITLED AN ACT TO AUGMENT STATE REVENUES TO DIRECTLY SUPPORT MENTAL HEALTH FUNDING, is referred to the Committee on Finance.

By Representatives M. Crawford and Insko:

**H.B. 1592**, A BILL TO BE ENTITLED AN ACT TO RAISE ADDITIONAL FUNDS AND EARMARK THE FUNDS FOR MEDICAID, is referred to the Committee on Finance.

By Representatives Yongue, Bonner, and Goodwin:

**H.B. 1593**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE USE OF CENTER-FIRE WEAPONS IN SCOTLAND COUNTY, is referred to the Committee on Wildlife Resources.

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By Representatives Hurley, Buchanan, Hilton, Jeffus, Lucas, Setzer, Wainwright, and Warner:

**H.B. 1594**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE RETIREMENT ALLOWANCE FOR MEMBERS OF THE LEGISLATIVE RETIREMENT SYSTEM WHOSE LAST YEAR OF SERVICE CAME BETWEEN 1991 AND 1993, is referred to the Committee on Pensions and Retirement.

By Representatives Justus, Adams, Allred, Arnold, Baker, Barbee, Barnhart, Blue, Blust, Brubaker, Buchanan, Capps, Carpenter, J. Crawford, M. Crawford, Culp, Daughtry, Davis, Decker, Dedmon, Dockham, Eddins, Ellis, Esposito, Fox, Gillespie, Gray, Gulley, Harrington, Hill, Hilton, Holliman, Hunter, Hurley, Johnson, Kiser, McAllister, McComas, McCombs, Mitchell, Morris, Nesbitt, Nye, Pope, Preston, Rayfield, Setzer, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Underhill, Walend, Walker, Warner, Warwick, Weatherly, West, C. Wilson, and G. Wilson:

**H.B. 1595**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION, SUBJECT TO APPROVAL OF THE VOTERS OF THE STATE, TO PROHIBIT THE GOVERNOR FROM WITHHOLDING LOCAL FUNDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hilton, Barnhart, Blust, Buchanan, Capps, M. Crawford, Davis, Ellis, Gulley, Johnson, Mitchell, Morris, Rayfield, Setzer, Shubert, Starnes, Teague, Walker, Weatherly, and C. Wilson:

**H.B. 1596**, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INCOME TAX DEDUCTION FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, is referred to the Committee on Finance.

By Representatives Rogers, Bonner, Boyd-McIntyre, Buchanan, Jeffus, McLawhorn, Smith, and Yongue:

**H.B. 1597**, A BILL TO BE ENTITLED AN ACT TO REPEAL TERM LIMITS FOR MEMBERS OF THE HAYWOOD COUNTY BOARD OF EDUCATION, EDENTON-CHOWAN COUNTY BOARD OF EDUCATION, ALEXANDER COUNTY BOARD OF EDUCATION, AND IREDELL-STATESVILLE BOARD OF EDUCATION, is referred to the Committee on Local Government II.

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By Representatives Davis and Cox:

**H.B. 1598**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ANNEXATION OF TERRITORY IN THE BUIES CREEK FIRE OR RESCUE DISTRICT WITHOUT THE APPROVAL OF THE BOARD OF DIRECTORS OF THE BUIES CREEK FIRE AND RESCUE DISTRICT, is referred to the Committee on Local Government I.

By Representatives Davis and Cox:

**H.B. 1599**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE COMPOSITION OF THE TOWN OF ANGIER BOARD OF ALCOHOLIC CONTROL FROM THREE TO FIVE MEMBERS, is referred to the Committee on Local Government II.

By Representatives Barbee and Gibson:

**H.B. 1600**, A BILL TO BE ENTITLED AN ACT AFFECTING THE REGULATION OF ABANDONMENT OF JUNKED MOTOR VEHICLES IN THE CITY OF ALBEMARLE, is referred to the Committee on Local Government II.

By Representatives Easterling, Insko, and Weiss:

**H.B. 1601**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CIGARETTE TAX FROM FIVE CENTS A PACK TO FIFTY CENTS A PACK, is referred to the Committee on Finance.

By Representatives Cox, Barefoot, and Buchanan:

**H.B. 1602**, 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.

#### INTRODUCTION OF PAGES

Pages for the week of June 10 are introduced to the membership. They are: Andrew Batchelor of Wake; Steven Bell of Franklin; Shaye Bolt of Cleveland; Chasity Boothe of Rockingham; Damian Branch of Wake; Nicholas Clarke of Mecklenburg; Alicia Davis of Wake; Zachary N. Fentress of Wake; Megan Hutchins of Wake; Ashley Kay of Carteret; Jordan Lee of

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Wake; Daniel Mercer of Wake; Henry Neese of Wake; William Parish of Rockingham; Kristin Riddle of Lee; William Justin Ritchie of Rowan; Shawn Safvi of Orange; Neely Schmidt of Mecklenburg; and Jonathan Gray Wilson of Mecklenburg.

Representative Culpepper moves, seconded by Representative Weiss, that the House adjourn, subject to the announcement of the appointments to a Select Committee, to reconvene June 11 at 2:00 p.m.

The motion carries.

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

**TO THE HONORABLE MEMBERS OF THE  
NORTH CAROLINA  
HOUSE OF REPRESENTATIVES**

**WHEREAS**, North Carolina has, over the last two years, experienced unemployment, loss of manufacturing jobs and weak economic growth that has diminished State government tax revenue; and

**WHEREAS**, the Governor's Office of State Budget and Management and the General Assembly's Fiscal Research Division, at this time, project a State budget deficit of at least \$1.5 billion over presently appropriated funds for the 2002-2003 fiscal year; and

**WHEREAS**, the Governor, by Executive Order Number 19, has implemented economies in State expenditures to insure that the State does not operate at a deficit during the present 2001-2002 fiscal year by exercising the powers granted him under Article III, Section 5(3) of the State Constitution; and

**WHEREAS**, the Governor, by Executive Order Number 17, has created the Commission to Promote Government Efficiency Savings on State Spending (hereafter referred to as "Commission") and has appointed leading citizens of the State to serve on that Commission; and

**WHEREAS**, the Commission is undertaking a review of all aspects of State and local government in order to recommend changes that will increase efficiency; and

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**WHEREAS**, the State must be a wise steward of the funds entrusted to it by effectuating those recommendations of the Commission and of the State's citizens that will reduce inefficiency and duplication of effort and ensure that the maximum benefit is obtained for the people of North Carolina in the proper use of revenues.

**NOW, THEREFORE;**

**Section 1.** Pursuant to the authority vested in me by Rule 26(a) of the Rules of the House of Representatives of the 2001 General Assembly as contained in Section 1 of Resolution 49 of the 2001 Session of the North Carolina House of Representatives, and by North Carolina General Statute (G.S.) 120-19.6, I hereby establish: **the Select Committee on State Government Efficiency**, hereinafter referred to as "Select Committee."

**Section 2.** The following individuals are appointed as members of the Select Committee:

- 1) Representative James W. Crawford, Co-Chair
- 2) Representative William C. Owens, Jr., Co-Chair
- 3) Representative Richard T. Morgan, Vice Chair
- 4) Representative Walter G. Church, Sr.
- 5) Representative Beverly M. Earle
- 6) Representative Drew P. Saunders
- 7) Representative Stanley H. Fox
- 8) Representative Charles F. Buchanan
- 9) Representative Wilma M. Sherrill

**Section 3.** The Select Committee shall review the work, conclusions, and recommendations of the Commission to Promote Government Efficiency Savings on State Spending, as well as the work proposing efficiencies in government done by study and standing committees of the General Assembly and non-governmental groups, including but not limited to, the recommendations of the Government Performance Audit Commission (GPAC), and the Governor's Efficiency and Loophole-closing Commission of 2001. The Select Committee shall propose legislation that will result in the most efficient use of funds entrusted to State government.

**Section 4.** The Select Committee shall report on the results of its study, including any proposed legislation to the members of the House of Representatives, on or before December 31, 2002, by filing one or more reports with the House Principal Clerk and the Legislative Library. The Select Committee shall terminate on December 31, 2002.

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**Section 5.** The Select Committee is authorized to meet during the interim periods between sessions, upon the call of its chair.

**Section 6.** The Select Committee is vested with the authority contained in Article 5A of Chapter 120 of the General Statutes including, but not limited to, the authority to administer oaths, examine under oath, issue subpoenas pursuant to G.S. 120-19.2(c), and request data and information pursuant to G.S. 120-19.

**Section 7.** Members of the Select Committee shall receive per diem, subsistence, and travel allowance at the rate established in G.S. 120-3.1.

**Section 8.** The expenses of the Select Committee including per diem, subsistence, travel allowances, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker pursuant to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the House of Representatives for its operations.

**Section 9.** The members of the Select Committee serve at the pleasure of the Speaker of the House. The Speaker of the House may dissolve the Select Committee at any time.

Effective this 3<sup>rd</sup> day of June, 2002.

S/ James B. Black

Speaker North Carolina House of Representatives

Attest:

S/ Denise Weeks

Principal Clerk

The House stands adjourned at 6:17 p.m.

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## ONE HUNDRED EIGHTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, June 11, 2002

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

June 11, 2002

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

"Infinite God, You are the Alpha and Omega, the Beginning and the End, the First and the Last. You hold all history in Your hands and You see with an eternal perspective all that happens in this world. But we are finite creatures, limited in our vision and caught up in daily duties. Lift, now, our eyes beyond what is temporary and transitory. Grant us a vision of the true and abiding ideals of faith. Prevent us from sacrificing a lasting solution for a temporary victory. Let not immediate concerns overshadow our quest for enduring equity. Remind us that when the day is over and our work is finished, what is important is not that it is done, but that it is done well and with integrity. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 10 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue, Cole, Harrington, Hiatt, and Thompson for today. Representative Wainwright 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:

**H.B. 1504**, A BILL TO BE ENTITLED AN ACT TO REPEAL AN OBSOLETE ATTESTATION REQUIREMENT THAT CONVEYANCES BY BANKS MUST BE EXECUTED BY THE SECRETARY OR THE CASHIER AND TO VALIDATE CONVEYANCES BY BANKS THAT OTHERWISE COMPLY WITH THE STATUTE ON EXECUTION OF CORPORATE CONVEYANCES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 12.

**H.B. 1505**, A BILL TO BE ENTITLED AN ACT TO AMEND THE VOTING REQUIREMENT FOR MEMBER APPROVAL OF AMENDMENTS TO BYLAWS TO CONFORM TO THE VOTING REQUIREMENT

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FOR MEMBER APPROVAL OF AMENDMENTS TO ARTICLES OF INCORPORATION, 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. 1513**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE RECENT ESTABLISHMENT OF A ROLLING UPSET BID PROCEDURE FOR JUDICIAL AND EXECUTION SALES DID NOT AFFECT THE REQUIREMENT THAT SALES BE CONFIRMED BY THE APPROPRIATE JUDICIAL OFFICIAL, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 12.

By Representative Smith, Chair, for the Committee on Public Utilities:

**S.B. 1078** (Committee Substitute), 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, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 12. The Senate committee substitute 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 Luebke, Allen, and Wainwright (Primary Sponsors); and Barefoot:

**H.B. 1603**, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, is referred to the Committee on Finance.

June 11, 2002

By Representative Warren:

**H.B. 1604**, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF BETHEL TO EXTEND ITS EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES BEYOND ITS LIMITS SUBJECT TO THE APPROVAL OF THE PITT COUNTY BOARD OF COMMISSIONERS, is referred to the Committee on Local Government II.

By Representatives Insko, Lucas, and Weiss:

**H.B. 1605**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE EMPLOYER CONTRIBUTION RATE FOR THE LEGISLATIVE RETIREMENT SYSTEM SHALL BE BUDGETED IN AN EQUIVALENT MANNER TO THE EMPLOYER CONTRIBUTION RATE FOR THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Insko, Weiss, and Luebke (Primary Sponsors); and Alexander:

**H.B. 1606**, A BILL TO BE ENTITLED AN ACT TO RAISE THE EXCISE TAX ON CIGARETTES FROM FIVE CENTS TO THIRTY CENTS A PACK; TO RESTORE THE PREVIOUS RATE OF EXCISE TAX ON LIQUOR; AND TO RAISE BEER AND WINE TAXES, is referred to the Committee on Finance.

By Representative Barefoot:

**H.B. 1607**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LINCOLNTON FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, is referred to the Committee on Local Government I.

By Representatives Miller and Luebke:

**H.B. 1608**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHECK-CASHING LAW WITH REGARD TO POSTDATED OR DELAYED DEPOSIT CHECKS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Miller and Luebke:

**H.B. 1609**, A BILL TO BE ENTITLED AN ACT RELATING TO INVESTMENTS BY THE CITY OF DURHAM, is referred to the Committee on Local Government I.

June 11, 2002

By Representative Walend:

**H.B. 1610**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO TRANSYLVANIA COUNTY TO CONSTRUCT AND EQUIP A LEARNING AND TECHNOLOGY CENTER, is referred to the Committee on Appropriations.

By Representative Walend:

**H.B. 1611**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN TRANSYLVANIA COUNTY AND TO REQUIRE PERMISSION BEFORE HUNTING ON THE LAND OF ANOTHER IN TRANSYLVANIA COUNTY, is referred to the Committee on Wildlife Resources.

By Representatives Baddour and Redwine (Primary Sponsors); Adams, Alexander, Barefoot, Boyd-McIntyre, Coates, Cox, Dedmon, Easterling, Goodwin, Hackney, Haire, Hensley, Insko, Jarrell, Jeffus, Lucas, McLawhorn, Rogers, Smith, Tolson, Tucker, Underhill, Warren, Warwick, Weiss, Willingham, and Womble:

**H.B. 1612**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AND MAINTAIN A NO-CALL REGISTRY FOR CONSUMERS WHO WISH TO STOP UNWANTED TELEPHONE SOLICITATION CALLS AND TO INCREASE THE PROTECTIONS FOR CONSUMERS IN TRANSACTIONS INITIATED BY TELEMARKETERS, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Appropriations.

### CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1488** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE LAW GOVERNING TRANSPORTATION OF OPEN CONTAINERS OF ALCOHOLIC BEVERAGES, 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.

June 11, 2002

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1492**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CONDEMN LAND FOR SECONDARY ROAD PAVING OR MAINTENANCE PROJECTS WHEN THE OWNERS OF THE MAJORITY OF THE ROAD FRONTAGE ADJACENT TO THE PROJECT AGREE TO PROVIDE THE NECESSARY RIGHT-OF-WAY FOR THE PROJECT, passes its second reading, by electronic vote (64-50).

Representative Mitchell objects to the third reading. The bill remains on the Calendar.

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

The following Special Message is received from the Senate:

**S.J.R. 1229**, A JOINT RESOLUTION HONORING JEREMIAH MORRIS, FOUNDER OF THE TOWN OF MORRISVILLE, ON THE TOWN'S 150TH ANNIVERSARY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, seconded by Representative Morris, the House adjourns at 3:18 p.m. to reconvene June 12 at 2:00 p.m.

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## **ONE HUNDRED EIGHTY-NINTH DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, June 12, 2002

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, the world would tell us that we are self-made men and women, that we have risen to these positions of privilege and honor based on our own merits, expertise, and competence. Yet, all that we have, even life itself, is first and foremost a gift from You. With humility we approach Your throne of grace and beg for the gifts and wisdom

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sufficient to meet the tasks of this day and this session. May Your hand be upon us to guide us along right paths to the end that justice is served and mercy is given. 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 Adams, Hiatt, Hurley, Teague, and Thompson for today. Representative Wright 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 Edwards, Chair, for the Committee on Public Health:

**H.B. 1508**, A BILL TO BE ENTITLED AN ACT TO PROMOTE READINESS FOR AND TO IMPROVE MANAGEMENT OF A PUBLIC HEALTH THREAT THAT MAY RESULT FROM AN ACT OF TERRORISM USING NUCLEAR, BIOLOGICAL, OR CHEMICAL AGENTS AS RECOMMENDED BY THE NORTH CAROLINA PUBLIC HEALTH STUDY COMMISSION, with a favorable report as to the committee substitute bill, unfavorable as to the 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 J. Crawford, Chair, for the Committee on Mental Health:

**H.B. 1515**, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE MEMBERSHIP OF THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, with a favorable report as to the committee substitute bill, unfavorable as to the 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.

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

**H.J.R. 1522**, A JOINT RESOLUTION AUTHORIZING THE 2001 GENERAL ASSEMBLY, REGULAR SESSION 2002, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO DEFRAUD DRUG OR ALCOHOL SCREENING TESTS, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of June 13.

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 1503**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO SPECIAL MEETINGS OF SHAREHOLDERS UNDER THE NORTH CAROLINA BUSINESS CORPORATION ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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.J.R. 1590**, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF JOSEPH A. SMITH, JR. AS COMMISSIONER OF BANKS, with a favorable report.

Pursuant to Rule 36(b)(2), the bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 1490**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 13. The original bill is placed on the Unfavorable Calendar.

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**H.B. 1521**, A BILL TO BE ENTITLED AN ACT TO CONFORM SOURCING OF MOBILE TELECOMMUNICATIONS SERVICES TO THE FEDERAL MOBILE TELECOMMUNICATIONS SOURCING ACT AND TO CODIFY THE SOURCING PRINCIPLES FOR OTHER TELECOMMUNICATIONS SERVICES, with a favorable report.

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

**H.B. 1530**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF TABOR CITY TO LEVY SPECIAL ASSESSMENTS FOR STREET OR SIDEWALK IMPROVEMENTS WITHOUT PETITION, 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 Representative Tolson:

**H.B. 1613**, A BILL TO BE ENTITLED AN ACT TO REVISE THE BOUNDARIES OF THE HARTSEASE AND HARRISON FIRE TAX DISTRICTS IN EDGECOMBE COUNTY, is referred to the Committee on Finance.

By Representatives Kiser and Barefoot (Primary Sponsors); and Hilton:

**H.B. 1614**, A BILL TO BE ENTITLED AN ACT TO CLARIFY RESIDENCE REQUIREMENTS FOR THE CITY OF LINCOLNTON SEAT ON THE LINCOLN COUNTY BOARD OF EDUCATION, is referred to the Committee on Local Government I.

By Representatives McCombs and Coates:

**H.B. 1615**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CHINA GROVE, is referred to the Committee on Local Government II.

By Representatives McCombs and Coates:

**H.B. 1616**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE AROUND EAGLE POINT NATURE PRESERVE ON

June 12, 2002

HIGH ROCK RESERVOIR IN ROWAN COUNTY, is referred to the Committee on Local Government I.

By Representative Cox:

**H.B. 1617**, A BILL TO BE ENTITLED AN ACT TO REPEAL LANGUAGE EXCLUDING CERTAIN RETIRED LAW ENFORCEMENT OFFICERS FROM THE REEXAMINATION REQUIREMENT FOR DISABILITY RETIREMENT BENEFITS, is referred to the Committee on Pensions and Retirement.

By Representative Cox:

**H.B. 1618**, A BILL TO BE ENTITLED AN ACT TO AMEND THE ELIGIBILITY REQUIREMENTS FOR DISABILITY RETIREMENT BENEFITS FOR LAW ENFORCEMENT OFFICERS, FIREMEN, AND RESCUE SQUAD WORKERS, is referred to the Committee on Pensions and Retirement.

By Representative Yongue:

**H.B. 1619**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 707 OF THE 1963 SESSION LAWS RELATED TO CURRENT EXPENSE EXPENDITURES FROM LOCAL FUNDS FOR THE SCOTLAND COUNTY SCHOOLS, is referred to the Committee on Local Government I.

By Representative Holmes:

**H.B. 1620**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE YADKIN COUNTY AND THE TOWN OF JONESVILLE TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Finance.

By Representative Haire:

**H.B. 1621**, A BILL TO BE ENTITLED AN ACT TO RECLASSIFY STATUTORY RAPE OR SEXUAL OFFENSE OF A PERSON WHO IS 13, 14, OR 15 YEARS OLD BY A DEFENDANT WHO IS MORE THAN FOUR YEARS BUT LESS THAN SIX YEARS OLDER, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Haire:

**H.B. 1622**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF SPECIAL PROBATION TO REMOVE THE SIX-MONTH LIMITATION ON THE PERIOD OF IMPRISONMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Redwine:

**H.B. 1623**, A BILL TO BE ENTITLED AN ACT TO CLASSIFY BRUNSWICK COUNTY AS A HIGH HAZARD COUNTY WITH RESPECT TO THE REGULATION OF OPEN FIRES, is referred to the Committee on Local Government I.

By Representatives Redwine, Bonner, Hill, Sutton, Wright, and Yongue:

**H.B. 1624**, A BILL TO BE ENTITLED AN ACT TO ALLOW ELECTROFISHING FOR CATFISH IN BRUNSWICK, COLUMBUS, AND ROBESON COUNTIES, is referred to the Committee on Wildlife Resources.

By Representatives Saunders, Alexander, McMahan, and C. Wilson:

**H.B. 1625**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IF AN OUT-OF-STATE INSTITUTION IN CERTAIN CIRCUMSTANCES HAS A MAIN PERMANENT CAMPUS LOCATED IN NORTH CAROLINA, THE SCHOLARSHIP FUNDS AND LEGISLATIVE TUITION GRANTS AVAILABLE THROUGH THE STATE EDUCATION ASSISTANCE AUTHORITY ARE ALSO AVAILABLE TO NORTH CAROLINA RESIDENTS WHO ENROLL AT THE NORTH CAROLINA CAMPUS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Buchanan:

**H.B. 1626**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BUSINESS OPERATIONS OF THE HOSIERY TECHNOLOGY CENTER AT CATAWBA VALLEY COMMUNITY COLLEGE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Arnold and Tolson:

**H.B. 1627**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE REMOVAL OF FILED DD FORM 214 OR FOR THE REDACTING OF

June 12, 2002

THE FORM WHEN A COPY IS REQUESTED BY PERSONS OTHER THAN THE FILER OR A MEMBER OF HIS FAMILY IN NASH COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hall:

**H.B. 1628**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A CULTURAL ARTS CENTER IN SCOTLAND NECK, is referred to the Committee on Appropriations.

By Representatives Holliman and Dockham:

**H.B. 1629**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF THOMASVILLE TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE, is referred to the Committee on Finance.

By Representatives Dedmon and Goodwin (Primary Sponsors); and Cox:

**H.B. 1630**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE NASCAR DRIVER THEME SPECIAL REGISTRATION PLATES, is referred to the Committee on Finance.

### CALENDAR

Action is taken on the following:

**H.B. 1492**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CONDEMN LAND FOR SECONDARY ROAD PAVING OR MAINTENANCE PROJECTS WHEN THE OWNERS OF THE MAJORITY OF THE ROAD FRONTAGE ADJACENT TO THE PROJECT AGREE TO PROVIDE THE NECESSARY RIGHT-OF-WAY FOR THE PROJECT.

Representative Buchanan calls the previous question on the passage of the bill and the call is not sustained by electronic vote (56-57).

The bill passes its third reading, by electronic vote (67-47), and is ordered sent to the Senate.

**H.B. 1504**, A BILL TO BE ENTITLED AN ACT TO REPEAL AN OBSOLETE ATTESTATION REQUIREMENT THAT CONVEYANCES

June 12, 2002

BY BANKS MUST BE EXECUTED BY THE SECRETARY OR THE CASHIER AND TO VALIDATE CONVEYANCES BY BANKS THAT OTHERWISE COMPLY WITH THE STATUTE ON EXECUTION OF CORPORATE CONVEYANCES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

Representative Sherrill 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 sent to the Senate.

**H.B. 1513**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE RECENT ESTABLISHMENT OF A ROLLING UPSET BID PROCEDURE FOR JUDICIAL AND EXECUTION SALES DID NOT AFFECT THE REQUIREMENT THAT SALES BE CONFIRMED BY THE APPROPRIATE JUDICIAL OFFICIAL, AS RECOMMENDED BY THE GENERAL STATUTES 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.

**S.B. 1078** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE AIR QUALITY IN THE STATE BY IMPOSING LIMITS ON THE EMISSION OF CERTAIN POLLUTANTS FROM CERTAIN FACILITIES THAT BURN COAL TO GENERATE ELECTRICITY AND TO PROVIDE FOR RECOVERY BY ELECTRIC UTILITIES OF THE COST OF ACHIEVING COMPLIANCE WITH THOSE LIMITS.

Representative Harrington offers Amendment No. 1 which fails of adoption by electronic vote (17-98).

Representative Warwick requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (16-99).

The bill 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 for concurrence in the House committee substitute bill by Special Message.

On motion of Representative Culpepper, seconded by Representative Alexander, the House adjourns at 3:35 p.m. to reconvene June 13 at 10:00 a.m.

June 12, 2002

## ONE HUNDRED NINETIETH DAY

HOUSE OF REPRESENTATIVES  
Thursday, June 13, 2002

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 creation, You bring order out of chaos and set us in the world to do Your will. Use us as servants in Your continuing creative endeavors. Open to us opportunities to promote the general welfare of all people. Strengthen our resolve to show compassion and represent Your love, not only in our personal interactions, but in our corporate activities as well. May our labors enhance Your ongoing work in this world to the end that we will be faithful servants not only of the people, but of You, our Lord, as well. 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 Adams, Bonner, Hiatt, Howard, McMahan, and Thompson 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. 1509**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALES AND USE TAX EXEMPTION REGARDING CERTAIN AGRICULTURAL SUBSTANCES AND TO MAKE VARIOUS ADMINISTRATIVE CHANGES IN THE TAX LAWS, with a favorable report.

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

June 13, 2002

**H.B. 1510**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ICARD FIRE DISTRICT TO LEVY AN AD VALOREM TAX AT THE GENERAL LAW RATE, with a favorable report.

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

**H.B. 1517**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF LITTLETON, with a favorable report as to the committee substitute bill, unfavorable as to the 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 Representatives Barbee and Gibson (Primary Sponsors); and G. Wilson:

**H.B. 1631**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO CREATE A HMONG VETERANS SPECIAL LICENSE PLATE, is referred to the Committee on Finance.

By Representatives Tucker, Gibson, and Goodwin:

**H.B. 1632**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE ADDITIONAL ONE-HALF CENT STATE SALES AND USE TAX AND TO REDUCE THE COUNTY SHARE OF MEDICAID, is referred to the Committee on Finance.

By Representatives Tucker and Gibson:

**H.B. 1633**, A BILL TO BE ENTITLED AN ACT TO ACCELERATE THE ADDITIONAL ONE-HALF CENT LOCAL OPTION SALES AND USE TAX, is referred to the Committee on Finance.

By Representatives Davis, Cox, and Lucas:

**H.B. 1634**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROHIBITION AGAINST HUNTING FROM THE RIGHT-OF-WAY IN HARNETT COUNTY, is referred to the Committee on Wildlife Resources.

June 13, 2002



By Representatives Davis, Cox, and Lucas:

**H.B. 1635**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW REGULATING FOXHUNTING IN HARNETT COUNTY, is referred to the Committee on Wildlife Resources.

By Representatives Rogers, Alexander, Baddour, Baker, Bowie, Buchanan, Cox, J. Crawford, Culp, Culpepper, Earle, Easterling, Edwards, Fox, Gulley, Haire, Hall, Hunter, Hurley, Insko, Jarrell, Lucas, McLawhorn, Oldham, Preston, Saunders, Smith, Tolson, Tucker, Underhill, Walend, Warren, West, Willingham, and Womble:

**H.B. 1636**, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL LOCAL SCHOOL ADMINISTRATIVE AGENCIES TO ENSURE THAT EVERY SCHOOL DEVELOP AND MAINTAIN AN INDIVIDUALIZED DIABETES CARE PLAN FOR A CHILD WITH DIABETES AT THE REQUEST OF THE CHILD'S PARENT OR GUARDIAN AND TO ASSIST THE CHILD WITH THE MANAGEMENT OF THE CHILD'S DIABETES IN ACCORDANCE WITH THE CHILD'S DIABETES CARE PLAN, TO PROVIDE IMMUNITY FROM LIABILITY, TO DIRECT THE STATE BOARD OF EDUCATION TO DISSEMINATE GUIDELINES, AND TO APPROPRIATE FUNDS, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Fox, Allen, and J. Crawford:

**H.B. 1637**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE GRANVILLE HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS, is referred to the Committee on Local Government II.

By Representative Haire:

**H.B. 1638**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE CRIMINAL RECORD CHECKS TO THE PRIVATE PROTECTIVE SERVICES BOARD AND TO CHARGE A FEE FOR CONDUCTING THE CHECK, is referred to the Committee on Judiciary II.

By Representative Haire:

**H.B. 1639**, A BILL TO BE ENTITLED AN ACT TO MAKE THE INCREASE IN SENTENCE LENGTHS BETWEEN PRIOR RECORD LEVELS MORE PROPORTIONATE USING A SET PERCENTAGE

June 13, 2002

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

By Representative Culpepper:

**H.B. 1640**, A BILL TO BE ENTITLED AN ACT TO INCLUDE THE TOWN OF DUCK AS A MUNICIPALITY AUTHORIZED TO REGULATE AND CONTROL SWIMMING, PERSONAL WATERCRAFT, SURFING, AND LITTERING IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWN WITHIN ITS BOUNDARIES OR WITHIN ITS EXTRATERRITORIAL JURISDICTION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

**H.B. 1641**, A BILL TO BE ENTITLED AN ACT TO ADOPT THE PROVISIONS OF THE REVISED INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS AND TO APPROPRIATE FUNDS FOR NORTH CAROLINA'S ASSESSMENT AS A MEMBER OF THAT COMPACT, is referred to the Committee on Judiciary II.

By Representatives Weiss, Luebke and Insko (Primary Sponsors); Adams, Barefoot, Bonner, Boyd-McIntyre, Cox, Cunningham, Earle, Easterling, Edwards, Gibson, Hackney, Hensley, Holliman, Hunter, Jeffus, Lucas, Michaux, Miller, Nesbitt, Owens, Sutton, Wainwright, Warren, Willingham, Womble, Wright, and Yongue:

**H.B. 1642**, A BILL TO BE ENTITLED AN ACT TO CONFORM THE TAX RATE APPLIED TO SALES OF AIRCRAFT, RAILWAY CARS, AND LOCOMOTIVES TO THAT APPLIED TO SALES OF MOTOR VEHICLES, is referred to the Committee on Finance.

By Representatives Weiss, Insko and Luebke (Primary Sponsors); Adams, Bonner, Boyd-McIntyre, Easterling, Hensley, Hunter, Lucas, Michaux, Miller, Sutton, Womble, and Wright:

**H.B. 1643**, A BILL TO BE ENTITLED AN ACT TO CONFORM STATE INCOME TAX ON BANKS TO FEDERAL INCOME TAX ON BANKS, is referred to the Committee on Finance.

By Representatives Luebke, Insko and Weiss (Primary Sponsors); Cunningham, Easterling, Hensley, Wainwright, Warren, Womble, and Wright:

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**H.B. 1644**, A BILL TO BE ENTITLED AN ACT TO IMPOSE A SURTAX ON THE INDIVIDUAL INCOME TAX AND THE CORPORATE INCOME TAX, is referred to the Committee on Finance.

By Representatives Luebke, Weiss and Insko (Primary Sponsors); Boyd-McIntyre, Cunningham, Easterling, Hensley, Holliman, Miller, Wainwright, Warren, Willingham, Womble, and Wright:

**H.B. 1645**, A BILL TO BE ENTITLED AN ACT TO CONFORM THE DEFINITION OF BUSINESS INCOME TO FEDERAL STANDARDS; 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; AND TO INCREASE THE TAX RATE AND REMOVE THE CAP ON SALES OF CERTAIN MACHINERY AND EQUIPMENT, is referred to the Committee on Finance.

By Representatives Bonner, Sutton, and Yongue:

**H.B. 1646**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF ROWLAND, is referred to the Committee on Finance.

By Representatives Smith and Sutton:

**H.B. 1647**, A BILL TO BE ENTITLED AN ACT MODIFYING THE STATUTES RELATING TO SCHOLARSHIPS FOR CHILDREN OF WAR VETERANS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Owens:

**H.B. 1648**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COLLEGE OF THE ALBEMARLE TO ENTER INTO A LEASE AGREEMENT WITH THE YMCA, is referred to the Committee on Local Government II.

By Representatives Saunders, Alexander, Cunningham, and Easterling:

**H.B. 1649**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXPIRATION DATE OF A LOCAL ACT ALLOWING THE CITY OF CHARLOTTE TO CONTRACT WITH PRIVATE PARTIES FOR THE DEVELOPMENT, CONSTRUCTION, AND OCCUPANCY OF CHARLOTTE/DOUGLAS INTERNATIONAL AIRPORT SPECIAL USER PROJECTS

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WITHOUT COMPLYING WITH ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES, is referred to the Committee on Local Government I.

By Representatives Saunders, Alexander, Cunningham, and Easterling:

**H.B. 1650**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE REGULATION OF TAXIS TO COMPLY WITH FBI STANDARDS REGARDING NON-LAW ENFORCEMENT CRIMINAL BACKGROUND CHECKS, is referred to the Committee on Local Government I.

By Representative Warren:

**H.B. 1651**, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING IN PITT COUNTY, is referred to the Committee on Wildlife Resources.

By Representatives Gulley, Alexander, and Cunningham:

**H.B. 1652**, A BILL TO BE ENTITLED AN ACT TO REDUCE THE REQUIRED STORAGE PERIOD FOR UNCLAIMED PROPERTY HELD BY LAW ENFORCEMENT IN MECKLENBURG COUNTY, is referred to the Committee on Local Government I.

By Representatives Alexander, Cunningham, Easterling, and McMahan:

**H.B. 1653**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO REPEAL CERTAIN OPTIONAL RIGHTS OF THE CITY MANAGER, TO AUTHORIZE THE CITY MANAGER TO ACCEPT PROPERTY OFFERED FOR PUBLIC DEDICATION, TO REPEAL THE SECTION THAT PROHIBITS THE CITY MANAGER FROM AWARDED CONTRACTS THAT EXCEED FIFTY THOUSAND DOLLARS, AND TO MOVE A CERTAIN SECTION FROM CHAPTER FOUR TO CHAPTER EIGHT FOR ORGANIZATIONAL PURPOSES, is referred to the Committee on Local Government I.

By Representatives Alexander, Cunningham, Easterling, and McMahan:

**H.B. 1654**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF CHARLOTTE TO DESIGNATE SOMEONE OTHER THAN THE CITY CLERK TO ISSUE CLOSING-OUT SALE LICENSES, is referred to the Committee on Local Government I.

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By Representatives Weatherly, Clary, and Dedmon:

**H.B. 1655**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CLEVELAND COUNTY SANITARY BOARD TO SET COMPENSATION FOR ITS MEMBERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Michaux:

**H.B. 1656**, A BILL TO BE ENTITLED AN ACT TO PROTECT OUR CHILDREN BY INSTITUTING TEMPORARY REVENUE INCREASES BY TRANSFERRING FUNDS TO THE GENERAL FUND FROM THE TOBACCO SETTLEMENT FUNDS, BY ELIMINATING BILL LEE ACT CREDITS IN TIERS FOUR AND FIVE, BY REINSTATING THE CORPORATE INCOME TAX TO PREVIOUS LEVELS, BY ENACTING A SURTAX ON HIGHER-INCOME INDIVIDUALS, AND BY TRANSFERRING MONEY FROM THE HIGHWAY TRUST FUND, is referred to the Committee on Finance.

By Representatives Michaux and Luebke:

**H.B. 1657**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE DURHAM FIREMEN'S SUPPLEMENTAL RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Saunders, Alexander, Cunningham, and Easterling:

**H.B. 1658**, A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL FLEXIBILITY WITH REGARD TO THE PURCHASE OF TEXTBOOKS TO THE CHARLOTTE-MECKLENBURG SCHOOLS, is referred to the Committee on Local Government I.

By Representative Redwine:

**H.B. 1659**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF GILL NETS TO FISH FOR HERRING ON TOWN CREEK IN BRUNSWICK COUNTY, is referred to the Committee on Wildlife Resources.

By Representatives Holliman, Baker, Capps, Cox, Davis, Fox, Harrington, Justus, Nye, Rayfield, Setzer, Underhill, and Womble:

**H.B. 1660**, A BILL TO BE ENTITLED AN ACT TO REALLOCATE FUNDS REMAINING IN THE HURRICANE FLOYD FUND AT THE

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END OF THE 2001-2002 FISCAL YEAR TO BE USED TO REPLACE FUNDS WITHHELD FROM LOCAL GOVERNMENTS, is referred to the Committee on Appropriations.

By Representatives Cox and Davis (Primary Sponsors):

**H.B. 1661**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF LEE TO CONVEY THE GOLDEN POULTRY/GOLD KIST WATER PLANT AT PRIVATE SALE, is referred to the Committee on Finance.

By Representatives J. Crawford and Allen:

**H.B. 1662**, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS, is referred to the Committee on Finance.

By Representative Haire:

**H.B. 1663**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF SPECIAL PROBATION TO REMOVE THE SIX-MONTH LIMITATION ON THE PERIOD OF IMPRISONMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Barefoot:

**H.B. 1664**, A BILL TO BE ENTITLED AN ACT TO GUARANTEE THAT EACH RETIRED MEMBER OF THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM RECEIVING RETIREMENT ALLOWANCES SHALL RECEIVE BENEFITS IN AN AMOUNT NOT LESS THAN THE ACCUMULATED CONTRIBUTIONS OF THE RETIREE AT RETIREMENT, is referred to the Committee on Pensions and Retirement.

By Representative Gray:

**H.B. 1665**, A BILL TO BE ENTITLED AN ACT TO AMEND TAX LAWS RELATED TO INTERSTATE AIR COURIERS, is referred to the Committee on Finance.

By Representatives Alexander, Cunningham, Easterling, and McMahan:

**H.B. 1666**, 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.

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By Representatives Pope, Capps, and Eddins:

**H.B. 1667**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF RALEIGH POLICE DEPARTMENT TO EXERCISE ITS JURISDICTION TWO MILES OUTSIDE THE CITY OF RALEIGH, is referred to the Committee on Local Government I.

By Representative Redwine:

**H.B. 1668**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SOUTHPORT OCCUPANCY TAX, is referred to the Committee on Finance.

By Representative Redwine:

**H.B. 1669**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SUNSET HARBOR, is referred to the Committee on Finance.

By Representatives Luebke, Allen, Buchanan, and Wainwright:

**H.B. 1670**, A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEE, TO SET THE ELECTRIC MEMBERSHIP CORPORATION REGULATORY FEE, AND TO SET THE INSURANCE REGULATORY CHARGE, is referred to the Committee on Finance.

By Representatives Earle, Adams, Alexander, Baddour, Barnhart, Bell, Blust, Bonner, Boyd-McIntyre, Carpenter, J. Crawford, M. Crawford, Culpepper, Cunningham, Easterling, Fox, Gibson, Goodwin, Hackney, Haire, Hensley, Hill, Holliman, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Lucas, Luebke, McLawhorn, Michaux, Oldham, Rogers, Saunders, Smith, Sutton, Teague, Tolson, Underhill, Wainwright, Walker, Weatherly, Weiss, West, Willingham, Womble, Wright, and Yongue:

**H.B. 1671**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COMMUNITY ALTERNATIVES PROGRAM FOR DISABLED ADULTS AND TO DIRECT THE NORTH CAROLINA INSTITUTE OF MEDICINE TO CONDUCT A STUDY ON IMPROVING THE COMMUNITY ALTERNATIVES PROGRAM FOR DISABLED ADULTS ADMINISTRATION, is referred to the Committee on Appropriations.

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By Representatives Yongue, Bonner, and Goodwin:

**H.B. 1672**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SCOTLAND COUNTY TO LEVY AN ADDITIONAL ONE-CENT LOCAL SALES AND USE TAX TO BE USED FOR EDUCATIONAL EXPENSES ONLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Saunders, Alexander, and Easterling:

**H.B. 1673**, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITATIONS ON RAIL TRANSPORTATION LIABILITY FOR PASSENGER RAIL SERVICES IN THE CITY OF CHARLOTTE, is referred to the Committee on Transportation.

By Representatives Earle, Alexander, Cunningham, Easterling, and Saunders:

**H.B. 1674**, A BILL TO BE ENTITLED AN ACT ALLOWING THE MECKLENBURG COUNTY SHERIFF TO PERFORM PREPLACEMENT CRIMINAL RECORDS CHECKS OF PROSPECTIVE ADOPTIVE PARENTS SEEKING TO ADOPT MINORS WHO ARE IN THE CUSTODY OR PLACEMENT RESPONSIBILITY OF THE MECKLENBURG COUNTY DEPARTMENT OF SOCIAL SERVICES, is referred to the Committee on Local Government II.

By Representative Tucker:

**H.J.R. 1675**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HUGH STEWART JOHNSON, JR., A FORMER MEMBER OF THE NORTH CAROLINA GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Owens, Arnold, Cunningham, and Lucas:

**H.B. 1676**, 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 Nye, Gibson, Insko, Luebke, Smith, and Weiss:

**H.B. 1677**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES

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TO SERVE CHILDREN WITH AUTISM IN THE RESIDENTIAL SERVICES, INC., FACILITY, is referred to the Committee on Appropriations.

By Representative Barefoot:

**H.B. 1678**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM TO CONFORM WITH THE PROVISIONS OF THE ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION ACT OF 2001, is referred to the Committee on Pensions and Retirement.

By Representatives Allred, Cole, and Teague (Primary Sponsors):

**H.B. 1679**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INCORPORATION OF THE VILLAGE OF OSSIPEE AND THE SIMULTANEOUS DISSOLUTION OF THE OSSIPEE SANITARY DISTRICT, is referred to the Committee on Finance.

By Representatives Hurley, Morris, and Warner:

**H.B. 1680**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE FEASIBILITY AND MERITS OF CHANGING THE NAME OF FAYETTEVILLE STATE UNIVERSITY TO THE UNIVERSITY OF NORTH CAROLINA AT FAYETTEVILLE AND TO APPROPRIATE FUNDS FOR THE STUDY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baddour and McLawhorn:

**H.B. 1681**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE COMMUNITY COLLEGES SYSTEM OFFICE TO ESTABLISH A SCHOLARSHIP PROGRAM FOR PROSPECTIVE TEACHERS AND TO DEVELOP TEACHER PREPARATION COURSES, is referred to the Committee on Appropriations.

By Representatives Blue and Insko:

**H.B. 1682**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE EXECUTIVE ADMINISTRATOR OF THE TEACHERS' AND STATE

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EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN TO NEGOTIATE WITH ADMINISTRATORS OF STATE HEALTH PLANS IN STATES ADJOINING NORTH CAROLINA TO EXPLORE THE FEASIBILITY OF JOINT PURCHASE OF PRESCRIPTION DRUGS WITH THE ADJOINING STATES, is referred to the Committee on Health.

By Representatives Baddour, Bell, and Russell:

**H.B. 1683**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STAGGERED TERMS FOR THE SEVEN SEPARATE SEATS ON THE WAYNE COUNTY BOARD OF COMMISSIONERS, is referred to the Committee on Local Government II.

By Representatives Holliman and Dockham:

**H.B. 1684**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF THOMASVILLE, is referred to the Committee on Finance.

By Representative Daughtry:

**H.B. 1685**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CLAYTON TO ENTER INTO AGREEMENTS FOR PAYMENTS IN LIEU OF ANNEXATION, is referred to the Committee on Finance.

By Representative Morgan:

**H.B. 1686**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE VILLAGE OF WHISPERING PINES TO REGULATE THE OPERATION OF ELECTRIC GOLF CARTS ON PUBLIC STREETS WITHIN THE TOWN, is referred to the Committee on Local Government II.

By Representatives Dockham, Brubaker, and Culp:

**H.B. 1687**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ARCHDALE TO LEVY A ROOM OCCUPANCY TAX, is referred to the Committee on Finance.

By Representatives Allen, Cox, J. Crawford, Culpepper, Dedmon, Dockham, Edwards, Fox, Gibson, Hall, Hill, Hurley, Jarrell, Luebke, McMahan, Owens, Smith, Tolson, Wainwright, and Wright:

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**H.B. 1688**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A WATER WITHDRAWAL TO PROVIDE COOLING FOR ELECTRICAL POWER GENERATION IS NOT A TRANSFER REGULATED UNDER THE STATE INTERBASIN TRANSFER LAWS AND TO APPROPRIATE FUNDS TO UPDATE THE BASINWIDE WATER QUALITY MANAGEMENT PLANS FOR THE APPROPRIATE RIVER BASINS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Starnes:

**H.B. 1689**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE PEARLAND FIRE DISTRICT IN CALDWELL COUNTY TO THE SAWMILLS RURAL FIRE DISTRICT, is referred to the Committee on Local Government II.

By Representative Gibson:

**H.B. 1690**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CANDOR, is referred to the Committee on Finance.

By Representative Gibson:

**H.B. 1691**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TROY REDEVELOPMENT COMMISSION TO CONVEY PROPERTY TO A NONPROFIT ORGANIZATION FOR THE PURPOSE OF PROVIDING AFFORDABLE HOUSING IN A REDEVELOPMENT AREA, is referred to the Committee on Local Government I.

By Representative Gibson:

**H.B. 1692**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF EDUCATION TO GRANT WAIVERS FOR SCHOOLS THAT ARE UNABLE TO IMPLEMENT THE HIGH-PRIORITY SCHOOL PROGRAM FOR THE 2002-2003 FISCAL YEAR AND TO USE FUNDS SAVED AS A RESULT OF THE WAIVERS TO OFFSET BASE BUDGET REDUCTIONS IN THE STATE PUBLIC SCHOOL FUND, is referred to the Committee on Education.

By Representative Gibson:

**H.B. 1693**, A BILL TO BE ENTITLED AN ACT TO APPLY THE SALES AND USE TAX TO CERTAIN SALES OF FOOD AND TO

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CREATE AN EARNED INCOME TAX CREDIT, is referred to the Committee on Finance.

By Representative Miller:

**H.B. 1694**, A BILL TO BE ENTITLED AN ACT TO RAISE THE SALES TAX RATE AND REMOVE THE CAP ON SALES OF CERTAIN MACHINERY AND EQUIPMENT; TO REPEAL THE TAX CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO CONFORM STATE INCOME TAX ON BANKS TO FEDERAL INCOME TAX ON BANKS; TO PROVIDE THAT NEXUS MAY BE BASED ON A SUBSTANTIAL CUSTOMER BASE; AND TO REPEAL THE GUARANTY FUND TAX CREDIT, is referred to the Committee on Finance.

By Representatives Saunders, Alexander, Cunningham, and Easterling:

**H.B. 1695**, A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL PURCHASING FLEXIBILITY TO THE CHARLOTTE-MECKLENBURG SCHOOLS, is referred to the Committee on Local Government I.

By Representative Cole:

**H.B. 1696**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE HIGHWAY PATROL TO ASSESS AND COLLECT FEES FOR PROVIDING ESCORTS FOR OVERSIZED AND HAZARDOUS SHIPMENTS, is referred to the Committee on Finance.

By Representatives Cole, Sexton, Allred, and Teague (Primary Sponsors):

**H.B. 1697**, A BILL TO BE ENTITLED AN ACT TO UPDATE THE AUTHORITY FOR FUNDING OF AIRPORT IMPROVEMENTS BY THE ROCKINGHAM COUNTY AIRPORT AUTHORITY, is referred to the Committee on Local Government I.

By Representatives Cox and Davis:

**H.B. 1698**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DEPARTMENT OF CULTURAL RESOURCES TO ERECT A SECOND HISTORICAL MARKER COMMEMORATING AN INDIVIDUAL, is referred to the Committee on Local Government II.

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By Representatives Shubert (By Request); Barbee, Barnhart, Capps, Clary, M. Crawford, Creech, Culp, Gibson, Gulley, Hilton, Howard, Johnson, Justus, McMahan, Setzer, Sexton, Walend, Walker, West, and C. Wilson:

**H.B. 1699**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO WIDEN HIGHWAY 601 TO FOUR-LANES LIMITED ACCESS FROM THE MONROE CITY LIMITS TO THE SOUTH CAROLINA STATE LINE, AND PENDING THE COMPLETION OF THE WIDENING TO GENERALLY PROVIDE A SPEED LIMIT OF FORTY-FIVE MILES PER HOUR ON THAT SEGMENT OF THE HIGHWAY, is referred to the Committee on Appropriations.

By Representatives McComas and Gibson:

**H.B. 1700**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE WORLD TRADE CENTER NORTH CAROLINA TO ENABLE THE CENTER TO DEVELOP AND SUSTAIN INTERNATIONAL TRADE EDUCATION PROGRAMS, PROVIDE OTHER SUPPORT FOR SMALL AND MEDIUM-SIZED BUSINESSES ACROSS THE STATE AND, IN KEEPING WITH THE MISSION OF THE WORLD TRADE CENTER HEADQUARTERS IN NEW YORK, PROMOTE PEACE AND STABILITY THROUGH TRADE BETWEEN NORTH CAROLINA AND THE WORLD, is referred to the Committee on Appropriations.

By Representatives McComas and Gibson:

**H.B. 1701**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR THE RECRUITMENT OF FILM PRODUCTIONS TO NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representative McComas:

**H.B. 1702**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR THE PROPERTY TAX STUDY COMMISSION TO STUDY THE COMPARATIVE TAX BURDEN BETWEEN NORTH CAROLINA AND SOUTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McComas, Smith, and Preston (Primary Sponsors):

**H.B. 1703**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE EFFICIENCY OF RAIL OPERATIONS AT THE STATE PORTS BY

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REPEALING THE STATUTES ESTABLISHING THE NORTH CAROLINA PORTS RAILWAY COMMISSION AND TRANSFERRING ITS ASSETS AND LIABILITIES TO THE STATE PORTS AUTHORITY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Haire:

**H.B. 1704**, A BILL TO BE ENTITLED AN ACT TO REALLOCATE THREE MONTHS FROM THE MINIMUM SENTENCE OF CLASSES B1 THROUGH E TO THE MAXIMUM SENTENCE, AND TO INCREASE THE PERIOD OF POST-RELEASE SUPERVISION FROM NINE MONTHS TO TWELVE MONTHS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Haire:

**H.B. 1705**, A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE PRIOR RECORD LEVEL POINT RANGES IN ORDER TO EXPAND THE POINTS IN PRIOR RECORD LEVEL I AND TO EVEN OUT THE REMAINING RANGES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McComas:

**H.B. 1706**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY VARIOUS ASPECTS OF THE NORTH CAROLINA STATE PORTS AUTHORITY FACILITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McComas:

**H.B. 1707**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS OF CAROLINA BEACH, KURE BEACH, AND WRIGHTSVILLE BEACH TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, IF APPROVED BY THE VOTERS, is referred to the Committee on Finance.

By Representatives Bonner, Barefoot, Bell, Lucas, Sutton, Walker, and Yongue:

**H.B. 1708**, A BILL TO BE ENTITLED AN ACT TO BRING CHARTER SCHOOLS UNDER THE TORT CLAIMS ACT FOR

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SCHOOL BUS ACCIDENTS AND TO APPROPRIATE FUNDS FOR THAT PURPOSE, is referred to the Committee on Education.

By Representative Edwards:

**H.B. 1709**, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE ALLOWED USES OF MONEY IN THE EMERGENCY TELEPHONE SYSTEM FUND FOR COMMUNICATIONS NEEDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baker, J. Crawford, McMahan and Owens (Primary Sponsors); Capps, Culp, Davis, Rayfield, Setzer, and C. Wilson:

**H.B. 1710**, A BILL TO BE ENTITLED AN ACT CREATING THE INDEPENDENT GOVERNMENT REVIEW COMMISSION AND APPROPRIATING FUNDS FOR THE WORK OF THE COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Morris and Walend (Primary Sponsors); Blust, Bowie, Carpenter, Clary, Cox, M. Crawford, Dedmon, Gibson, Gillespie, Harrington, Howard, Johnson, Justus, Luebke, Miller, Mitchell, Nye, Preston, Russell, Setzer, Sexton, Smith, Underhill, Walker, Warwick, and Weiss:

**H.B. 1711**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE STATEWIDE FOLIC ACID CAMPAIGN, is referred to the Committee on Appropriations.

By Representative Insko:

**H.B. 1712**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE COMMERCIAL DISSEMINATION OF UNSOLICITED AND UNWANTED ELECTRONIC MESSAGES AND APPROPRIATING FUNDS FOR THAT PURPOSE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko and Lucas:

**H.B. 1713**, A BILL TO BE ENTITLED AN ACT TO STUDY SALARY DIFFERENTIALS FOR PUBLIC SCHOOL INSTRUCTIONAL

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

By Representatives Preston and Smith (Primary Sponsors):

**H.B. 1714**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CARTERET COUNTY BOARD OF EDUCATION TO LEASE PROPERTY TO CHARITABLE ORGANIZATIONS, is referred to the Committee on Local Government I.

By Representatives Yongue, Barefoot, Bell, Bonner, Haire, Hall, Rogers, Saunders, Sutton, Tolson, and Warner:

**H.B. 1715**, A BILL TO BE ENTITLED AN ACT AUTHORIZING A STUDY ON TEACHER RECRUITMENT AND RETENTION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Yongue:

**H.B. 1716**, A BILL TO BE ENTITLED AN ACT TO ALLOW RECEIPTS FROM THE SALE OF SURPLUS PROPERTY TO BE BUDGETED FOR CERTAIN PURPOSES FOR THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representative J. Crawford:

**H.B. 1717**, A BILL TO BE ENTITLED AN ACT TO APPLY THE SALES AND USE TAX TO SALES OF CERTAIN CONSTRUCTION MATERIALS, is referred to the Committee on Finance.

By Representatives Harrington and C. Wilson:

**H.B. 1718**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LIMITED RECIPROCAL INTERSTATE SHIPMENT AND RECEIPT OF UNFORTIFIED WINE, is referred to the Committee on Finance.

By Representatives Wright, Adams, Alexander, Allen, Baddour, Barefoot, Bell, Blue, Bonner, Boyd-McIntyre, Church, Coates, Cole, Cox, J. Crawford, Culpepper, Cunningham, Dedmon, Earle, Easterling, Edwards, Fox, Gibson, Goodwin, Hackney, Haire, Hall, Hensley, Hill, Hunter, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, McAllister, McLawhorn, Michaux, Nesbitt, Nye, Oldham, Owens, Redwine, Rogers,

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Saunders, Smith, Sutton, Tolson, Tucker, Underhill, Wainwright, Warner, Warren, Warwick, Weiss, Willingham, Womble, and Yongue:

**H.B. 1719**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PRESCRIPTION DRUG BENEFITS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN ("PLAN") SHALL BE ADMINISTERED UNDER THE PLAN'S CONTRACT WITH BLUE CROSS BLUE SHIELD IF THERE IS NOT A SATISFACTORY RESOLUTION OF THE PLAN'S CONTRACT DISPUTE WITH ADVANCE PCS, is referred to the Committee on Health.

By Representative Wright:

**H.B. 1720**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Finance.

By Representatives Culpepper and Smith:

**H.B. 1721**, A BILL TO BE ENTITLED AN ACT TO ENLARGE THE CLASS OF TAXPAYERS ELIGIBLE FOR AN ENHANCED CREDIT FOR INVESTING IN LOW-INCOME HOUSING IN A COUNTY THAT SUSTAINED SEVERE OR MODERATE DAMAGE FROM A HURRICANE IN 1999, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Cole:

**H.B. 1722**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PURCHASE OF WITHDRAWN SERVICE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Hackney and Insko:

**H.B. 1723**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CARRBORO TOWN CHARTER TO AUTHORIZE THE BOARD OF ALDERMEN TO ABOLISH THE TOWN'S CEMETERY PERPETUAL CARE FUND AND TO APPROPRIATE ALL FUNDS CONTAINED THEREIN FOR THE PURPOSE OF MAINTAINING THE TOWN'S CEMETERIES, is referred to the Committee on Local Government II.

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By Representative Hackney:

**H.B. 1724**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUS OF TEACHERS PARTICIPATING IN FOREIGN EXCHANGE PROGRAMS FOR PURPOSES OF RETIREMENT AND TENURE, is referred to the Committee on Education.

By Representatives Hackney and Insko:

**H.B. 1725**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF PITTSBORO, is referred to the Committee on Finance.

By Representative Allen:

**H.B. 1726**, 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 Blue:

**H.B. 1727**, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL PROTECTIONS TO EMPLOYEES WITH REGARD TO THE INVESTMENT OF PENSION PLAN ASSETS, is referred to the Committee on Pensions and Retirement.

By Representatives Nesbitt and Sherrill (Primary Sponsors); and M. Crawford:

**H.B. 1728**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO CONTINUE OPERATIONS OF THE BUNCOMBE YOUTH DETENTION CENTER UNTIL DIRECTED TO CLOSE THE CENTER BY THE GENERAL ASSEMBLY, is referred to the Committee on Appropriations.

By Representatives Harrington and C. Wilson:

**H.B. 1729**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AND REGULATE LIMITED RECIPROCAL INTERSTATE SHIPMENT

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AND RECEIPT OF UNFORTIFIED WINE, is referred to the Committee on Finance.

By Representatives Adams, Bowie, Boyd-McIntyre, Culp, Jarrell, and Jeffus:

**H.B. 1730**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF GREENSBORO TO ENGAGE IN CONDITIONAL ZONING, is referred to the Committee on Local Government I.

By Representatives Adams, Blust, Bowie, Boyd-McIntyre, Culp, Jarrell, and Jeffus:

**H.B. 1731**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT CITIES MAY ORDER OWNERS OF RESIDENTIAL PROPERTY TO REPAIR RATHER THAN VACATE HOUSING TO MEET MINIMUM CODE STANDARDS AND TO APPROPRIATE FUNDS FOR THAT PURPOSE, is referred to the Committee on Appropriations.

By Representatives Adams, Boyd-McIntyre, Culp, Jarrell, and Jeffus:

**H.B. 1732**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO COLLECT A TAX ON MOTOR VEHICLES RESIDENT IN THE CITY, is referred to the Committee on Finance.

By Representatives Adams, Blust, Bowie, Boyd-McIntyre, Culp, Jarrell, and Jeffus:

**H.B. 1733**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO EXPEND FUNDS ON ROADS OUTSIDE THE CORPORATE LIMITS, is referred to the Committee on Local Government I.

### CALENDAR

Action is taken on the following:

**H.B. 1490** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR.

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Representative Gibson offers Amendment No. 1 which is adopted by electronic vote (112-0).

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.

**H.B. 1505**, A BILL TO BE ENTITLED AN ACT TO AMEND THE VOTING REQUIREMENT FOR MEMBER APPROVAL OF AMENDMENTS TO BYLAWS TO CONFORM TO THE VOTING REQUIREMENT FOR MEMBER APPROVAL OF AMENDMENTS TO ARTICLES OF INCORPORATION, 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.

**H.J.R. 1522**, A JOINT RESOLUTION AUTHORIZING THE 2001 GENERAL ASSEMBLY, REGULAR SESSION 2002, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO DEFRAUD DRUG OR ALCOHOL SCREENING TESTS, passes its second reading, with a two-thirds majority, by electronic vote (110-0), and there being no objection is read a third time.

The resolution passes its third reading, with a two-thirds majority, and is ordered sent to the Senate.

#### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1626**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BUSINESS OPERATIONS OF THE HOSIERY TECHNOLOGY CENTER AT CATAWBA VALLEY COMMUNITY COLLEGE, 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. 1627**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE REMOVAL OF FILED DD FORM 214 OR FOR THE REDACTING OF THE FORM WHEN A COPY IS REQUESTED BY PERSONS OTHER THAN THE FILER OR A MEMBER OF HIS FAMILY IN NASH COUNTY, is withdrawn from the Committee on Rules, Calendar,

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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. 1724**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUS OF TEACHERS PARTICIPATING IN FOREIGN EXCHANGE PROGRAMS FOR PURPOSES OF RETIREMENT AND TENURE, is withdrawn from the Committee on Education and re-referred to the Committee on Pensions and Retirement.

On motion of Representative Culpepper, seconded by Representative Cunningham, the House adjourns at 11:17 a.m. to reconvene Monday, June 17, 2002, at 7:05 p.m.

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## ONE HUNDRED NINETY-FIRST DAY

HOUSE OF REPRESENTATIVES  
Monday, June 17, 2002

The House meets at 7:05 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 are the Creator of the Universe and the Sustainer of all life. In faith we call you Lord - Lord not only of the cosmos, but also of our lives. In professing such faith, we place the entirety of our being under Your purposes, including our work in the House. Let not our pronouncements of truth and justice be pious proclamations, but existential ideals after which we consistently strive. Though we are Members of differing political parties, let our first allegiance be to Your will and Your kingdom. May our faith in You be woven into our every discussion and every decision. For we recognize that true belief is not simply a matter of speaking fine sounding phrases, but of living faithfully in Your love and caring for Your children. 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.

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Leaves of absence are granted Representatives Adams, Arnold, Baddour, Bell, Bowie, Ellis, Haire, Hilton, Howard, McAllister, Miner, Redwine, Sexton, Smith, Sutton, Thompson, and Wainwright for today.

### INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Owens and Allen (Primary Sponsors); Goodwin, Hill, Hunter, Morris, and Sherrill:

**H.B. 1734**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH TIERED JOB CREATION THRESHOLDS FOR THE CREDIT FOR CREATING JOBS; TO RAISE THE INVESTMENT THRESHOLD FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO ESTABLISH TIER RATES FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO MODIFY THE WAGE STANDARD FOR THE CREDIT FOR WORKER TRAINING; TO MODIFY THE WAGE STANDARD FOR TIER ONE AND TWO COUNTIES; TO PROVIDE RECURRING FUNDS FOR THE INDUSTRIAL RECRUITMENT COMPETITIVE FUND; TO ENACT A JOB DEVELOPMENT INVESTMENT GRANT PROGRAM TO IMPROVE NORTH CAROLINA'S COMPETITIVENESS IN ECONOMIC DEVELOPMENT AND THE RECRUITMENT AND RETENTION OF NEW BUSINESS AND INDUSTRIAL PROJECTS AND EXPANSIONS; AND TO EXTEND THE TAX CREDIT FOR QUALIFIED BUSINESS INVESTMENTS, is referred to the Committee on Finance.

By Representatives Sherrill and Rayfield (Primary Sponsors); M. Crawford, Davis, Justus, and Shubert:

**H.B. 1735**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE ENFORCEMENT SECTION OF THE DIVISION OF MOTOR VEHICLES AND TRANSFER THE FUNCTIONS OF THAT SECTION TO THE STATE HIGHWAY PATROL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Thompson and Easterling:

**H.B. 1736**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A RETIRED LEGISLATOR SPECIAL LICENSE PLATE, is referred to the Committee on Finance.

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By Representatives Owens, Allen, and Hill:

**H.B. 1737**, A BILL TO BE ENTITLED AN ACT RELATING TO THE RECOMMENDATIONS OF THE GOVERNOR'S EFFICIENCY STUDY COMMISSION RELATING TO A FEE FOR THE STATEWIDE ACCOUNTS RECEIVABLE PROGRAM AND IMPLEMENTING AN EFFICIENCY IMPROVEMENT COST-SAVINGS PROGRAM, is referred to the Committee on Finance.

By Representatives Baddour and Hunter:

**H.B. 1738**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON ARRESTED OR COMMITTED TO A DETENTION FACILITY FOR CERTAIN FELONIES MUST SUBMIT A DNA SAMPLE FOR ANALYSIS, TO ASSESS A FEE FOR THE WITHDRAWAL OF THE SAMPLE, AND TO PROVIDE THAT THE SAMPLE AND ALL RECORDS OF THE SAMPLE AND DNA ANALYSIS MUST BE DESTROYED IF THE CHARGE AGAINST THE DEFENDANT IS DISMISSED OR THE DEFENDANT IS ACQUITTED, is referred to the Committee on Judiciary II.

By Representative Cox:

**H.B. 1739**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHANGES TO CERTAIN MENTAL HEALTH REFORM INITIATIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hurley, Gibson, Gray, Johnson, Morris, Russell, and Shubert:

**H.B. 1740**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONDITIONS UNDER WHICH A COUNTY MAY REDUCE APPROPRIATIONS TO A SCHOOL ADMINISTRATIVE UNIT AFTER PASSAGE OF THE BUDGET ORDINANCE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Shubert, Arnold, Barbee, Barnhart, Blust, Bowie, Brubaker, Capps, Carpenter, Clary, Coates, M. Crawford, Culp, Davis, Decker, Dockham, Eddins, Esposito, Gillespie, Harrington, Hilton, Johnson, Kiser, McAllister, McCombs, Mitchell, Morris, Pope, Preston, Rayfield, Russell, Setzer, Sexton, Sherrill, Starnes, Underhill, Walend, West, C. Wilson, and G. Wilson:

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**H.B. 1741**, 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 Rules, Calendar, and Operations of the House.

By Representatives Capps, Barnhart, Blust, Buchanan, Carpenter, Culp, Daughtry, Davis, Decker, Kiser, Mitchell, Rayfield, Shubert, Walend, and Weatherly:

**H.J.R. 1742**, A JOINT RESOLUTION AUTHORIZING THE 2001 GENERAL ASSEMBLY, REGULAR SESSION 2002, TO CONSIDER 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 Representatives Weiss, M. Crawford, Luebke, and Shubert:

**H.B. 1743**, A BILL TO BE ENTITLED AN ACT TO REDIRECT A PORTION OF THE FUNDS ASSIGNED TO THE GOLDEN L.E.A.F., INC., IN THE 2002-2003 FISCAL YEAR TO COMMUNITY COLLEGES, is referred to the Committee on Appropriations.

By Representatives Weiss, Alexander, Boyd-McIntyre, Earle, Insko, Luebke, McAllister, Miner, and Willingham:

**H.B. 1744**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE ENFORCEMENT OF STATE LAWS TO COMBAT GUN TRAFFICKING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Allred, Davis, and Rayfield:

**H.B. 1745**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE 300 PLATE REQUIREMENT FROM SPECIAL LICENSE PLATES FOR WORLD WAR II AND KOREAN CONFLICT VETERANS' PLATES, is referred to the Committee on Finance.

By Representatives Dockham, Morris, Owens, and Tolson:

**H.B. 1746**, A BILL TO BE ENTITLED AN ACT ALLOWING STATE AGENCIES AND UNIVERSITIES TO UTILIZE INSTALLMENT OR LEASE-PURCHASE CONTRACTS TO FINANCE ENERGY

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AND WATER CONSERVATION MEASURES IN STATE FACILITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Baddour:

**H.B. 1747**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF CHIROPRACTIC EXAMINERS TO COLLECT A FEE FOR THE ANNUAL RECERTIFICATION OF CHIROPRACTIC DIAGNOSTIC IMAGING TECHNICIANS, is referred to the Committee on Finance.

By Representatives Easterling, Oldham, Redwine, and Thompson (Primary Sponsors):

**H.B. 1748**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2001 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, is referred to the Committee on Appropriations.

By Representatives Easterling, Oldham, Redwine, and Thompson (Primary Sponsors):

**H.B. 1749**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2001 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, is referred to the Committee on Appropriations.

By Representative Yongue:

**H.B. 1750**, A BILL TO BE ENTITLED AN ACT TO PROVIDE IN-STATE TUITION FOR PROSPECTIVE TEACHERS, is referred to the Committee on Appropriations.

By Representatives Earle, McMahan, McComas, and Barefoot (Primary Sponsors); Alexander, Allen, Church, Clary, Culpepper, Cunningham, Dedmon, Haire, Hall, Hunter, Insko, Jarrell, Jeffus, Justus, Nye, Preston, Saunders, Sherrill, Smith, Tolson, Wainwright, Warner, and Warwick:

**H.B. 1751**, A BILL TO BE ENTITLED AN ACT TO CREATE A TRAVEL AND TOURISM CAPITAL INCENTIVE GRANT PROGRAM, is referred to the Committee on Finance.

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By Representatives Baddour, Earle, Easterling, and Nye (Primary Sponsors); Alexander, Allen, Barefoot, Bell, Church, Cox, Culpepper, Cunningham, Dedmon, Gibson, Goodwin, Hackney, Haire, Hall, Hill, Holliman, Hunter, Insko, Jarrell, Jeffus, Lucas, McLawhorn, Miller, Owens, Russell, Saunders, Sherrill, Shubert, Smith, Sutton, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Warwick, Weiss, and G. Wilson:

**H.B. 1752**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AND IMPLEMENT A SENIOR PRESCRIPTION DRUG ACCESS PROGRAM TO REDUCE COSTS AND IMPROVE ACCESS TO PRESCRIPTION DRUGS FOR SENIORS AND LOW-INCOME CITIZENS, AND TO AUTHORIZE THE HEALTH AND WELLNESS TRUST FUND COMMISSION TO EXPEND A LIMITED AMOUNT OF FUNDS FROM THE HEALTH AND WELLNESS TRUST FUND RESERVE FOR THE 2002-2003 FISCAL YEAR FOR THE SENIOR PRESCRIPTION DRUG ACCESS PROGRAM, is referred to the Committee on Appropriations.

By Representative Luebke:

**H.B. 1753**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE BILL LEE ACT TAX CREDITS FOR INVESTING IN MACHINERY AND EQUIPMENT AND FOR JOB CREATION, is referred to the Committee on Finance.

By Representative Miller:

**H.B. 1754**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXCISE TAX ON LIQUOR AND TO EARMARK THE RESULTING REVENUES TO ELIMINATE THE CO-PAYMENT FOR GENERIC PRESCRIPTION DRUGS UNDER THE STATE MEDICAID PLAN, is referred to the Committee on Finance.

By Representatives Shubert, Barnhart, Blust, Capps, M. Crawford, Davis, Johnson, Justus, and Walend:

**H.B. 1755**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE PROTECTION AGAINST IDENTITY THEFT AND VOTER FRAUD BY REQUIRING EITHER A VALID SOCIAL SECURITY NUMBER OR A VALID ALIEN REGISTRATION NUMBER FOR ISSUANCE OF A DRIVERS LICENSE; TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO DETERMINE THE VALIDITY

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OF ANY SOCIAL SECURITY NUMBER OR VALID ALIEN REGISTRATION NUMBER SUBMITTED ON AN APPLICATION FOR A DRIVERS LICENSE; TO REQUIRE THAT DRIVERS LICENSES ISSUED BASED ON A VALID ALIEN REGISTRATION SHALL EXPIRE WHEN THE VALID ALIEN REGISTRATION EXPIRES; TO INVALIDATE ALL LICENSES ISSUED WITHOUT A VALID SOCIAL SECURITY NUMBER OR VALID ALIEN REGISTRATION NUMBER UNLESS THE LICENSE HOLDER PROVIDES A VALID NUMBER UPON REQUEST; TO REQUIRE LICENSES BE MAILED TO THE ADDRESS GIVEN BY THE APPLICANT; TO PROHIBIT THE USE OF AN AFFIDAVIT TO ESTABLISH RESIDENCY EXCEPT IN THE CASE OF A MINOR APPLICANT WHOSE PARENT OR GUARDIAN HAS ESTABLISHED RESIDENCY BY MEANS OTHER THAN AN AFFIDAVIT; TO REQUIRE THE STATE BOARD OF ELECTIONS TO REVIEW ALL VOTER REGISTRATIONS MADE THROUGH THE DIVISION OF MOTOR VEHICLES IN ORDER TO VERIFY THE VALIDITY OF THE CLAIM OF RESIDENCY, AND TO MAIL ADDRESS CONFIRMATIONS OF RESIDENCY AND CITIZENSHIP TO, AT A MINIMUM, ALL VOTERS REGISTERED THROUGH THE DIVISION OF MOTOR VEHICLES WHO DID NOT FURNISH A VALID SOCIAL SECURITY NUMBER, AND TO NOTIFY THE GENERAL ASSEMBLY OF THE RESULTS OF THE REVIEW AND VERIFICATION; AND TO INCREASE THE PENALTY FOR FURNISHING NONSWORN FALSE INFORMATION IN ORDER TO OBTAIN STATE-ISSUED PICTURE IDENTIFICATION TO THE PENALTY SET FOR MAKING A FALSE BOMB THREAT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Shubert, Davis, and Johnson:

**H.B. 1756**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT IN ADOPTING A BUDGET, THE GENERAL ASSEMBLY MAY NOT USE REVENUE ESTIMATES HIGHER THAN THE AMOUNT COLLECTED IN THE PRIOR CALENDAR YEAR, EXCEPT WITH A TWO-THIRDS VOTE OF EACH HOUSE, AND PROVIDING THAT EXCESS COLLECTIONS SHALL BE PLACED IN A RESERVE FUND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Yongue, Buchanan, and Morris:

**H.B. 1757**, A BILL TO BE ENTITLED AN ACT AUTHORIZING A STUDY OF WHETHER LOCAL BOARDS OF EDUCATION HAVE

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THE FISCAL AND ADMINISTRATIVE FLEXIBILITY THEY NEED TO OPERATE THE PUBLIC SCHOOLS EFFICIENTLY AND EFFECTIVELY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nesbitt, Allen, Buchanan, Hill, Justus, McComas, Walend, and Womble:

**H.B. 1758**, A BILL TO BE ENTITLED AN ACT TO AMEND THE UMSTEAD ACT TO PROHIBIT THE UNIVERSITY OF NORTH CAROLINA OR ANY OTHER LEGAL ENTITY INCORPORATED OR CREATED TO BENEFIT THE UNIVERSITY OF NORTH CAROLINA FROM DEVELOPING, CONSTRUCTING, OWNING, OR OPERATING HOTELS OR OTHER SIMILAR LODGING FACILITIES, RESTAURANTS, SPAS, OR GOLF COURSES EXCEPT IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT THE GENERAL ASSEMBLY MUST SPECIFICALLY AUTHORIZE CERTAIN UNIVERSITY SYSTEM CONTRACTS AND CERTAIN TYPES OF DEBT ISSUED BY CORPORATIONS OR LIMITED LIABILITY CORPORATIONS THAT ARE CONTROLLED BY THE UNIVERSITY OF NORTH CAROLINA OR ONE OF ITS CONSTITUENT INSTITUTIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nesbitt and Morris:

**H.B. 1759**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ON-LINE VOTING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Underhill:

**H.B. 1760**, A BILL TO BE ENTITLED AN ACT TO CONTRIBUTE TO THE PREVENTION OF WORKPLACE VIOLENCE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gibson, Hackney, Allen, and McComas (Primary Sponsors); Hunter, Insko, Weiss, and Womble:

**H.B. 1761**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE TO USE FINANCING CONTRACTS IN ACQUIRING PROPERTY THROUGH THE PARKS AND RECREATION TRUST FUND

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AND THE NATURAL HERITAGE TRUST FUND, is referred to the Committee on Finance.

By Representatives Cole and Hill:

**H.B. 1762**, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ENFORCEMENT OF THE PROVISIONS OF THE MASTER SETTLEMENT AGREEMENT REGARDING CONTRIBUTIONS BY NONPARTICIPATING MANUFACTURERS, is referred to the Committee on Finance.

By Representatives Hurley, Baddour, Gibson, Gray, Johnson, Morris, Russell, and Shubert:

**H.B. 1763**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONDITIONS UNDER WHICH A COUNTY MAY REDUCE APPROPRIATIONS TO A SCHOOL ADMINISTRATIVE UNIT AFTER PASSAGE OF THE BUDGET ORDINANCE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baddour, Culpepper, and Shubert:

**H.B. 1764**, A BILL TO BE ENTITLED AN ACT TO FURTHER DEFINE AND DETER THE CRIME OF FINANCIAL IDENTITY FRAUD AND TO PROVIDE ADDITIONAL PROTECTIONS TO CONSUMERS WHO ARE THE VICTIMS OF FINANCIAL IDENTITY FRAUD, is referred to the Committee on Judiciary II.

By Representatives Yongue, Redwine, and Tolson (Primary Sponsors):

**H.B. 1765**, A BILL TO BE ENTITLED AN ACT CREATING THE STATE BOARD OF EDUCATION'S BUSINESS AND EDUCATION TECHNOLOGY ALLIANCE, is referred to the Committee on Education.

By Representative Nesbitt:

**H.B. 1766**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE HONORARY LISTON B. RAMSEY MOUNTED HORSE/CAISSON PATROL UNIT, is referred to the Committee on Appropriations.

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By Representatives Miner, Hunter, Shubert, and Weiss:

**H.B. 1767**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE BUREAU OF INVESTIGATION MUST DO DNA TESTING AND ANALYSIS OF EVIDENCE COLLECTED AT A RAPE CRIME SCENE IF REQUESTED BY THE VICTIM OR THE INVESTIGATING LOCAL LAW ENFORCEMENT AGENCY AND THAT THE COSTS OF THE TESTS AND ANALYSIS SHALL BE BORNE BY THE STATE, is referred to the Committee on Judiciary II.

By Representatives Jarrell and Shubert:

**H.B. 1768**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE EXPUNCTION OF RECORDS WHEN CHARGES ARE VOLUNTARILY DISMISSED AS A RESULT OF MISIDENTIFICATION AND TO APPROPRIATE FUNDS FOR THE ADMINISTRATIVE COSTS TO IMPLEMENT THIS PROCEDURE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Warwick, Cox, Fox, Hill, Justus, Tucker, and Warren:

**H.B. 1769**, A BILL TO BE ENTITLED AN ACT FOR DESIGNATING, BUDGETING, AND COMPENSATING CERTAIN EMPLOYEES OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hall:

**H.B. 1770**, A BILL TO BE ENTITLED AN ACT TO REDUCE THE GENERAL FUND BUDGET OF THE COOPERATIVE EXTENSION SERVICE AT NORTH CAROLINA STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representative Wright:

**H.B. 1771**, A BILL TO BE ENTITLED AN ACT TO ADOPT RULES REGARDING THE DUTIES OF SCHOOL COUNSELORS AND TO APPROPRIATE FUNDS FOR THAT PURPOSE, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives J. Crawford and Hunter:

**H.B. 1772**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ROANOKE RIVER BASIN ADVISORY COMMITTEE AND THE ROANOKE RIVER BASIN BI-STATE COMMISSION AND TO APPROPRIATE FUNDS FOR THEIR SUPPORT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Warner, Morris, and Shubert:

**H.B. 1773**, A BILL TO BE ENTITLED AN ACT TO PERMIT RETIRED TEACHERS TO WORK PART TIME AS TEACHERS WITHOUT RENEWING THEIR CERTIFICATES EVERY FIVE YEARS AND TO APPROPRIATE FUNDS TO FACILITATE THE RECRUITMENT OF THESE TEACHERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Culpepper and without objection, **H.B. 1503** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO SPECIAL MEETINGS OF SHAREHOLDERS UNDER THE NORTH CAROLINA BUSINESS CORPORATION ACT, TO AMEND THE LAW RELATING TO DISSENTERS' RIGHTS UNDER THE NORTH CAROLINA BUSINESS CORPORATION ACT, TO CLARIFY THAT A GENERAL PARTNER MUST EXECUTE DOCUMENTS FOR FILING BY THE SECRETARY OF STATE, AND TO CLARIFY THE LAW RELATING TO REGISTRATION OF GENERAL PARTNERSHIPS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is withdrawn from the Calendar and placed on the Calendar of June 18.

#### **INTRODUCTION OF PAGES**

Pages for the week of June 17 are introduced to the membership. They are: Candace Allen of Johnston; Thomas Baden of Wake; Michele Bennett of Wake; Lauren Bollinger of Mecklenburg; Jessica Bridgers of Wake; Jaclyn Butler of Mecklenburg; Garry Campbell of Scotland; Lauren Ferguson of Mecklenburg; Kathleen Hall of Randolph; Haley Jenkins of Mecklenburg; Allison Kiser of Randolph; Amber Krawczyk of Washington; Curtis McLawhorn of Pitt; Zachary Nall of Chatham; Rachel Rose of Mecklenburg; Lauren Ross of Mecklenburg; David Shore of Wilkes; Trent

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Stanforth of Gaston; Erin Stanforth of Gaston; Caroline Stroud of Beaufort; Erin Williamson of Person; and Amanda Woolard of Nash.

On motion of Representative Culpepper, seconded by Representative Gulley, the House adjourns at 7:17 p.m. to reconvene June 18 at 2:00 p.m.

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## **ONE HUNDRED NINETY-SECOND DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, June 18, 2002

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:

"Grant us, O Lord, a clear vision of what is faithful and good. Remove from us lesser values that we might set our sights on what is lasting and true. Grant that we might not only be familiar with the issues at hand, but we would be well-versed in the ideals of our faith by which we must judge these issues. Teach us to value not only the budget's dollar, but the lives that are affected by the collecting and disbursing of these funds. Move us beyond simply valuing the holding of public office to the virtue of being a servant to others and to You. Cleanse our thoughts and purify our minds that we might be worthy of the task that has been entrusted to us. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 17 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Blue, Ellis, Hiatt, Hilton, Miner, Thompson, and Tolson 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:

June 18, 2002



**H.B. 1538**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO DISTRIBUTION TO KNOWN BUT UNLOCATED DEVISEES OR HEIRS TO CONFORM TO 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.

**H.B. 1539**, A BILL TO BE ENTITLED AN ACT TO REPEAL AN OBSOLETE PROHIBITION ON THE ESTABLISHMENT OF AUTOMATED TELLER MACHINES OR OTHER INFORMATION-PROCESSING DEVICES OR MACHINES BY OUT-OF-STATE FINANCIAL INSTITUTIONS, 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. 1607**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LINCOLN TON FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, with a favorable report and recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

The bill is re-referred to the Committee on Pensions and Retirement.

**H.B. 1609**, A BILL TO BE ENTITLED AN ACT RELATING TO INVESTMENTS BY THE CITY OF DURHAM, 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.

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

#### **2001 GENERAL ASSEMBLY SECOND SESSION**

Senate Chamber  
June 17, 2002

Mr. Speaker:

June 18, 2002

It is ordered that a message be sent your Honorable Body with the information that pursuant to a Proclamation issued by Governor Michael F. Easley on June 10, 2002, Kever M. Clark has been administered the oath of office as a Member of the Senate for the remainder of the 2001 General Assembly. Senator Clark has been seated to fill the vacancy created by the death of the Honorable Luther H. Jordan from the Seventh Senatorial District.

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

#### MESSAGES FROM THE SENATE

The following is received from the Senate:

**S.B. 1292** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RAISE REVENUES TO SUPPORT THE CURRENT OPERATIONS OF STATE AND LOCAL GOVERNMENT, TO UPDATE THE REFERENCE DATE TO THE INTERNAL REVENUE CODE USED TO DEFINE AND DETERMINE CERTAIN STATE TAX PROVISIONS, AND TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR, 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 bill appears on today's Calendar.

**H.B. 1530**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF TABOR CITY TO LEVY SPECIAL ASSESSMENTS FOR STREET OR SIDEWALK IMPROVEMENTS WITHOUT PETITION, 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, 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, Esposito, Fox, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke,

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McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, G. Wilson, Womble, Wright, and Yongue - 102.

Voting in the negative: Representatives Capps, Creech, Davis, Decker, Eddins, Setzer, Shubert, and C. Wilson - 8.

Excused absences: Representatives Adams, Blue, Ellis, Hiatt, Hilton, Miner, Thompson, and Tolson - 8.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1521**, A BILL TO BE ENTITLED AN ACT TO CONFORM SOURCING OF MOBILE TELECOMMUNICATIONS SERVICES TO THE FEDERAL MOBILE TELECOMMUNICATIONS SOURCING ACT AND TO CODIFY THE SOURCING PRINCIPLES FOR OTHER TELECOMMUNICATIONS SERVICES, 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, 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, Fox, Gibson, Gillespie, 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, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Adams, Blue, Ellis, Hiatt, Hilton, Miner, Thompson, and Tolson - 8.

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**H.B. 1503** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO SPECIAL MEETINGS OF SHAREHOLDERS UNDER THE NORTH CAROLINA BUSINESS CORPORATION ACT, TO AMEND THE LAW RELATING TO DISSENTERS' RIGHTS UNDER THE NORTH CAROLINA BUSINESS CORPORATION ACT, TO CLARIFY THAT A GENERAL PARTNER MUST EXECUTE DOCUMENTS FOR FILING BY THE SECRETARY OF STATE, AND TO CLARIFY THE LAW RELATING TO REGISTRATION OF GENERAL PARTNERSHIPS, 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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1515** (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO THE MEMBERSHIP OF THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, 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-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1486**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE IN THE VICINITY OF THE ROANOKE RIVER BRIDGE ON HIGHWAY 17 IN BERTIE COUNTY, 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 Weiss, the House adjourns at 2:30 p.m. to reconvene June 19 at 2:00 p.m.

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## **ONE HUNDRED NINETY-THIRD DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, June 19, 2002

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

June 19, 2002

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

"Faithful God, Your love for us remains constant. Yet, You have endowed us with the capacity for free will and You honor our decisions, even when they are not faithful to You. When we turn away from You, You respect our resistance. When we turn towards You, You welcome us with open arms and freely bestow upon us the wisdom and blessings that we seek. Come and share Yourself and Your power with us. Strengthen our talents and gifts that they might be used in Your service. Move us beyond confusion and cross-purposes to a singleness of vision. Use us as Your instruments that the future we mold, will be the future that reflects Your image and Your will. 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.

Leaves of absence are granted Representatives Arnold, Cunningham, Ellis, Miner, and Thompson for today.

#### **ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

**S.B. 1078**, AN ACT TO IMPROVE AIR QUALITY IN THE STATE BY IMPOSING LIMITS ON THE EMISSION OF CERTAIN POLLUTANTS FROM CERTAIN FACILITIES THAT BURN COAL TO GENERATE ELECTRICITY AND TO PROVIDE FOR RECOVERY BY ELECTRIC UTILITIES OF THE COST OF ACHIEVING COMPLIANCE WITH THOSE LIMITS.

#### **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. 1511**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE POLK, RUTHERFORD, AND TRANSYLVANIA COUNTIES TO REQUIRE

June 19, 2002

THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, with a favorable report.

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

**H.B. 1533**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HERTFORD AND NORTHAMPTON COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, 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. 861** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF QUALIFIED DENTAL PRACTITIONERS IN THE STATE BY AUTHORIZING THE BOARD OF DENTAL EXAMINERS TO LICENSE BY CREDENTIALS PERSONS WHO ARE LICENSED TO PRACTICE DENTISTRY OR DENTAL HYGIENE IN OTHER STATES AND WHO OTHERWISE MEET STATE REQUIREMENTS FOR LICENSE BY CREDENTIALS, TO LICENSE BY EXAMINATION PERSONS WHO HAVE PRACTICED AS DENTAL HYGIENISTS IN THE UNITED STATES MILITARY AND WHO OTHERWISE MEET STATE REQUIREMENTS FOR LICENSURE BY EXAMINATION, TO ISSUE A LIMITED VOLUNTEER DENTAL LICENSE, TO ISSUE AN INSTRUCTOR'S LICENSE, AND TO IMPOSE APPLICATION AND RENEWAL FEES FOR LICENSURE AUTHORIZED UNDER THIS ACT, AND BY AUTHORIZING STUDIES PERTAINING TO CLASS ENROLLMENT AT THE UNC SCHOOL OF DENTISTRY AND TO THE FEASIBILITY OF ESTABLISHING AN ADDITIONAL DENTAL SCHOOL, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to Senate Committee Substitute Bill No. 2 and with 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. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representatives Gibson, McComas, and Warwick, Chairs, for the Committee on Environment and Natural Resources:

**H.B. 1545**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF ELK KNOB STATE NATURAL AREA AND BEECH

June 19, 2002

CREEK BOG STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

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

**H.B. 1557**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON ISSUING NEW SHELLFISH CULTIVATION LEASES IN CORE SOUND AND TO DIRECT THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO STUDY VARIOUS MARINE FISHERIES ISSUES, 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.

**H.B. 1579**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE OPERATION OF AIRBOATS ON LAKE TILLERY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to the committee substitute bill, unfavorable as to the 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. 1584**, A BILL TO BE ENTITLED AN ACT TO MAKE THE STATE DEADLINE FOR APPROVAL OF HAZARD MITIGATION PLANS CONSISTENT WITH THE FEDERAL DEADLINE FOR APPROVAL OF THESE PLANS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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 Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 1482**, A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF SALUDA, with a favorable report.

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

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**H.B. 1578**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE SCRAP TIRE DISPOSAL TAX, with a favorable report.

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

**H.B. 1587**, A BILL TO BE ENTITLED AN ACT TO ANNEX DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE, with a favorable report.

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

**H.B. 1613**, A BILL TO BE ENTITLED AN ACT TO REVISE THE BOUNDARIES OF THE HARTSEASE AND HARRISON FIRE TAX DISTRICTS IN EDGECOMBE COUNTY, with a favorable report.

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

**H.B. 1626**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BUSINESS OPERATIONS OF THE HOSIERY TECHNOLOGY CENTER AT CATAWBA VALLEY COMMUNITY COLLEGE, 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. 1530**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF TABOR CITY TO LEVY SPECIAL ASSESSMENTS FOR STREET OR SIDEWALK IMPROVEMENTS WITHOUT PETITION, 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, Barbee, Barefoot, Barnhart, Bell, Blue, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Daughtry, Dedmon, Dockham, Earle, Easterling, Edwards, 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, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller,

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Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, G. Wilson, Womble, Wright, and Yongue - 102.

Voting in the negative: Representatives Allred, Blust, Clary, Creech, Davis, Decker, Eddins, Pope, Setzer, and Shubert - 10.

Excused absences: Representatives Arnold, Cunningham, Ellis, Miner, and Thompson - 5.

Representative Hilton requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (101-11).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1510**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ICARD FIRE DISTRICT TO LEVY AN AD VALOREM TAX AT THE GENERAL LAW RATE, 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, Blue, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Daughtry, Dedmon, Dockham, Earle, Easterling, Edwards, Esposito, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Hensley, Hiatt, Hill, Holliman, Holmes, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Redwine, Rogers, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, G. Wilson, Womble, Wright, and Yongue - 98.

Voting in the negative: Representatives Allred, Baker, Blust, Creech, Davis, Decker, Eddins, Gillespie, Harrington, Hilton, Howard, Kiser, Rayfield, and Russell - 14.

Excused absences: Representatives Arnold, Cunningham, Ellis, Miner, and Thompson - 5.

June 19, 2002

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1517** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF LITTLETON, 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, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, 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, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, 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, Willingham, G. Wilson, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Arnold, Cunningham, Ellis, Miner, and Thompson - 5.

**H.B. 1521**, A BILL TO BE ENTITLED AN ACT TO CONFORM SOURCING OF MOBILE TELECOMMUNICATIONS SERVICES TO THE FEDERAL MOBILE TELECOMMUNICATIONS SOURCING ACT AND TO CODIFY THE SOURCING PRINCIPLES FOR OTHER TELECOMMUNICATIONS 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, 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, 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, McAllister, McComas, McCombs, McLawhorn,

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McMahan, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, 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, Willingham, G. Wilson, Womble, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Arnold, Cunningham, Ellis, Miner, and Thompson - 5.

**H.B. 1509**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALES AND USE TAX EXEMPTION REGARDING CERTAIN AGRICULTURAL SUBSTANCES AND TO MAKE VARIOUS ADMINISTRATIVE CHANGES IN THE 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, Baddour, Barefoot, Bell, Blue, Bonner, Bowie, Boyd-McIntyre, Buchanan, Church, Clary, Coates, Cole, J. Crawford, Culpepper, Dedmon, Dockham, Earle, Easterling, Edwards, Fox, Gibson, Goodwin, Gray, Hackney, Haire, Hall, Hensley, Hill, Holliman, Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Redwine, Rogers, Saunders, Sherrill, Smith, Sutton, Teague, Tolson, Underhill, Wainwright, Walker, Warner, Warren, Weatherly, Weiss, West, Willingham, C. Wilson, Womble, Wright, and Yongue - 75.

Voting in the negative: Representatives Allred, Baker, Barbee, Barnhart, Blust, Brubaker, Capps, Carpenter, Cox, M. Crawford, Creech, Culp, Daughtry, Davis, Decker, Eddins, Esposito, Gillespie, Grady, Gulley, Harrington, Hiatt, Hilton, Holmes, Howard, Johnson, Kiser, Mitchell, Rayfield, Russell, Setzer, Sexton, Shubert, Starnes, Tucker, Walend, Warwick, and G. Wilson - 38.

Excused absences: Representatives Arnold, Cunningham, Ellis, Miner, and Thompson - 5.

#### **BILLS PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and the following bills are placed on today's Calendar for immediate consideration:

June 19, 2002

**H.B. 1482**, A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF SALUDA.

**H.B. 1587**, A BILL TO BE ENTITLED AN ACT TO ANNEX DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE.

**H.B. 1613**, A BILL TO BE ENTITLED AN ACT TO REVISE THE BOUNDARIES OF THE HARTSEASE AND HARRISON FIRE TAX DISTRICTS IN EDGEcombe COUNTY.

**H.B. 1578**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE SCRAP TIRE DISPOSAL TAX.

**CALENDAR (continued)**

**H.B. 1482**, A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF SALUDA, 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, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, 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, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, 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, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Arnold, Cunningham, Ellis, Miner, and Thompson - 5.

June 19, 2002

**H.B. 1587**, A BILL TO BE ENTITLED AN ACT TO ANNEX DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE, 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, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Daughtry, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, 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, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, 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, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 109.

Voting in the negative: Representatives Carpenter, Creech, Davis, and Decker - 4.

Excused absences: Representatives Arnold, Cunningham, Ellis, Miner, and Thompson - 5.

**H.B. 1613**, A BILL TO BE ENTITLED AN ACT TO REVISE THE BOUNDARIES OF THE HARTSEASE AND HARRISON FIRE TAX DISTRICTS IN EDGECOMBE COUNTY, 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, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Daughtry, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, 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, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham,

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Owens, Pope, 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, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Arnold, Cunningham, Ellis, Miner, and Thompson - 5.

**H.B. 1578**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE SCRAP TIRE DISPOSAL TAX, 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, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Daughtry, Dedmon, Dockham, Earle, Easterling, Edwards, Esposito, Fox, Gibson, Gillespie, Goodwin, Gray, Gulley, Hackney, Haire, Hall, Hensley, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 100.

Voting in the negative: Representatives Allred, Baker, Capps, Creech, Davis, Decker, Eddins, Grady, Harrington, Hiatt, Hilton, Kiser, and Rayfield - 13.

Excused absences: Representatives Arnold, Cunningham, Ellis, Miner, and Thompson - 5.

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

The following report from standing committee is presented:

June 19, 2002

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 1581**, A BILL TO BE ENTITLED AN ACT AFFECTING ELECTRONIC SIGNATURES AND PLATS FILED WITH THE MECKLENBURG COUNTY REGISTER OF DEEDS, with a favorable report as to the committee substitute bill, unfavorable as to the 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 Insko, the House adjourns at 2:45 p.m. to reconvene June 20 at 9:00 a.m.

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## ONE HUNDRED NINETY-FOURTH DAY

HOUSE OF REPRESENTATIVES  
Thursday, June 20, 2002

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:

"Almighty God, in a world where service to others has taken a back seat to service to self, I give thanks for the men and women who gather in this Chamber, who give their time and attention for the betterment of this State. May Your Spirit rest upon them, that they may govern wisely and well. Make plain the path that leads to the improvement in the quality of life for the people of this State. Sustain them in the long hours of labor that lie ahead, encourage them amidst the unjust criticism that comes their way, and empower them to work for the good of all. Through Your blessing and guidance, may each be a witness of Your grace, and ambassador of Your justice, and a representative of Your mercy. 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.

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Leaves of absence are granted Representatives Arnold, Clary, Cunningham, Decker, Edwards, Ellis, Goodwin, Hill, Holmes, Howard, Miner, Thompson, Warwick, and West for today.

### CALENDAR

Action is taken on the following:

**H.B. 1482**, A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF SALUDA, 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, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Coates, Cole, Cox, M. Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Dedmon, Dockham, Earle, Easterling, Eddins, Esposito, Fox, Gibson, Gillespie, Gully, Hackney, Haire, Hall, Harrington, Hensley, Hilton, Holliman, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 98.

Voting in the negative: None.

Excused absences: Representatives Arnold, Clary, Cunningham, Decker, Edwards, Ellis, Goodwin, Hill, Holmes, Howard, Miner, Thompson, Warwick, and West - 14.

Representative J. Crawford requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (99-0).

**H.B. 1510**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ICARD FIRE DISTRICT TO LEVY AN AD VALOREM TAX AT THE GENERAL LAW RATE, 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, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Coates,

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Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Daughtry, Dedmon, Dockham, Earle, Esposito, Fox, Gibson, Gulley, Hackney, Haire, Hall, Hensley, Holliman, 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, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 89.

Voting in the negative: Representatives Baker, Blust, Creech, Davis, Eddins, Gillespie, Harrington, Hilton, Kiser, and Rayfield - 10.

Excused absences: Representatives Arnold, Clary, Cunningham, Decker, Edwards, Ellis, Goodwin, Hill, Holmes, Howard, Miner, Thompson, Warwick, and West - 14.

**H.B. 1517** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF LITTLETON, 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, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Dedmon, Dockham, Earle, Easterling, Eddins, Esposito, Fox, Gibson, Gillespie, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hilton, Holliman, 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, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives Arnold, Clary, Cunningham, Decker, Edwards, Ellis, Goodwin, Hill, Holmes, Howard, Miner, Thompson, Warwick, and West - 14.

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Representative Morgan requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (101-0).

**H.B. 1587**, A BILL TO BE ENTITLED AN ACT TO ANNEX DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE, 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, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Daughtry, Dedmon, Dockham, Earle, Easterling, Eddins, Esposito, Fox, Gibson, Gillespie, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Holliman, 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, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 98.

Voting in the negative: Representatives M. Crawford, Creech, Davis, Hilton, and Rayfield - 5.

Excused absences: Representatives Arnold, Clary, Cunningham, Decker, Edwards, Ellis, Goodwin, Hill, Holmes, Howard, Miner, Thompson, Warwick, and West - 14.

**H.B. 1613**, A BILL TO BE ENTITLED AN ACT TO REVISE THE BOUNDARIES OF THE HARTSEASE AND HARRISON FIRE TAX DISTRICTS IN EDGECOMBE COUNTY, 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, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Daughtry, Dedmon, Dockham, Earle, Easterling, Eddins, Esposito, Fox, Gibson, Gillespie, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hilton, Holliman, 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,

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Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 102.

Voting in the negative: Representative Davis.

Excused absences: Representatives Arnold, Clary, Cunningham, Decker, Edwards, Ellis, Goodwin, Hill, Holmes, Howard, Miner, Thompson, Warwick, and West - 14.

**H.B. 1509**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALES AND USE TAX EXEMPTION REGARDING CERTAIN AGRICULTURAL SUBSTANCES AND TO MAKE VARIOUS ADMINISTRATIVE CHANGES IN THE TAX LAWS, 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, Baddour, Barbee, Barefoot, Bell, Blue, Bonner, Boyd-McIntyre, Brubaker, Buchanan, Church, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Daughtry, Dedmon, Dockham, Earle, Easterling, Esposito, Fox, Gibson, Gully, Hackney, Haire, Hall, Hensley, Holliman, Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Redwine, Rogers, Russell, Saunders, Sherrill, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Weatherly, Weiss, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 77.

Voting in the negative: Representatives Allred, Baker, Barnhart, Blust, Bowie, Capps, Carpenter, M. Crawford, Creech, Davis, Eddins, Gillespie, Grady, Harrington, Hilton, Johnson, Kiser, McMahan, Mitchell, Pope, Preston, Rayfield, Setzer, Sexton, Shubert, and Walend - 26.

Excused absences: Representatives Arnold, Clary, Cunningham, Decker, Edwards, Ellis, Goodwin, Hill, Holmes, Howard, Miner, Thompson, Warwick, and West - 14.

**H.B. 1578**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE SCRAP TIRE DISPOSAL TAX, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

June 20, 2002

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Daughtry, Dedmon, Dockham, Earle, Easterling, Esposito, Fox, Gibson, Gulley, Hackney, Haire, Hall, Hensley, Holliman, 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, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Weatherly, Weiss, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 90.

Voting in the negative: Representatives Allred, Baker, Creech, Davis, Eddins, Gillespie, Grady, Harrington, Hilton, Kiser, Rayfield, Teague, and Walend - 13.

Excused absences: Representatives Arnold, Clary, Cunningham, Decker, Edwards, Ellis, Goodwin, Hill, Holmes, Howard, Miner, Thompson, Warwick, and West - 14.

Representative Gillespie requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (91-12).

On motion of Representative Culpepper, seconded by Representative Womble, the House adjourns at 9:27 a.m., in memory of Louis Freeman, Jr., and his twenty years of service to the North Carolina General Assembly, to reconvene Monday, June 24, 2002, at 7:05 p.m.

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## ONE HUNDRED NINETY-FIFTH DAY

HOUSE OF REPRESENTATIVES  
Monday, June 24, 2002

The House meets at 7:05 p.m. pursuant to adjournment and is called to order by the Speaker.

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

June 24, 2002

"Gracious and Merciful God:

"We give Thee thanks for the opportunities of service that come our way. Help us to recognize them when they appear. Help us to grab hold of the challenges they present to us as we use our God-given talents to help those to whom we are responsible. Implore us, O God, to never shirk our duties as public servants seeking to serve our own good over the good of others. Forgive us of our many shortcomings. Take hold of our work and make good its defects, use that which is profitable to others, and let us at last come to the place where we can rest peacefully at the end of each day in the knowledge that we did the best we could for people and ultimately, for Thee. Have mercy upon us. 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 Blue, Cole, Davis, Decker, Hensley, Hiatt, Hurley, Miner, Russell, Sexton, Sutton, Tucker, Underhill, and Warren for today.

The Speaker appoints Reverend Jim Harry to serve as Chaplain of the North Carolina House of Representatives for the remainder of the 2001 Session.

#### **CHAPTERED BILLS**

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 1078**, AN ACT TO IMPROVE AIR QUALITY IN THE STATE BY IMPOSING LIMITS ON THE EMISSION OF CERTAIN POLLUTANTS FROM CERTAIN FACILITIES THAT BURN COAL TO GENERATE ELECTRICITY AND TO PROVIDE FOR RECOVERY BY ELECTRIC UTILITIES OF THE COSTS OF ACHIEVING COMPLIANCE WITH THOSE LIMITS. (S.L. 2002-4)

#### **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:

June 24, 2002

**H.B. 1583**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGAL EFFECT OF THE USE OF ELECTRONIC TECHNOLOGY IN CRIMINAL PROCESS AND PROCEDURE, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION, with a favorable report as to the committee substitute bill, unfavorable as to the 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. 1115** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2001 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, is read the first time and referred to the Committee on Appropriations.

**S.J.R. 1303**, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF JOSEPH A. SMITH, JR. AS COMMISSIONER OF BANKS, 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 June 24 are introduced to the membership. They are: Rachel Allen of Buncombe; Charlotte Brewer of Wake; David S. Clark of Rockingham; Brittaney Hamilton of Wake; Susan Hill of Wake; Jhari Derr Hill of Wake; Justin Jenkins of Guilford; Laura Johnson of Lee; Anna Blair Johnson of Mecklenburg; Kristen Ketchie of Rowan; Jamie Liles of Wake; Kristen Elizabeth Lovin of Cabarrus; April Lucas of Lee; Sydney Owens of Mecklenburg; Wilson Owens of Mecklenburg; Jordan Pittman of Brunswick; Sonya Rikhye of Wake; Derek Scott of Wake; Peter B. Silliman of Mecklenburg; Carter Smith of Beaufort; Blair Stowe of Beaufort; Sarah Thomas of Cumberland; Amanda Tyndall of Sampson; and James Walters of Lenoir.

On motion of Representative Culpepper, seconded by Representative Daughtry, the House adjourns at 7:19 p.m. to reconvene June 25 at 4:00 p.m.

June 24, 2002

**ONE HUNDRED NINETY-SIXTH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, June 25, 2002

The House meets at 4:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain.

"Almighty God:

"You are from everlasting to everlasting. Your love for Your creation has no boundaries. Your divine love, your agape, knows no limits toward humanity. Lord, we thank You for this unconditional love that is free from prejudice, oppression, envy, and strife. When all else in our lives comes crashing down around us...when our ideals and personal philosophies fail us...when prayers seem as mere words, Your love defies our sadness, and the tears of our hearts, do indeed, touch heaven's ears. O God, we seek Thy wisdom to shine Your light on the dark paths of life's highways. Grant unto us the clarity to see that which is right, pure, and good. Give us the courage to act accordingly. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 24 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue, Cox, Hensley, Hiatt, and Miner for today.

**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. 1525**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF RED CROSS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

June 25, 2002

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 1614**, A BILL TO BE ENTITLED AN ACT TO CLARIFY RESIDENCE REQUIREMENTS FOR THE CITY OF LINCOLNTON SEAT ON THE LINCOLN COUNTY BOARD OF EDUCATION, with a favorable report.

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

**H.B. 1616**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE AROUND EAGLE POINT NATURE PRESERVE ON HIGH ROCK RESERVOIR IN ROWAN COUNTY, with a favorable report.

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

**H.B. 1649**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXPIRATION DATE OF A LOCAL ACT ALLOWING THE CITY OF CHARLOTTE TO CONTRACT WITH PRIVATE PARTIES FOR THE DEVELOPMENT, CONSTRUCTION, AND OCCUPANCY OF CHARLOTTE/DOUGLAS INTERNATIONAL AIRPORT SPECIAL USER PROJECTS WITHOUT COMPLYING WITH ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES, with a favorable report.

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

**H.B. 1650**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE REGULATION OF TAXIS TO COMPLY WITH FBI STANDARDS REGARDING NON-LAW ENFORCEMENT CRIMINAL BACKGROUND CHECKS, with a favorable report.

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

**H.B. 1691**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TROY REDEVELOPMENT COMMISSION TO CONVEY PROPERTY TO A NONPROFIT ORGANIZATION FOR THE PURPOSE OF PROVIDING AFFORDABLE HOUSING IN A REDEVELOPMENT AREA, with a favorable report.

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

June 25, 2002



**H.B. 1714**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CARTERET COUNTY BOARD OF EDUCATION TO LEASE PROPERTY TO CHARITABLE ORGANIZATIONS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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, McComas, and Warwick, Chairs, for the Committee on Environment and Natural Resources:

**H.B. 1544**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS BY WHICH A VARIANCE MAY BE GRANTED BY THE COASTAL RESOURCES COMMISSION UNDER THE COASTAL AREA MANAGEMENT ACT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to the committee substitute bill, unfavorable as to the 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. 1568**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to the committee substitute bill, unfavorable as to the 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.

#### **SPECIAL MESSAGES FROM THE SENATE**

The following Special Messages are received from the Senate:

**H.B. 1487** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND EXPIRATION OF THE REQUIREMENT THAT JUST COMPENSATION BE PAID FOR THE REMOVAL BY LOCAL AUTHORITIES OF BILLBOARDS ON INTERSTATE AND FEDERAL-AID PRIMARY HIGHWAYS, AS REQUIRED BY FEDERAL LAW, is returned for concurrence in the Senate committee substitute bill.

June 25, 2002

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 26.

**S.B. 1111** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONTINUE CURRENT DIRECTIONS AND LIMITATIONS ON THE EXPENDITURES OF STATE FUNDS, TO AUTHORIZE THE USE OF THE SAVINGS RESERVE ACCOUNT TO BALANCE THE BUDGET, TO PROVIDE THAT THERE BE NO AUTOMATIC STEP INCREASES FOR STATE AND PUBLIC SCHOOL EMPLOYEES, TO SET THE CONTRIBUTION RATE TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, TO APPROPRIATE FUNDS FOR HEALTH AND HUMAN SERVICES BLOCK GRANTS, NATURAL AND ECONOMIC RESOURCES BLOCK GRANTS, AND FOR WORKER TRAINING TRUST FUND PROGRAMS, AND TO MAINTAIN 2001-2002 PARTICIPATION LEVELS IN THE AIDS DRUG ASSISTANCE PROGRAM, is read the first time and referred to the Committee on Appropriations.

**S.B. 1220** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET EXEMPTING DARE COUNTY FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS, is read the first time and referred to the Committee on Local Government II.

### CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1581** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AFFECTING ELECTRONIC SIGNATURES AND PLATS FILED WITH THE MECKLENBURG COUNTY REGISTER OF DEEDS.

Representative Barnhart offers Amendment No. 1 which is adopted by electronic vote (111-0). This amendment changes the title.

The bill, as amended, passes its second reading. 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. 1511**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE POLK, RUTHERFORD, AND TRANSYLVANIA COUNTIES TO REQUIRE

June 25, 2002

THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, 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. 1533**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HERTFORD AND NORTHAMPTON COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

Representative Rogers offers Amendment No. 1.

Representative Luebke offers perfecting Amendment No. 2 which is adopted. This amendment changes the title.

Amendment No. 1 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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1626**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BUSINESS OPERATIONS OF THE HOSIERY TECHNOLOGY CENTER AT CATAWBA VALLEY COMMUNITY COLLEGE.

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. 1538**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO DISTRIBUTION TO KNOWN BUT UNLOCATED DEVISEES OR HEIRS TO CONFORM TO THE NORTH CAROLINA UNCLAIMED PROPERTY ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, 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.

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Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1539**, A BILL TO BE ENTITLED AN ACT TO REPEAL AN OBSOLETE PROHIBITION ON THE ESTABLISHMENT OF AUTOMATED TELLER MACHINES OR OTHER INFORMATION-PROCESSING DEVICES OR MACHINES BY OUT-OF-STATE FINANCIAL INSTITUTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, 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. 1626**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BUSINESS OPERATIONS OF THE HOSIERY TECHNOLOGY CENTER AT CATAWBA VALLEY COMMUNITY COLLEGE, which was temporarily displaced, is before the Body.

On motion of Representative Buchanan and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

#### RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1771**, A BILL TO BE ENTITLED AN ACT TO ADOPT RULES REGARDING THE DUTIES OF SCHOOL COUNSELORS AND TO APPROPRIATE FUNDS FOR THAT PURPOSE, 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 Coates, the House adjourns at 4:51 p.m. to reconvene June 26 at 2:00 p.m.

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## ONE HUNDRED NINETY-SEVENTH DAY

HOUSE OF REPRESENTATIVES  
Wednesday, June 26, 2002

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

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The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Everlasting God:

"Each day is like opening a birthday present, hand-delivered from Thee. Each sunrise...each blue sky and cloud formation...each seashore and mountain range is like unwrapping a priceless gift. Life itself is precious and all of us ought to be very careful that we pause long enough to appreciate the sacredness and fragility of our lives and the lives of others. We give You thanks for the lives of newborn babies that have brought joy into this collected Body. And, we give you thanks for the lives of those whom we see no more but whose memories live on within our hearts. As we consider, think, debate, and put legislation into motion, may we be ever mindful of Your precious gift of life and of the millions of precious lives that can be affected by our decisions and the stroke of a pen. Guide us in our comings and in our goings and as always, we humbly beseech Thee, have mercy upon us. 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 Blue, Gray, Hiatt, and Miner for today.

#### **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. 1493**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE OFFICE OF CORONER IN GRANVILLE COUNTY, with a favorable report.

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

**H.B. 1585**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HENDERSON TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS, with a favorable report.

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

**H.B. 1597**, A BILL TO BE ENTITLED AN ACT TO REPEAL TERM LIMITS FOR MEMBERS OF THE HAYWOOD COUNTY BOARD OF EDUCATION, EDENTON-CHOWAN COUNTY BOARD OF EDUCATION, ALEXANDER COUNTY BOARD OF EDUCATION, AND IREDELL-STATESVILLE BOARD OF EDUCATION, with a favorable report as to the committee substitute bill, unfavorable as to the 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. 1600**, A BILL TO BE ENTITLED AN ACT AFFECTING THE REGULATION OF ABANDONMENT OF JUNKED MOTOR VEHICLES IN THE CITY OF ALBEMARLE, with a favorable report.

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

**H.B. 1683**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STAGGERED TERMS FOR THE SEVEN SEPARATE SEATS ON THE WAYNE COUNTY BOARD OF COMMISSIONERS, with a favorable report.

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

**S.B. 1220** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET EXEMPTING DARE COUNTY FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS, 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.B. 1486**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE IN THE VICINITY OF THE ROANOKE RIVER BRIDGE ON HIGHWAY 17 IN BERTIE COUNTY, reported without prejudice.

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

By Representative Smith, Chair, for the Committee on Public Utilities:

June 26, 2002

**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, 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. 1520**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON TAX CREDITS FOR QUALIFIED BUSINESS INVESTMENTS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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. 1609**, A BILL TO BE ENTITLED AN ACT RELATING TO INVESTMENTS BY THE CITY OF DURHAM, with a favorable report as to the committee substitute bill, unfavorable as to the 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. 1662**, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS, with a favorable report as to the committee substitute bill, unfavorable as to the 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. 1747**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF CHIROPRACTIC EXAMINERS TO COLLECT A FEE FOR THE ANNUAL RECERTIFICATION OF CHIROPRACTIC DIAGNOSTIC IMAGING TECHNICIANS, with a favorable report as to the committee substitute bill, unfavorable as to the 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.

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By Representatives Easterling, Owens, Redwine, and Thompson, Chairs, for the Committee on Appropriations:

**S.B. 1111** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONTINUE CURRENT DIRECTIONS AND LIMITATIONS ON THE EXPENDITURES OF STATE FUNDS, TO AUTHORIZE THE USE OF THE SAVINGS RESERVE ACCOUNT TO BALANCE THE BUDGET, TO PROVIDE THAT THERE BE NO AUTOMATIC STEP INCREASES FOR STATE AND PUBLIC SCHOOL EMPLOYEES, TO SET THE CONTRIBUTION RATE TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, TO APPROPRIATE FUNDS FOR HEALTH AND HUMAN SERVICES BLOCK GRANTS, NATURAL AND ECONOMIC RESOURCES BLOCK GRANTS, AND FOR WORKER TRAINING TRUST FUND PROGRAMS, AND TO MAINTAIN 2001-2002 PARTICIPATION LEVELS IN THE AIDS DRUG ASSISTANCE PROGRAM, with a favorable report.

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

### CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1487** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND EXPIRATION OF THE REQUIREMENT THAT JUST COMPENSATION BE PAID FOR THE REMOVAL BY LOCAL AUTHORITIES OF BILLBOARDS ON INTERSTATE AND FEDERAL-AID PRIMARY HIGHWAYS, AS REQUIRED BY FEDERAL LAW.

Pursuant to Rule 24.1A(c), the request that Representative Morgan be excused from voting on June 6 is continued.

On motion of Representative J. Crawford, the House concurs in the Senate committee substitute bill, by electronic vote (109-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

Representative Justus requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (110-0).

**H.B. 1533**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BERTIE, DURHAM, HERTFORD AND NORTHAMPTON COUNTIES

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TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

The bill, as amended, passes its third reading, by electronic vote (111-1), and is ordered engrossed and sent to the Senate.

**H.B. 1581** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AFFECTING ELECTRONIC SIGNATURES AND PLATS FILED WITH THE CABARRUS AND MECKLENBURG COUNTY REGISTERS OF DEEDS.

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. 1579** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE OPERATION OF AIRBOATS ON LAKE TILLERY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, 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. 1545**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF ELK KNOB STATE NATURAL AREA AND BEECH CREEK BOG STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Representative Allred moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Appropriations.

On motion of Representative Baker and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 27.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1557**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON ISSUING NEW SHELLFISH CULTIVATION LEASES

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IN CORE SOUND AND TO DIRECT THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO STUDY VARIOUS MARINE FISHERIES ISSUES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, 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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1584** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE STATE DEADLINE FOR APPROVAL OF HAZARD MITIGATION PLANS CONSISTENT WITH THE FEDERAL DEADLINE FOR APPROVAL OF THESE PLANS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, AND TO EXTEND THE DATE BY WHICH CERTAIN SMALL MUNICIPAL WASTE COMBUSTION UNITS MUST ACHIEVE COMPLIANCE WITH CERTAIN REQUIREMENTS RELATED TO THE EMISSION OF AIR POLLUTANTS, 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.

#### **BILLS PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and the following bills are placed on today's Calendar:

**S.B. 1220** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET EXEMPTING DARE COUNTY FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS.

**S.B. 1111** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONTINUE CURRENT DIRECTIONS AND LIMITATIONS ON THE EXPENDITURES OF STATE FUNDS, TO AUTHORIZE THE USE OF THE SAVINGS RESERVE ACCOUNT TO BALANCE THE BUDGET, TO PROVIDE THAT THERE BE NO AUTOMATIC STEP INCREASES FOR STATE AND PUBLIC SCHOOL EMPLOYEES, TO SET THE CONTRIBUTION RATE TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, TO APPROPRIATE FUNDS FOR HEALTH AND HUMAN SERVICES BLOCK GRANTS, NATURAL

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AND ECONOMIC RESOURCES BLOCK GRANTS, AND FOR WORKER TRAINING TRUST FUND PROGRAMS, AND TO MAINTAIN 2001-2002 PARTICIPATION LEVELS IN THE AIDS DRUG ASSISTANCE PROGRAM.

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

The following Special Message is received from the Senate:

**S.J.R. 1422**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ILENE B. NELSON, ADVOCATE FOR ABUSED AND NEGLECTED CHILDREN, is read the first time.

On motion of the Chair, 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 (113-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

#### **CALENDAR (continued)**

**S.B. 1220** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET EXEMPTING DARE COUNTY FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS, 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. 1111** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONTINUE CURRENT DIRECTIONS AND LIMITATIONS ON THE EXPENDITURES OF STATE FUNDS, TO AUTHORIZE THE USE OF THE SAVINGS RESERVE ACCOUNT TO BALANCE THE BUDGET, TO PROVIDE THAT THERE BE NO AUTOMATIC STEP INCREASES FOR STATE AND PUBLIC SCHOOL EMPLOYEES, TO SET THE CONTRIBUTION RATE TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, TO APPROPRIATE FUNDS FOR HEALTH AND HUMAN SERVICES BLOCK GRANTS, NATURAL AND ECONOMIC RESOURCES BLOCK GRANTS, AND FOR WORKER TRAINING TRUST FUND PROGRAMS, AND TO MAINTAIN 2001-2002 PARTICIPATION LEVELS IN THE AIDS DRUG ASSISTANCE

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PROGRAM, passes its second reading, by electronic vote (60-51), and there being no objection is read a third time.

Representative Gibson requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (61-51).

The bill passes its third reading, by electronic vote (62-52), and is ordered enrolled and presented to the Governor by Special Message.

### **RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2, **H.B. 1686**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE VILLAGE OF WHISPERING PINES TO REGULATE THE OPERATION OF ELECTRIC GOLF CARTS ON PUBLIC STREETS WITHIN THE TOWN, is withdrawn from the Committee on Local Government II and re-referred to the Committee on Local Government I.

On motion of Representative Culpepper, seconded by Representative Bowie, the House adjourns at 3:50 p.m. to reconvene June 27 at 10:05 a.m.

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## **ONE HUNDRED NINETY-EIGHTH DAY**

HOUSE OF REPRESENTATIVES  
Thursday, June 27, 2002

The House meets at 10:05 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Almighty and Everlasting God:

"This morning, as we continue our time together in this Chamber, we thank You for the gift of speech. We are grateful that You have endowed us with the gift of gab (some of us more than others) but we do thank You that through our language we can communicate. Our prayer to You on this day is to ask that You help us figure out just how we are going to go about communicating with one another...with razor sharp words that can tear down, or with gentle words that can build up; with speech that has the

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capacity to destroy, or with eloquence, language that can serve to educate, endear and edify. This can be a tricky proposition in any institution where folks clearly differ by virtue of political philosophy and ideology. Thus, knowing that we may not always agree, we seek Your guidance to help us communicate in a manner of civility that is genuine, helpful, and ultimately...pleasing to You, our Lord and our God. 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.

Leaves of absence are granted Representatives Blue, Cox, Dockham, Gray, Hiatt, Hill, McAllister, and Miner for today. Representative Warwick is excused for a portion of the session.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 1111**, AN ACT TO CONTINUE CURRENT DIRECTIONS AND LIMITATIONS ON THE EXPENDITURES OF STATE FUNDS, TO AUTHORIZE THE USE OF THE SAVINGS RESERVE ACCOUNT TO BALANCE THE BUDGET, TO PROVIDE THAT THERE BE NO AUTOMATIC STEP INCREASES FOR STATE AND PUBLIC SCHOOL EMPLOYEES, TO SET THE CONTRIBUTION RATE TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, TO APPROPRIATE FUNDS FOR HEALTH AND HUMAN SERVICES BLOCK GRANTS, NATURAL AND ECONOMIC RESOURCES BLOCK GRANTS, AND FOR WORKER TRAINING TRUST FUND PROGRAMS, AND TO MAINTAIN 2001-2002 PARTICIPATION LEVELS IN THE AIDS DRUG ASSISTANCE PROGRAM.

**H.B. 1487**, AN ACT TO EXTEND EXPIRATION OF THE REQUIREMENT THAT JUST COMPENSATION BE PAID FOR THE REMOVAL BY LOCAL AUTHORITIES OF BILLBOARDS ON INTER-STATE AND FEDERAL-AID PRIMARY HIGHWAYS, AS REQUIRED BY FEDERAL LAW.

**H.B. 1578**, AN ACT TO REMOVE THE SUNSET ON THE SCRAP TIRE DISPOSAL TAX.

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

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**S.B. 1220**, AN ACT TO EXTEND THE SUNSET EXEMPTING DARE COUNTY FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS.

**H.B. 1482**, AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF SALUDA.

**H.B. 1510**, AN ACT TO ALLOW THE ICARD FIRE DISTRICT TO LEVY AN AD VALOREM TAX AT THE GENERAL LAW RATE.

**H.B. 1587**, AN ACT TO ANNEX DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE.

**H.B. 1613**, AN ACT TO REVISE THE BOUNDARIES OF THE HARTSEASE AND HARRISON FIRE TAX DISTRICTS IN EDGECOMBE COUNTY.

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

**S.J.R. 1422**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ILENE B. NELSON, ADVOCATE FOR ABUSED AND NEGLECTED CHILDREN. (RESOLUTION 2002-2)

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

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

By Representatives Earle, Adams, Allen, Arnold, Barbee, Barefoot, Barnhart, Bowie, Church, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Esposito, Grady, Gulley, Hackney, Haire, Hall, Harrington, Holmes, Insko, Jarrell, Jeffus, Kiser, McCombs, McLawhorn, McMahan, Mitchell, Nye, Owens, Preston, Rayfield, Sexton, Sherrill, Sutton, Teague, Tolson, Wainwright, Walend, Walker, Warner, Weatherly, West, and G. Wilson:

**H.J.R. 1774**, A JOINT RESOLUTION HONORING THE MEMORY OF CHIANG CHING-KUO, LATE PRESIDENT OF THE REPUBLIC OF CHINA ON TAIWAN, AND EXPRESSING THE BELIEF THAT THE REPUBLIC OF CHINA ON TAIWAN SHOULD BE PERMITTED TO PARTICIPATE IN A MEANINGFUL AND APPROPRIATE WAY IN

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THE WORLD HEALTH ORGANIZATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

### CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1614**, A BILL TO BE ENTITLED AN ACT TO CLARIFY RESIDENCE REQUIREMENTS FOR THE CITY OF LINCOLNTON SEAT ON THE LINCOLN COUNTY BOARD OF EDUCATION.

Representative Kiser offers Amendment No. 1 which is adopted.

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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1616**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE AROUND EAGLE POINT NATURE PRESERVE ON HIGH ROCK RESERVOIR IN ROWAN COUNTY.

On motion of Representative McCombs, the bill is temporarily displaced.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1649**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXPIRATION DATE OF A LOCAL ACT ALLOWING THE CITY OF CHARLOTTE TO CONTRACT WITH PRIVATE PARTIES FOR THE DEVELOPMENT, CONSTRUCTION, AND OCCUPANCY OF CHARLOTTE/DOUGLAS INTERNATIONAL AIRPORT SPECIAL USER PROJECTS WITHOUT COMPLYING WITH ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES, 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.

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Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1650**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE REGULATION OF TAXIS TO COMPLY WITH FBI STANDARDS REGARDING NON-LAW ENFORCEMENT CRIMINAL BACKGROUND CHECKS, 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. 1691**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TROY REDEVELOPMENT COMMISSION TO CONVEY PROPERTY TO A NONPROFIT ORGANIZATION FOR THE PURPOSE OF PROVIDING AFFORDABLE HOUSING IN A REDEVELOPMENT AREA, 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. 1714** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE CARTERET COUNTY BOARD OF EDUCATION TO LEASE PROPERTY TO THE BOYS AND GIRLS CLUB.

Representative Preston offers Amendment No. 1 which is adopted.

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.

**H.B. 1616**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE AROUND EAGLE POINT NATURE PRESERVE ON HIGH ROCK RESERVOIR IN ROWAN COUNTY, which was temporarily displaced, is before the Body.

On motion of Representative McCombs, the bill is withdrawn from the Calendar and placed on the Calendar of July 2.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

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**H.B. 1544** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS BY WHICH A VARIANCE MAY BE GRANTED BY THE COASTAL RESOURCES COMMISSION UNDER THE COASTAL AREA MANAGEMENT ACT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, 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.

**H.B. 1545**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF ELK KNOB STATE NATURAL AREA AND BEECH CREEK BOG STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Representative Allred moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Appropriations. The motion fails by electronic vote (9-101).

The bill passes its second reading, by electronic vote (105-5), 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. 1583** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGAL EFFECT OF THE USE OF ELECTRONIC TECHNOLOGY IN CRIMINAL PROCESS AND PROCEDURE, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION, passes its second reading, by electronic vote (106-3), 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 BILLS AND RESOLUTIONS**

Without objection, Rule 41(a) is suspended and the following is introduced and read the first time:

By Representatives Thompson, Alexander, Allen, Allred, Arnold, Baker, Barbee, Barefoot, Barnhart, Black, Blust, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole,

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M. Crawford, Creech, Culp, Cunningham, Davis, Decker, Dedmon, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Gulley, Harrington, Hilton, Holmes, Howard, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, McComas, McLawhorn, Mitchell, Morgan, Morris, Nye, Pope, Preston, Rayfield, Russell, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, and G. Wilson:

**H.R. 1775**, A HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE PLEDGE OF ALLEGIANCE, is referred to the Committee on Rules, Calendar, and Operations of the House.

### **POINT OF PERSONAL PRIVILEGE**

#### **I PLEDGE ALLEGIANCE**

"I remember this one teacher. To me, he was the greatest teacher, a real sage of my time. He had such wisdom. We were reciting the Pledge of Allegiance, and he walked over. Mr. Lasswell was his name .... He said:

I've been listening to you boys and girls recite the Pledge of Allegiance all semester and it seems as though it is becoming monotonous to you. If I may, may I recite it and try to explain to you the meaning of each word:

'I - me, an individual, a committee of one.

'Pledge - dedicate all of my worldly goods to give without self-pity.

'Allegiance - my love and my devotion.

'To the Flag - our standard, Old Glory, a symbol of freedom. Wherever she waves, there is respect, because your loyalty has given her dignity that shouts: FREEDOM IS EVERYBODY'S JOB.

'Of the United - that means that we have all come together.

'States - individual communities that have united into (our) great states ... individual communities with pride and dignity and purpose, all divided with imaginary boundaries, yet united to a common purpose, and that's love for country.

'Of America.

'And To The Republic - a state in which sovereign power is invested in representatives chose by the people to govern. And government is the people, and it's from the people to the leaders, not from the leaders to the people.

'For Which It Stands.

'One Nation - meaning, so blessed by God.

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'Indivisible - incapable of being divided.

'With Liberty - which is freedom and the right of power to live one's own life without threats or fear or some sort of retaliation.

'And Justice - the principle or quality of dealing fairly with others.

'For All - which means it's as much your country as mine.'

"Since I was a small boy, two states, Hawaii and Alaska, have been added to our country and two words - 'under God' have been added to the Pledge of Allegiance.

"Shouldn't it be a pity if someone said, 'That's a prayer' and that would be eliminated from schools, too?"

The foregoing is an excerpt from a Red Skelton telecast when he recited his interpretation of the "Pledge of Allegiance".

On motion of Representative Morgan and without objection, the aforementioned words of Representative Esposito are spread upon the Journal.

Representative McComas inquires of the Chair if it would be appropriate for the Members of the House to recite the Pledge of Allegiance.

The Speaker leads the Body in the Pledge of Allegiance.

On motion of Representative Culpepper, seconded by Representative Russell, the House adjourns at 11:08 a.m. to reconvene Monday, July 1, 2002, at 7:05 p.m.

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## **ONE HUNDRED NINETY-NINTH DAY**

HOUSE OF REPRESENTATIVES  
Monday, July 1, 2002

The House meets at 7:05 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

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"Sovereign God:

"You alone are the Creator of the universe and all that it contains. Liberty and freedom are simply human words that attempt to describe the indescribable nature of Your mercy on humanity. Thus, we thank You, O God, for Your gift of human freedom and the spirit to think, feel, play, and work. As those who have been selected to represent the liberty of others, grant unto us a special dispensation of Your mercy so that our work and our efforts here serve to set the captives free. In this week that we celebrate the birth and soul of our nation, we ask that through our discussions, our planning, our discourse, and our legislation, You would, indeed, let freedom ring. Amen."

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.

Leaves of absence are granted Representatives Arnold, Bonner, Bowie, Cox, Davis, Ellis, Esposito, McAllister, Pope, Redwine, Russell, Saunders, Sexton, Smith, Thompson, Underhill, West, and Wright for today.

#### **ENROLLED BILLS**

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

**H.B. 1530**, AN ACT TO ALLOW THE TOWN OF TABOR CITY TO LEVY SPECIAL ASSESSMENTS FOR STREET OR SIDEWALK IMPROVEMENTS WITHOUT PETITION.

#### **CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 1220**, AN ACT TO EXTEND THE SUNSET EXEMPTING DARE COUNTY FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS. (S.L. 2002-5)

**H.B. 1482**, AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF SALUDA. (S.L. 2002-6)

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**H.B. 1510**, AN ACT TO ALLOW THE ICARD FIRE DISTRICT TO LEVY AN AD VALOREM TAX AT THE GENERAL LAW RATE. (S.L. 2002-7)

**H.B. 1587**, AN ACT TO ANNEX DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF FARMVILLE. (S.L. 2002-8)

**H.B. 1613**, AN ACT TO REVISE THE BOUNDARIES OF THE HARTSEASE AND HARRISON FIRE TAX DISTRICTS IN EDGECOMBE COUNTY. (S.L. 2002-9)

#### **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:

**H.B. 1599**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE COMPOSITION OF THE TOWN OF ANGIER BOARD OF ALCOHOLIC CONTROL FROM THREE TO FIVE MEMBERS, with a favorable report as to the committee substitute bill, unfavorable as to the 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**

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1493**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE OFFICE OF CORONER IN GRANVILLE 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. 1585**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HENDERSON TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS.

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A division having been called, the bill passes its second reading, by electronic vote (62-27), 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 July 1 are introduced to the membership. They are: Markita Adair of Vance; Ricky Bennett of Wake; Heather Anne Gutow Chapman of New Hanover; Justin Deffenbaugh of Chatham; Lynwood Ebron, II, of Wake; David England of Cumberland; Victoria Gean of Mecklenburg; Jonathan E. Grice of Guilford; Kelly Hilton of Iredell; Courtney Ann Hoots of Henderson; Siri Elizabeth Jones of Lincoln; Katie Elizabeth Mills of Cumberland; James Parks of Lenoir; Jeffrey Parks of Lenoir; Katherine Peralta of Johnston; Ken Powell of Wake; Jane S. Ramsey of Durham; Constance Renee Sexton of Rockingham; Nicole Soles of Johnston; and Frances Tate of Haywood.

On motion of Representative Culpepper, seconded by Representative Holliman, the House adjourns at 7:25 p.m. to reconvene July 2 at 2:00 p.m.

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## TWO HUNDREDTH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, July 2, 2002

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, House Chaplain:

"Loving God:

"You alone can see into every heart, and only You know every thought. As we go about our lives hiding behind curtains that we construct to inflate our egos...curtains of power, status, influence, wealth...curtains of pride, envy, bitterness...curtains that we hope will keep our thoughts hidden from others...only You know that what we truly seek is to be accepted wholly and fully by others. O God, help us to understand ourselves in the light of Your

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unconditional love. Help us to come to that point in our lives where we no longer need to hide behind these self-constructed curtains, but rather understand who we are and whose we are. Let us experience Your love and know that what we often think is of ultimate importance pales in comparison to knowing that You care deeply for each one of us, and that we too, have been given the same capacity to love just as we are loved. Thank You for loving us, Lord. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 1 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Hiatt and West for today. Representative Blue is excused for a portion of the session.

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 1578**, AN ACT TO REMOVE THE SUNSET ON THE SCRAP TIRE DISPOSAL TAX. (S.L. 2002-10)

**H.B. 1487**, AN ACT TO EXTEND EXPIRATION OF THE REQUIREMENT THAT JUST COMPENSATION BE PAID FOR THE REMOVAL BY LOCAL AUTHORITIES OF BILLBOARDS ON INTER-STATE AND FEDERAL-AID PRIMARY HIGHWAYS, AS REQUIRED BY FEDERAL LAW. (S.L. 2002-11)

**S.B. 1111**, AN ACT TO CONTINUE CURRENT DIRECTIONS AND LIMITATIONS ON THE EXPENDITURES OF STATE FUNDS, TO AUTHORIZE THE USE OF THE SAVINGS RESERVE ACCOUNT TO BALANCE THE BUDGET, TO PROVIDE THAT THERE BE NO AUTOMATIC STEP INCREASES FOR STATE AND PUBLIC SCHOOL EMPLOYEES, TO SET THE CONTRIBUTION RATE TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, TO APPROPRIATE FUNDS FOR HEALTH AND HUMAN SERVICES BLOCK GRANTS, NATURAL AND ECONOMIC RESOURCES BLOCK GRANTS, AND FOR WORKER TRAINING TRUST FUND PROGRAMS, AND TO MAINTAIN 2001-2002 PARTICIPATION LEVELS IN THE AIDS DRUG ASSISTANCE PROGRAM. (S.L. 2002-12)

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**H.B. 1530**, AN ACT TO ALLOW THE TOWN OF TABOR CITY TO LEVY SPECIAL ASSESSMENTS FOR STREET OR SIDEWALK IMPROVEMENTS WITHOUT PETITION. (S.L. 2002-13)

**REPORTS OF STANDING COMMITTEES AND PERMANENT  
SUBCOMMITTEES**

The following report from standing committee is presented:

By Representatives Warner and Bonner, Chairs, for the Committee on Education:

**H.B. 1692**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF EDUCATION TO GRANT WAIVERS FOR SCHOOLS THAT ARE UNABLE TO IMPLEMENT THE HIGH-PRIORITY SCHOOL PROGRAM FOR THE 2002-2003 FISCAL YEAR AND TO USE FUNDS SAVED AS A RESULT OF THE WAIVERS TO OFFSET BASE BUDGET REDUCTIONS IN THE STATE PUBLIC SCHOOL FUND, with a favorable report.

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

**SPECIAL MESSAGE FROM THE SENATE**

**2001 GENERAL ASSEMBLY  
SECOND SESSION 2002**

Senate Chamber  
July 1, 2002

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. 759**, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITATIONS ON RAIL TRANSPORTATION LIABILITY, and requests conferees. The President Pro Tempore appoints:

Senator Gulley, Chair  
Senator Dalton  
Senator Clodfelter  
Senator Bingham

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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:

**S.B. 1133**, 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. 1199**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY WAYS THE STATE CAN COORDINATE AND FACILITATE PUBLIC ACCESS TO PUBLIC AND PRIVATE FREE AND DISCOUNT PRESCRIPTION DRUG PROGRAMS FOR SENIOR CITIZENS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 1288**, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF BETHEL TO EXTEND ITS EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES BEYOND ITS LIMITS SUBJECT TO THE APPROVAL OF THE PITT COUNTY BOARD OF COMMISSIONERS, is read the first time and referred to the Committee on Local Government II.

**S.B. 1357**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO DURHAM COUNTY OCCUPANCY TAX PROVISIONS, 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 bill appears on today's Calendar.

**H.B. 1662** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS.

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On motion of Representative J. Crawford 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.

**H.B. 1597** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL TERM LIMITS FOR MEMBERS OF THE HAYWOOD COUNTY BOARD OF EDUCATION, EDENTON-CHOWAN COUNTY BOARD OF EDUCATION, ALEXANDER COUNTY BOARD OF EDUCATION, AND IREDELL-STATESVILLE BOARD OF EDUCATION.

Representative Starnes offers Amendment No. 1.

Representative Pope inquires of the Chair if the bill is eligible because it is in controversy. The Speaker rules that the bill is properly before the Body.

Amendment No. 1 is adopted by electronic vote (62-52). This amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (101-14). The caption having been amended, the bill remains on the Calendar.

Representative Blue requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (102-14).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1600**, A BILL TO BE ENTITLED AN ACT AFFECTING THE REGULATION OF ABANDONMENT OF JUNKED MOTOR VEHICLES IN THE CITY OF ALBEMARLE, 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. 1616**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE AROUND EAGLE POINT NATURE PRESERVE ON HIGH ROCK RESERVOIR IN ROWAN COUNTY.

Representative Ellis offers Amendment No. 1 which fails of adoption by electronic vote (23-93).

The bill passes its second reading by electronic vote (111-5).

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Representative Ellis 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. 1683**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STAGGERED TERMS FOR THE SEVEN SEPARATE SEATS ON THE WAYNE COUNTY BOARD OF COMMISSIONERS, 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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1520** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON TAX CREDITS FOR QUALIFIED BUSINESS INVESTMENTS AND TO AMEND THE DEFINITION OF QUALIFIED GRANTEE BUSINESS, 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, Barefoot, Barnhart, Bell, Blue, 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, Edwards, Ellis, Esposito, 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, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, 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, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 109.

Voting in the negative: Representatives Allred, Carpenter, Davis, Eddins, McAllister, Pope, and Shubert - 7.

Excused absences: Representatives Hiatt and West - 2.

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**CONFEREES APPOINTED**

The Speaker announces the following conferees on **S.B. 759** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITATIONS ON RAIL TRANSPORTATION LIABILITY: Representative Hackney, Chair; Representatives Saunders, Cole, Miner, and Weiss.

The Senate is so notified by Special Message.

On motion of Representative Culpepper, seconded by Representative Allen, the House adjourns at 2:52 p.m. to reconvene July 3 at 3:00 p.m.

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**TWO HUNDRED FIRST DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, July 3, 2002

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 Jim Harry, House Chaplain:

"Gracious God:

"It is always easier for us to complain than it is to give thanks. It is always a tad easier to see the glass half empty than it is to see the glass half full. What is it within us that often seems to frown upon life's situations? Life itself is precarious, and we are never promised another moment but that which we have right now. Lord, we thank You for the gift of life and each precious moment we have to enjoy. As we remember our freedom to move about in thought and speech, grant unto us the desire to see others in the light of life's preciousness. And, holding fast to the gift of life within each of us, help us to smile, to laugh, to share joy with all of God's people...even on both sides of the aisle. 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.

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Leaves of absence are granted Representatives Alexander, Ellis, Grady, Gray, Hiatt, Morris, Redwine, and West for today. Representative Haire is excused for a portion of the session.

### ENROLLED BILLS

The following bill is duly ratified and presented to the Governor:

**H.B. 1521**, AN ACT TO CONFORM SOURCING OF MOBILE TELECOMMUNICATIONS SERVICES TO THE FEDERAL MOBILE TELECOMMUNICATIONS SOURCING ACT AND TO CODIFY THE SOURCING PRINCIPLES FOR OTHER TELECOMMUNICATIONS SERVICES.

### 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. 1675**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HUGH STEWART JOHNSON, JR., A FORMER MEMBER OF THE NORTH CAROLINA GENERAL ASSEMBLY, with a favorable report.

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

By Representatives Barefoot and Cox, Chairs, for the Committee on Pensions and Retirement:

**H.B. 1607**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LINCOLN TON FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, 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. 1568** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SEDIMENTATION POLLUTION CONTROL ACT

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OF 1973, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

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

**H.B. 1629**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF THOMASVILLE TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE, with a favorable report.

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

**H.B. 1684**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF THOMASVILLE, with a favorable report as to the committee substitute bill, unfavorable as to the 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. 1690**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CANDOR, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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. 1604**, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF BETHEL TO EXTEND ITS EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES BEYOND ITS LIMITS SUBJECT TO THE APPROVAL OF THE PITT COUNTY BOARD OF COMMISSIONERS, with a favorable report.

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

**H.B. 1615**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CHINA GROVE, with a favorable report.

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

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**H.B. 1689**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE PEARLAND FIRE DISTRICT IN CALDWELL COUNTY TO THE SAWMILLS RURAL FIRE DISTRICT, with a favorable report.

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

By Representative Jarrell, Chair, for the Committee on State Government:

**H.B. 1534**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO GRANT THE DOMESTIC VIOLENCE COMMISSION AUTHORITY TO ADOPT RULES TO APPROVE ABUSER TREATMENT PROGRAMS, with a favorable report.

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

**H.B. 1552**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO DELAY THE EFFECTIVE DATE OF THE LOCKSMITH LICENSING ACT AND TO ALLOW THE LOCKSMITH LICENSING BOARD TO ADOPT TEMPORARY RULES, with a favorable report as to the committee substitute bill, unfavorable as to the 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 Allen, Buchanan, Luebke and Wainwright, Chairs, for the Committee on Finance:

**S.B. 861** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF QUALIFIED DENTAL PRACTITIONERS IN THE STATE BY AUTHORIZING THE BOARD OF DENTAL EXAMINERS TO LICENSE BY CREDENTIALS PERSONS WHO ARE LICENSED TO PRACTICE DENTISTRY OR DENTAL HYGIENE IN OTHER STATES AND WHO OTHERWISE MEET STATE REQUIREMENTS FOR LICENSE BY CREDENTIALS, TO ISSUE A LIMITED VOLUNTEER DENTAL LICENSE, TO ISSUE AN INSTRUCTOR'S LICENSE, AND TO IMPOSE APPLICATION AND RENEWAL FEES FOR LICENSURE AUTHORIZED UNDER THIS

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ACT, 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. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

#### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 1114**, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CHARTER OF THE TOWN OF BADIN A PROVISION ON THE AD VALOREM TAX RATE, is read the first time and referred to the Committee on Finance.

**S.B. 1132**, A BILL TO BE ENTITLED AN ACT TO REMOVE AN AREA FROM THE CORPORATE LIMITS OF THE TOWN OF ELLENBORO, is read the first time and referred to the Committee on Finance.

**S.B. 1195**, A BILL TO BE ENTITLED AN ACT TO CREATE AN OCCUPANCY TAX DISTRICT IN THE TOWN OF SEVEN DEVILS, AND TO AUTHORIZE THE SEVEN DEVILS TAX DISTRICT TO LEVY AN OCCUPANCY TAX, is read the first time and referred to the Committee on Finance.

**S.B. 1300**, A BILL TO BE ENTITLED AN ACT CONCERNING A VOLUNTARY SATELLITE ANNEXATION OF CERTAIN DESCRIBED PROPERTY BY THE CITY OF NEWTON, is read the first time and referred to the Committee on Finance.

#### CALENDAR

Action is taken on the following:

**H.B. 1662** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church,

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Clary, Coates, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Fox, Gibson, Gillespie, Goodwin, Gulley, Hackney, 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, Nye, Oldham, Owens, Pope, Preston, Rayfield, Rogers, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, Willingham, G. Wilson, Womble, Wright, and Yongue - 98.

Voting in the negative: Representatives Capps, Creech, Davis, Decker, Setzer, and Shubert - 6.

Excused absences: Representatives Alexander, Ellis, Grady, Gray, Haire, Hiatt, Morris, Redwine, and West - 9.

**H.B. 1597** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL TERM LIMITS FOR MEMBERS OF THE HAYWOOD COUNTY BOARD OF EDUCATION, EDENTON-CHOWAN COUNTY BOARD OF EDUCATION, AND IREDELL-STATESVILLE BOARD OF EDUCATION.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

**H.B. 1616**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE AROUND EAGLE POINT NATURE PRESERVE ON HIGH ROCK RESERVOIR IN ROWAN COUNTY, 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. 1486**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE IN THE VICINITY OF THE ROANOKE RIVER BRIDGE ON HIGHWAY 17 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.

**H.B. 1520** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON TAX CREDITS FOR QUALIFIED

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BUSINESS INVESTMENTS AND TO AMEND THE DEFINITION OF QUALIFIED GRANTEE BUSINESS, is moved up on today's Calendar.

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, Allen, Arnold, Baddour, Baker, 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, Fox, Gibson, Gillespie, Goodwin, Gulley, Hackney, 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, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Rogers, Saunders, Setzer, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, Willingham, C. Wilson, G. Wilson, Womble, Wright and Yongue - 105.

Voting in the negative: Representatives Allred, Pope, and Shubert - 3.

Excused absences: Representatives Alexander, Ellis, Grady, Gray, Haire, Hiatt, Morris, Redwine, and West - 9.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1609** (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO INVESTMENTS BY THE CITY OF DURHAM, 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. 1747** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF CHIROPRACTIC EXAMINERS TO COLLECT A FEE FOR THE ANNUAL RECERTIFICATION OF CHIROPRACTIC DIAGNOSTIC IMAGING TECHNICIANS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black; Representatives Adams, Allen, Arnold, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church,

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Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gibson, Gillespie, Goodwin, Gulley, Hackney, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 99.

Voting in the negative: Representatives Allred, Capps, M. Crawford, Creech, Davis, Decker, Hilton, Howard, Kiser, and Setzer - 10.

Excused absences: Representatives Alexander, Ellis, Grady, Gray, Haire, Hiatt, Morris, Redwine, and West - 9.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**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, passes its second reading, by electronic vote (100-6), and there being no objection is read a third time.

Representative Haire requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (101-6).

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. 1471**, A JOINT RESOLUTION COMMEMORATING INDEPENDENCE DAY AND EXPRESSING SUPPORT OF THE RECITAL OF THE PLEDGE OF ALLEGIANCE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

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**RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **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 withdrawn from the Committee on Judiciary II and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, seconded by Representative Easterling, the House adjourns at 3:43 p.m. to reconvene July 4 at 9:05 a.m.

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**TWO HUNDRED SECOND DAY**

HOUSE OF REPRESENTATIVES  
Thursday, July 4, 2002

The House meets at 9:05 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Almighty God:

"As we prepare to return to our respective homes for this holiday weekend, we do so knowing that hard work and difficult decisions will be waiting for us upon our return. As we prayed yesterday, we know that there are no easy answers, no magic formulas, no single solution that will solve every problem or make everyone happy. So, we implore You, O God, to allow us to go home and get the rest that we need. Strengthen the gifts that have been bestowed upon the men and women of this Body and let them come into their own as they prepare for the work that lies ahead. Renew us in every way, body, mind, and soul, and let us return next week anticipating the challenges that await us. Amen."

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.

July 4, 2002

Leaves of absence are granted Representatives Alexander, Arnold, Decker, Ellis, Grady, Gray, Hiatt, Redwine, Underhill, and West for today.

### MESSAGES FROM THE SENATE

The following is received from 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, is returned for concurrence in the 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.

On motion of Representative Culpepper, seconded by Representative Gibson, the House adjourns at 9:13 a.m. to reconvene Monday, July 8, 2002, at 7:05 p.m.

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## TWO HUNDRED THIRD DAY

HOUSE OF REPRESENTATIVES  
Monday, July 8, 2002

The House meets at 7:05 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by Rabbi Susan Friedman, Beth Shalom, Wake County, North Carolina.

"May the will come from Thee,  
to annul wars and the shedding of blood from the universe,  
and to extend a peace, great and wondrous, in the universe.  
Nor again shall one people raise the sword against another  
and they shall learn war no more.

"But let all the residents of earth recognize and know the  
innermost truth:

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that we are not come into this world for quarrel and  
division,  
nor for hate and jealousy, contrariness and bloodshed;  
but we are come into this world  
Thee to recognize and know,  
be Thou blessed forever.

"And let Thy glory fill all our wits and minds, knowledge  
and hearts;  
and may I be a chariot for the presence of Thy divinity.  
May I not again depart from the Sanctity as much as a  
hairsbreadth.  
May I not think one extraneous thought.  
But may I ever cling to Thee and to Thy sacred Torah,  
until I be worthy to introduce others into the knowledge of  
the truth of Thy divinity.  
To announce to the sons of man Thy power,  
and the honor of the glory of Thy kingdom."

Rabbi Nahman of Bratzlav  
translated by Jacob Sloan

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 4 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Arnold, Gray, Hiatt, Nesbitt, Nye, Russell, Sexton, Sutton, and Underhill for today.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 641**, 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.

**H.B. 1557**, AN ACT TO EXTEND THE MORATORIUM ON ISSUING NEW SHELLFISH CULTIVATION LEASES IN CORE SOUND AND TO DIRECT THE JOINT LEGISLATIVE COMMISSION ON

July 8, 2002

SEAFOOD AND AQUACULTURE TO STUDY VARIOUS MARINE FISHERIES ISSUES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

**H.B. 1584**, AN ACT TO MAKE THE STATE DEADLINE FOR APPROVAL OF HAZARD MITIGATION PLANS CONSISTENT WITH THE FEDERAL DEADLINE FOR APPROVAL OF THESE PLANS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, AND TO EXTEND THE DATE BY WHICH CERTAIN SMALL MUNICIPAL WASTE COMBUSTION UNITS MUST ACHIEVE COMPLIANCE WITH CERTAIN REQUIREMENTS RELATED TO THE EMISSION OF AIR POLLUTANTS.

#### **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. 1529**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PURCHASE OF WITHDRAWN SERVICE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND TO CORRECT THE CALCULATION OF BENEFITS FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM WHO PURCHASE WITHDRAWN SERVICE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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:

**S.J.R. 1229**, A JOINT RESOLUTION HONORING JEREMIAH MORRIS, FOUNDER OF THE TOWN OF MORRISVILLE, ON THE TOWN'S 150TH ANNIVERSARY, with a favorable report.

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

July 8, 2002

By Representative Jarrell, Chair, for the Committee on Local Government II:

**H.B. 1637**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE GRANVILLE HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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. 1648**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COLLEGE OF THE ALBEMARLE TO ENTER INTO A LEASE AGREEMENT WITH THE YMCA, with a favorable report as to the committee substitute bill, unfavorable as to the 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 Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 1525** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF RED CROSS, 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.

#### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 1146** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATION BY VARIOUS MUNICIPALITIES, is read the first time and referred to the Committee on Local Government I.

**S.B. 1232**, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE NORTH CAROLINA FIREMEN'S AND RESCUE

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SQUAD WORKERS' PENSION FUND WITH AT LEAST TEN YEARS OF SERVICE TO CONTINUE AS MEMBERS AFTER THE TAKEOVER OF A VOLUNTEER DEPARTMENT BY A CITY OR COUNTY, is read the first time and referred to the Committee on Pensions and Retirement.

**S.B. 1275** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A PLAN TO IMPROVE THE STATE'S TRACKING OF DROPOUT DATA, TO EXAMINE THE ACCOUNTABILITY FORMULA TO REWARD HIGH SCHOOLS FOR REDUCING THEIR DROPOUT RATE, TO IDENTIFY CURRENT STATE TECHNICAL HIGH SCHOOLS AND CAREER CENTERS AND TO COOPERATE WITH THE STATE BOARD OF COMMUNITY COLLEGES TO ENCOURAGE CONCURRENT ENROLLMENT, TO STUDY THE RELATIONSHIP BETWEEN ACADEMIC RIGOR AND REDUCING THE DROPOUT RATE, TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO PLACE EXCELLENT, EXPERIENCED TEACHERS IN GRADES SEVEN THROUGH NINE, TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY WHETHER RAISING THE COMPULSORY ATTENDANCE AGE TO EIGHTEEN WILL REDUCE THE DROPOUT RATE, TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT A POLICY TO REQUIRE KINDERGARTEN THROUGH EIGHTH GRADE TEACHERS TO TAKE THREE RENEWAL CREDITS IN READING METHODS COURSES, TO DIRECT THE UNC BOARD OF GOVERNORS TO STUDY WHETHER TO REQUIRE AT LEAST TWO READING METHODS COURSES FOR ALL ELEMENTARY EDUCATION MAJORS AND AT LEAST ONE READING METHODS COURSE FOR ALL MIDDLE GRADES EDUCATION MAJORS, TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE FISCAL AND INSTRUCTIONAL ACCOUNTABILITY OF LOCAL SCHOOL ADMINISTRATIVE UNITS, AND TO DIRECT THE STATE BOARD OF EDUCATION TO TAKE OVER ALL POWERS AND DUTIES RELATED TO A SCHOOL WHEN THAT SCHOOL AND ITS LOCAL BOARD OF EDUCATION FAIL TO IMPLEMENT RECOMMENDATIONS OF AN ASSISTANCE TEAM ASSIGNED TO THAT SCHOOL, 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:

July 8, 2002

**H.B. 1662** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS, 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, Brubaker, Buchanan, Carpenter, Church, Coates, Cox, J. Crawford, Culp, Culpepper, Daughtry, Dedmon, Earle, Easterling, Eddins, Edwards, Ellis, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Saunders, Setzer, Sherrill, Shubert, Smith, Starnes, Teague, Thompson, Tolson, Tucker, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 92.

Voting in the negative: Representatives Capps, M. Crawford, Creech, Davis, Decker, and Esposito - 6.

Excused absences: Representatives Arnold, Cunningham, Gray, Hiatt, Nesbitt, Nye, Russell, Sexton, Sutton, and Underhill - 10.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1599** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE COMPOSITION OF THE TOWN OF ANGIER BOARD OF ALCOHOLIC CONTROL FROM THREE TO FIVE MEMBERS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading, by electronic vote (96-1), and is ordered sent to the Senate.

**H.B. 1747** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF CHIROPRACTIC EXAMINERS TO COLLECT A FEE FOR THE ANNUAL RECERTIFICATION OF CHIROPRACTIC DIAGNOSTIC IMAGING TECHNICIANS, passes its third reading, by the following vote, and is ordered sent to the Senate.

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Those voting in the affirmative are: Speaker Black; Representatives Adams, Alexander, Allen, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Brubaker, Buchanan, Carpenter, Church, Coates, Cox, J. Crawford, Culp, Culpepper, Daughtry, Dedmon, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Saunders, Setzer, Sherrill, Shubert, Smith, Starnes, Teague, Tolson, Tucker, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 89.

Voting in the negative: Representatives Allred, Capps, M. Crawford, Creech, Davis, Decker, Ellis, Pope, and Thompson - 9.

Excused absences: Representatives Arnold, Cunningham, Gray, Hiatt, Nesbitt, Nye, Russell, Sexton, Sutton, and Underhill - 10.

### INTRODUCTION OF PAGES

Pages for the week of July 8 are introduced to the membership. They are: Kesson Anderson of Chatham; Ashley Marie Arlow of Lincoln; Joshua Adam Beck of Randolph; Philip Boyne of Wake; Amanda Bralley of Davie; Cade Brummett of Brunswick; Jeffrey Carroll of Brunswick; Breanna Copeland of Vance; Ian Michael Curl of Catawba; John Bratton Doak of Orange; Brooke Fisher of Buncombe; Te'Shara Greene of Wake; Brandon Jaklitsch of Mecklenburg; Joy Alexandria Killens of Wake; Cameron Laney of Catawba; Scott Lassiter of Wake; Keilon Lawrence of Edgecombe; Katherine Patterson of Wake; William Powell, III, of Wake; Jasmine Taylor of Durham; Lora Vestal of Alamance; Kristi Vestal of Alamance; and Faith Wright of Wayne.

Serving as Honorary Page for the week is Nicole Carpenter of Mecklenburg.

On motion of Representative Culpepper, seconded by Representative Alexander, the House adjourns at 7:29 p.m. to reconvene July 9 at 2:00 p.m.

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## TWO HUNDRED FOURTH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, July 9, 2002

July 9, 2002

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 Dr. Albert G. Edwards, former House Chaplain:

"Great God, Thou who art awesome and almighty and amazing. And, never more amazing than when voluntarily You came into this world to show us that You love us even as we are, and through Thy influence to make possible for us the best in womanhood and manhood. Some of us, O God, are slow to learn and slow to respond. We thank You for Thy patience and grateful for the help we have known as we've come this way. We praise You this day that You are also omniscient.

"And You know, our Father, the tough, grinding, grueling days that the Members of this House now face... the tedium, our Father, of committee meetings. Those hearings, O God, when pros and cons are shot before them like sand from the beach on a windy day. And there are constituents, our Father, who have their ideas and also their frets. Then there are lobbyists, our Father, who can be counselors, who can be helpful, and who can be harmful. And then, O God, it comes down to the inward self, where the decision must finally be made. And surely then there are those who like the Psalmist would say, 'O, that I had wings like a dove, that I may fly away and be at rest.' But they sought the office, Lord, and they got it and they know they can't.

"So in those moments when they might want to flee away, help them to remember the words of a man who himself knew great trouble. The man who said, 'I will lift up mine eyes unto the hills.' And on that journey, he knew the hills were filled with enemies, with beasts, with murderers, with robbers and he had a long way to go. 'I will lift up mine eyes unto the hills from whence cometh my help. My help cometh from the Lord who made heaven and earth.' And, O Creating God, we pray in Thy good, great name...the Name that surrounds our Father and outdoes all other names...the name of the One who said, 'I will not fail you, I will not forsake you.' In that faith and assurance, our prayer is made. Amen."

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

Leaves of absence are granted Representatives Blue, Hiatt, and Warner for today. Representative Gray is excused for a portion of the session.

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### 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. 1619**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 707 OF THE 1963 SESSION LAWS RELATED TO CURRENT EXPENSE EXPENDITURES FROM LOCAL FUNDS FOR THE SCOTLAND COUNTY SCHOOLS, with a favorable report.

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

**H.B. 1653**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO REPEAL CERTAIN OPTIONAL RIGHTS OF THE CITY MANAGER, TO AUTHORIZE THE CITY MANAGER TO ACCEPT PROPERTY OFFERED FOR PUBLIC DEDICATION, TO REPEAL THE SECTION THAT PROHIBITS THE CITY MANAGER FROM AWARDED CONTRACTS THAT EXCEED FIFTY THOUSAND DOLLARS, AND TO MOVE A CERTAIN SECTION FROM CHAPTER FOUR TO CHAPTER EIGHT FOR ORGANIZATIONAL PURPOSES, with a favorable report.

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

**H.B. 1654**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF CHARLOTTE TO DESIGNATE SOMEONE OTHER THAN THE CITY CLERK TO ISSUE CLOSING-OUT SALE LICENSES, with a favorable report.

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

### SUBCOMMITTEE REFERRAL

Representatives Easterling, Oldham, Redwine, and Thompson, Chairs, for the Standing Committee on Appropriations, refer **H.B. 1726**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, to the Appropriations Subcommittee on Capital.

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**WITHDRAWAL OF BILLS FROM CALENDAR**

On motion of the Chair, 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:

**H.B. 1568** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

**H.B. 1692**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF EDUCATION TO GRANT WAIVERS FOR SCHOOLS THAT ARE UNABLE TO IMPLEMENT THE HIGH- PRIORITY SCHOOL PROGRAM FOR THE 2002-2003 FISCAL YEAR AND TO USE FUNDS SAVED AS A RESULT OF THE WAIVERS TO OFFSET BASE BUDGET REDUCTIONS IN THE STATE PUBLIC SCHOOL FUND.

**CALENDAR**

Action is taken on the following:

Pursuant to Rule 36(b), the following resolution appears on today's Calendar.

**H.J.R. 1675**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HUGH STEWART JOHNSON, JR., A FORMER MEMBER OF THE NORTH CAROLINA GENERAL ASSEMBLY, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (113-0), 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.

Senate Committee Substitute for **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.

On motion of Representative Morgan, the House concurs in the Senate committee substitute bill, which changes the title, and the bill is ordered enrolled.

July 9, 2002

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1615**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CHINA GROVE, 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, Daughtry, Davis, Decker, Dedmon, Dockham, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, 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, Underhill, Wainwright, Walend, Walker, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Blue, Gray, Hiatt, and Warner - 4.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1684** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM 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, 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, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister,

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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, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Blue, Gray, Hiatt, and Warner - 4.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1690** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CANDOR, AND OTHER DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF NORWOOD, 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, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, 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, Underhill, Wainwright, Walend, Walker, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 109.

Voting in the negative: Representatives M. Crawford, Creech, Davis, and Decker - 4.

Excused absences: Representatives Blue, Gray, Hiatt, and Warner - 4.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

July 9, 2002



**H.B. 1604**, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF BETHEL TO EXTEND ITS EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES BEYOND ITS LIMITS SUBJECT TO THE APPROVAL OF THE PITT COUNTY BOARD OF COMMISSIONERS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading, by electronic vote (98-15), and is ordered sent to the Senate.

Representative Rayfield requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (99-15).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1689**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE PEARLAND FIRE DISTRICT IN CALDWELL COUNTY TO THE SAWMILLS RURAL FIRE DISTRICT, 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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 861** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF QUALIFIED DENTAL PRACTITIONERS IN THE STATE BY AUTHORIZING THE BOARD OF DENTAL EXAMINERS TO LICENSE BY CREDENTIALS PERSONS WHO ARE LICENSED TO PRACTICE DENTISTRY OR DENTAL HYGIENE IN OTHER STATES AND WHO OTHERWISE MEET STATE REQUIREMENTS FOR LICENSE BY CREDENTIALS, TO ISSUE A LIMITED VOLUNTEER DENTAL LICENSE, TO ISSUE AN INSTRUCTOR'S LICENSE, AND TO IMPOSE APPLICATION AND RENEWAL FEES FOR LICENSURE AUTHORIZED UNDER THIS ACT, 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, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman,

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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, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 110.

Voting in the negative: Representatives Baker, Capps, Creech, Davis, and Rayfield - 5.

Excused absences: Representatives Blue, Gray, Hiatt, and Warner - 4.

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

The following Special Message is received from the Senate:

**S.J.R. 1470**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LUTHER HENRY JORDAN, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY, is read the first time.

On motion of the Chair 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 (110-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

### **RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2, **H.B. 1761**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE TO USE FINANCING CONTRACTS IN ACQUIRING PROPERTY THROUGH THE PARKS AND RECREATION TRUST FUND AND THE NATURAL HERITAGE TRUST FUND, is withdrawn from the Committee on Finance and re-referred to the Committee on Environment and Natural Resources.

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

The following reports from standing committees are presented:

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By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 1546**, A BILL TO BE ENTITLED AN ACT TO PROVIDE CERTAIN OCCUPANCY LIMITATIONS FOR VEHICLES DRIVEN BY LEVEL 2 DRIVERS WITH LIMITED PROVISIONAL LICENSES, with a favorable report as to the committee substitute bill, unfavorable as to the 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. 1686**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE VILLAGE OF WHISPERING PINES TO REGULATE THE OPERATION OF ELECTRIC GOLF CARTS ON PUBLIC STREETS WITHIN THE TOWN, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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 Shubert, that the House adjourn, subject to the receipt of Committee Reports, to reconvene July 10 at 2:05 p.m.

The motion carries.

#### **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. 93** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE NORTH CAROLINA COURT OF APPEALS TO CONDUCT EN BANC PROCEEDINGS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

July 9, 2002

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 10. The Senate committee substitute bill is placed on the Unfavorable Calendar.

The House stands adjourned at 4:50 p.m.

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## **TWO HUNDRED FIFTH DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, July 10, 2002

The House meets at 2:05 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Geraldine Tucker, Duplin County, North Carolina, wife of Representative Tucker:

"Our Father:

"We give You thanks for this beautiful day and for the many blessings You bestow upon us each day.

"As people made in Your image, we have freedom of thought, word and action. As legislators, there is awesome responsibility placed on these public servants, where the lives of so many are affected by a selected few. We pray they may do their work with integrity, honesty, and that the best interest of Your people will always be in the forefront of their hearts and minds.

"In this time of need, we pray for guidance, that in the give and take of democracy that bills will be passed, that a budget will be adopted that is fair to the people and faithful to You. Let this Legislature accept its part of your plan and work for a future that is in accordance with Your will.

"And Father, today we ask Thy blessing upon all the people of this great State of North Carolina.

"We offer this prayer in Your Holy name. 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.

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**ENROLLED BILLS**

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

**S.J.R. 1470**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LUTHER HENRY JORDAN, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 2002-3)

**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. 1698**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DEPARTMENT OF CULTURAL RESOURCES TO ERECT A SECOND HISTORICAL MARKER COMMEMORATING AN INDIVIDUAL, with a favorable report.

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

**S.B. 1288**, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF BETHEL TO EXTEND ITS EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES BEYOND ITS LIMITS SUBJECT TO THE APPROVAL OF THE PITT COUNTY BOARD OF COMMISSIONERS, 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. 1501**, A BILL TO BE ENTITLED AN ACT MAKING IT A FELONY TO ACCESS A GOVERNMENT COMPUTER FOR FRAUDULENT OR RELATED ACTIVITY OR TO CAUSE A DENIAL OF SERVICE AFFECTING A GOVERNMENT COMPUTER, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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.

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By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 1576**, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CHARTER OF THE TOWN OF BADIN A PROVISION ON THE AD VALOREM TAX RATE, with a favorable report.

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

**H.B. 1589**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF PRINCETON, with a favorable report.

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

**H.B. 1646**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF ROWLAND, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 11.

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

**H.B. 1692**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF EDUCATION TO GRANT WAIVERS FOR SCHOOLS THAT ARE UNABLE TO IMPLEMENT THE HIGH- PRIORITY SCHOOL PROGRAM FOR THE 2002-2003 FISCAL YEAR AND TO USE FUNDS SAVED AS A RESULT OF THE WAIVERS TO OFFSET BASE BUDGET REDUCTIONS IN THE STATE PUBLIC SCHOOL FUND, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of July 11. The original bill is placed on the Unfavorable Calendar.

**H.R. 1775**, A HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE PLEDGE OF ALLEGIANCE, with recommendation that it be adopted.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of July 11.

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**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, 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.

By Representatives Barefoot and Cox, Chairs, for the Committee on Pensions and Retirement:

**H.B. 1588**, 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 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. 1602**, 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 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. 1664**, A BILL TO BE ENTITLED AN ACT TO GUARANTEE THAT EACH RETIRED MEMBER OF THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM RECEIVING RETIREMENT ALLOWANCES SHALL RECEIVE BENEFITS IN AN AMOUNT NOT LESS THAN THE ACCUMULATED CONTRIBUTIONS OF THE RETIREE AT RETIREMENT, with a favorable report.

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

**H.B. 1666**, 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.

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**H.B. 1678**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM TO CONFORM WITH THE PROVISIONS OF THE ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION ACT OF 2001, with a favorable report.

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

#### **BILL RECALLED FROM ENROLLING**

On motion of Representative Morgan and without objection, **H.B. 893** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING THE WILDLIFE RESOURCES COMMISSION TO REPORT ON ITS EFFORTS TO ENSURE COMPLIANCE WITH LOCAL HUNTING LAWS BY DEER HUNTERS USING DOGS IN MOORE COUNTY, is recalled from Enrolling.

Having voted with the prevailing side, Representative Morgan moves that the vote by which the House concurred in the Senate committee substitute be reconsidered. The motion carries by electronic vote (117-1).

Representative Brubaker requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (118-0).

The bill is declared a public bill.

On motion of Representative Morgan, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (117-0), and the bill is ordered enrolled and presented to the Governor.

Representative Baddour requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (118-0).

#### **CALENDAR**

Action is taken on the following:

**H.B. 1615**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CHINA GROVE, passes its third reading, by the following vote, and is ordered sent to the Senate.

July 10, 2002



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, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, 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, 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, Willingham, G. Wilson, Womble, Wright, and Yongue - 116.

Voting in the negative: None.

Excused absences: None.

**H.B. 1684** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM 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, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, 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, 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, Willingham, G. Wilson, Womble, Wright, and Yongue - 117.

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Voting in the negative: None.

Excused absences: None.

**H.B. 1690** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CANDOR, AND OTHER DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF NORWOOD, 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, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, 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, 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, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 113.

Voting in the negative: Representatives Capps, M. Crawford, Creech, Davis, Decker, and Setzer - 6.

Excused absences: None.

**H.B. 1525** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF RED CROSS, 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, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley,

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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, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 119.

Voting in the negative: None.

Excused absences: None.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1607**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LINCOLN TON 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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1629**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF THOMASVILLE TO CONVEY CERTAIN PROPERTY AT 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 sent to the Senate.

**S.B. 861** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF QUALIFIED DENTAL PRACTITIONERS IN THE STATE BY AUTHORIZING THE BOARD OF DENTAL EXAMINERS TO LICENSE BY CREDENTIALS PERSONS WHO ARE LICENSED TO PRACTICE DENTISTRY OR DENTAL HYGIENE IN OTHER STATES AND WHO OTHERWISE MEET STATE REQUIREMENTS FOR LICENSE BY CREDENTIALS, TO ISSUE A LIMITED VOLUNTEER DENTAL LICENSE, TO ISSUE AN INSTRUCTOR'S LICENSE, AND TO IMPOSE APPLICATION AND RENEWAL FEES FOR LICENSURE AUTHORIZED UNDER THIS ACT, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

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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, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, 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, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 118.

Voting in the negative: None.

Excused absences: None.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1534**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO GRANT THE DOMESTIC VIOLENCE COMMISSION AUTHORITY TO ADOPT RULES TO APPROVE ABUSER TREATMENT PROGRAMS, passes its second reading, by electronic vote (116-2), 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. 1552** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO DELAY THE EFFECTIVE DATE OF THE LOCKSMITH LICENSING ACT AND TO ALLOW THE LOCKSMITH LICENSING BOARD TO ADOPT TEMPORARY RULES, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

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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.

**S.J.R. 1229**, A JOINT RESOLUTION HONORING JEREMIAH MORRIS, FOUNDER OF THE TOWN OF MORRISVILLE, ON THE TOWN'S 150TH ANNIVERSARY, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

On motion of Representative Culpepper, seconded by Representative Adams, the House adjourns at 2:50 p.m. to reconvene July 11 at 10:05 a.m.

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## TWO HUNDRED SIXTH DAY

HOUSE OF REPRESENTATIVES  
Thursday, July 11, 2002

The House meets at 10:05 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Lambeth, Western Boulevard Presbyterian Church, Raleigh, North Carolina.

"God of many names, and of all peoples,  
God of Nations and governments:

"At creation you called us to live together in a peaceful, just relationship with each other and with You. As work is done in this place today, if nowhere else in the world, may that work show forth Your will for us and our common life. May any votes taken be votes for justice and for peace in the lives of the good people of our State. May the work done here not harm but heal, not divide but unite, not show favoritism but equity. We lift to You our hopes and dreams for this great State. May it be a model among the others of what seeking Your will above all else can bring. And may what is done here today be a blessing to those who have been chosen to serve as our elected leaders. God, give these legislators Your wisdom and insight in all they do. In Your great Name we pray. Amen."

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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 Edwards and Gray for today.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**H.B. 893**, AN ACT REQUIRING THE WILDLIFE RESOURCES COMMISSION TO REPORT ON ITS EFFORTS TO ENSURE COMPLIANCE WITH LOCAL HUNTING LAWS BY DEER HUNTERS USING DOGS IN MOORE COUNTY.

**H.B. 1488**, AN ACT TO EXTEND THE SUNSET ON THE LAW GOVERNING TRANSPORTATION OF OPEN CONTAINERS OF ALCOHOLIC BEVERAGES.

**H.B. 1504**, AN ACT TO REPEAL AN OBSOLETE ATTESTATION REQUIREMENT THAT CONVEYANCES BY BANKS MUST BE EXECUTED BY THE SECRETARY OR THE CASHIER AND TO VALIDATE CONVEYANCES BY BANKS THAT OTHERWISE COMPLY WITH THE STATUTE ON EXECUTION OF CORPORATE CONVEYANCES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

**H.B. 1505**, AN ACT TO AMEND THE VOTING REQUIREMENT FOR MEMBER APPROVAL OF AMENDMENTS TO BYLAWS TO CONFORM TO THE VOTING REQUIREMENT FOR MEMBER APPROVAL OF AMENDMENTS TO ARTICLES OF INCORPORATION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

**H.B. 1513**, AN ACT TO CLARIFY THAT THE RECENT ESTABLISHMENT OF A ROLLING UPSET BID PROCEDURE FOR JUDICIAL AND EXECUTION SALES DID NOT AFFECT THE REQUIREMENT THAT SALES BE CONFIRMED BY THE APPROPRIATE JUDICIAL OFFICIAL, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

**H.B. 1539**, AN ACT TO REPEAL AN OBSOLETE PROHIBITION ON THE ESTABLISHMENT OF AUTOMATED TELLER MACHINES OR OTHER INFORMATION-PROCESSING DEVICES OR MACHINES

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BY OUT-OF-STATE FINANCIAL INSTITUTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

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

**S.J.R. 1229**, A JOINT RESOLUTION HONORING JEREMIAH MORRIS, FOUNDER OF THE TOWN OF MORRISVILLE, ON THE TOWN'S 150TH ANNIVERSARY. (RESOLUTION 2002-4)

#### **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:

**H.B. 1723**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CARRBORO TOWN CHARTER TO AUTHORIZE THE BOARD OF ALDERMEN TO ABOLISH THE TOWN'S CEMETERY PERPETUAL CARE FUND AND TO APPROPRIATE ALL FUNDS CONTAINED THEREIN FOR THE PURPOSE OF MAINTAINING THE TOWN'S CEMETERIES, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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:

**H.B. 644** (Committee Substitute No. 3), 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 returned for concurrence in the Senate committee substitute bill and referred to the Committee on Transportation.

**H.B. 1517** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF LITTLETON, is returned for concurrence in Senate amendment.

July 11, 2002

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

**S.B. 1135** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO USE THE DESIGN-BUILD METHOD OF CONTRACTING FOR THE MULTILANING OF US HIGHWAY 601 FROM THE SOUTH CAROLINA STATE LINE TO US HIGHWAY 74 IN UNION COUNTY, is read the first time and referred to the Committee on Transportation.

**S.B. 1346**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF EDEN TO NEGOTIATE ANNEXATION CONTRACTS, is read the first time and referred to the Committee on Finance.

### CALENDAR

Action is taken on the following:

**H.R. 1775**, A HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE PLEDGE OF ALLEGIANCE.

The resolution is adopted, by electronic vote (117-0), and ordered printed.

**H.B. 1525** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF RED CROSS, 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, 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, Easterling, Eddins, Ellis, Esposito, 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, 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, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 115.

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Voting in the negative: None.

Excused absences: Representatives Edwards and Gray - 2.

Representative Baddour requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (116-0).

**H.B. 1646**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF ROWLAND, 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, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Easterling, Eddins, Ellis, Esposito, 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, 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, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 112.

Voting in the negative: Representatives M. Crawford, Creech, Davis, and Decker - 4.

Excused absences: Representatives Edwards and Gray - 2.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1619**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 707 OF THE 1963 SESSION LAWS RELATED TO CURRENT EXPENSE EXPENDITURES FROM LOCAL FUNDS FOR THE SCOTLAND COUNTY SCHOOLS.

On motion of Representative Yongue and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 16.

July 11, 2002

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1637** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE GRANVILLE MEDICAL CENTER TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS, 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. 1648** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COLLEGE OF THE ALBEMARLE TO ENTER INTO A LEASE AGREEMENT WITH THE YMCA, 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. 1653**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO REPEAL CERTAIN OPTIONAL RIGHTS OF THE CITY MANAGER, TO AUTHORIZE THE CITY MANAGER TO ACCEPT PROPERTY OFFERED FOR PUBLIC DEDICATION, TO REPEAL THE SECTION THAT PROHIBITS THE CITY MANAGER FROM AWARDED CONTRACTS THAT EXCEED FIFTY THOUSAND DOLLARS, AND TO MOVE A CERTAIN SECTION FROM CHAPTER FOUR TO CHAPTER EIGHT FOR ORGANIZATIONAL PURPOSES, 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. 1654**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF CHARLOTTE TO DESIGNATE SOMEONE OTHER THAN THE CITY CLERK TO ISSUE CLOSING-OUT SALE LICENSES, 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.

July 11, 2002

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1686** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE VILLAGE OF WHISPERING PINES TO REGULATE THE OPERATION OF ELECTRIC GOLF CARTS WITHIN THE VILLAGE AND TO AUTHORIZE THE MOORE COUNTY BOARD OF COMMISSIONERS TO REGULATE THE OPERATION OF ELECTRIC GOLF CARTS WITHIN THE SEVEN LAKES COMMUNITY 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.

**H.B. 1692**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF EDUCATION TO GRANT WAIVERS FOR SCHOOLS THAT ARE UNABLE TO IMPLEMENT THE HIGH- PRIORITY SCHOOL PROGRAM FOR THE 2002-2003 FISCAL YEAR AND TO USE FUNDS SAVED AS A RESULT OF THE WAIVERS TO OFFSET BASE BUDGET REDUCTIONS IN THE STATE PUBLIC SCHOOL FUND.

On motion of Representative Gibson the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

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

The following Special Message is received from the Senate:

**S.B. 1371**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 707 OF THE 1963 SESSION LAWS RELATED TO CURRENT EXPENSE EXPENDITURES FROM LOCAL FUNDS FOR THE SCOTLAND COUNTY SCHOOLS, is read the first time and referred to the Committee on Local Government I.

#### **RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2, **H.B. 1772**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ROANOKE RIVER BASIN ADVISORY COMMITTEE AND THE ROANOKE RIVER BASIN BI-STATE COMMISSION AND TO APPROPRIATE FUNDS FOR THEIR SUPPORT, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Environment and Natural Resources.

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On motion of Representative Culpepper, seconded by Representative Jarrell, the House adjourns at 10:56 a.m. to reconvene Monday, July 15, 2002, at 7:05 p.m.

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## TWO HUNDRED SEVENTH DAY

HOUSE OF REPRESENTATIVES  
Monday, July 15, 2002

The House meets at 7:05 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Teach us, Ruler of the universe, to see people by the light of the faith we profess, that we may check in ourselves all ungenerous judgments, all presumptuous claims, that recognizing the needs and rightful claims of others, we may remove old hatreds and rivalries and hasten new understandings, that we may bring our tributes of excellence to the treasury of our common humanity. Amen."

England, 20th Cent., Alt.

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 Clary, Cole, Haire, Hiatt, McAllister, Oldham, Pope, and Redwine for today.

### ENROLLED BILLS

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

**H.B. 1493**, AN ACT TO ABOLISH THE OFFICE OF CORONER IN GRANVILLE COUNTY.

**H.B. 1597**, AN ACT TO REPEAL TERM LIMITS FOR MEMBERS OF THE HAYWOOD COUNTY BOARD OF EDUCATION, EDENTON-

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CHOWAN COUNTY BOARD OF EDUCATION, AND IREDELL-STATESVILLE BOARD OF EDUCATION.

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 641**, 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. (S.L. 2002-14)

**H.B. 1557**, AN ACT TO EXTEND THE MORATORIUM ON ISSUING NEW SHELLFISH CULTIVATION LEASES IN CORE SOUND AND TO DIRECT THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO STUDY VARIOUS MARINE FISHERIES ISSUES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE. (S.L. 2002-15)

**H.B. 1521**, AN ACT TO CONFORM SOURCING OF MOBILE TELECOMMUNICATIONS SERVICES TO THE FEDERAL MOBILE TELECOMMUNICATIONS SOURCING ACT AND TO CODIFY THE SOURCING PRINCIPLES FOR OTHER TELECOMMUNICATIONS SERVICES. (S.L. 2002-16)

### INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Hill and Warwick:

**H.R. 1776**, A HOUSE RESOLUTION RECOGNIZING THE IMPORTANCE TO THE ECONOMY OF THE STATE OF NORTH CAROLINA OF BIOBASED AND VALUE-ADDED AGRIBUSINESS, is referred to the Committee on Rules, Calendar, and Operations of the House.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

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**S.B. 1154**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE LIST OF SECTIONS OF THE NORTH CAROLINA CONDOMINIUM ACT THAT APPLY TO CONDOMINIUMS CREATED ON OR BEFORE OCTOBER 1, 1986, AND TO CODIFY AN APPLICABILITY PROVISION RELATING TO THE NORTH CAROLINA PLANNED COMMUNITY ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary II.

**S.B. 1160** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES AND TO PROVIDE A ONE-TIME EXTENSION TO THE TIME PERIOD IN WHICH A TAXPAYER MAY SIGN A LETTER OF COMMITMENT WITH THE DEPARTMENT OF COMMERCE TO QUALIFY FOR A LOWER TIER DESIGNATION, is read the first time and referred to the Committee on Finance.

**S.B. 1231**, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 116-19 BY DEFINING THE TERMS "NEEDY NORTH CAROLINA STUDENTS" AND "INSTITUTIONAL METHODOLOGY", is read the first time and referred to the Committee on Education.

**S.B. 1238** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE PURCHASE OF WITHDRAWN SERVICE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND TO CORRECT THE CALCULATION OF BENEFITS FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM WHO PURCHASE WITHDRAWN SERVICE, is read the first time and referred to the Committee on Pensions and Retirement.

**S.B. 1251** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MERGE THE DIVISION OF RADIATION PROTECTION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES INTO THE DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, TO CREATE THE RADIATION PROTECTION SECTION OF THE DIVISION OF ENVIRONMENTAL HEALTH, AND TO MAKE CONFORMING STATUTORY CHANGES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Environment and Natural Resources.

**S.B. 1429** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL

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EMPLOYEES' RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM TO CONFORM WITH THE PROVISIONS OF THE ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION ACT OF 2001, is read the first time and referred to the Committee on Pensions and Retirement.

**S.B. 1441** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN ACTIVITIES OF THE UNIVERSITY OF NORTH CAROLINA, INCLUDING THE NORTH CAROLINA ARBORETUM, FROM THE UMSTEAD ACT, is read the first time and referred to the Committee on State Government.

### CALENDAR

Action is taken on the following:

**H.B. 1517** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF LITTLETON.

On motion of Representative J. Crawford, the House concurs in the Senate amendment, by electronic vote (109-0), and the bill is ordered enrolled.

**H.B. 1646**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF ROWLAND, 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, Cox, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Hall, Harrington, Hensley, 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, Owens, 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, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 102.

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Voting in the negative: Representatives M. Crawford, Creech, Davis, Decker, and Easterling - 5.

Excused absences: Representatives Clary, Cole, Haire, Hiatt, McAllister, Oldham, Pope, and Redwine - 8.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1576**, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CHARTER OF THE TOWN OF BADIN A PROVISION ON THE AD VALOREM TAX RATE.

On motion of Representative Gibson and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1589**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF PRINCETON, 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, Church, Coates, 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, Hall, Harrington, Hensley, 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, 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, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Clary, Cole, Haire, Hiatt, McAllister, Oldham, Pope, and Redwine - 8.

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Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1698**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DEPARTMENT OF CULTURAL RESOURCES TO ERECT A SECOND HISTORICAL MARKER COMMEMORATING AN INDIVIDUAL, 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.

**S.B. 1288**, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF BETHEL TO EXTEND ITS EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES BEYOND ITS LIMITS SUBJECT TO THE APPROVAL OF THE PITT COUNTY BOARD OF COMMISSIONERS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

#### INTRODUCTION OF PAGES

Pages for the week of July 15 are introduced to the membership. They are: Robert Hollowell Barker of Chowan; Frederick Alexander Brewington of New Hanover, Terrence Campbell of Wake; Christopher Michael Carlton of Wake; Michael Cooper of Wake; Khristina Cunningham of Mecklenburg; Arianne Lee Dabney of Pender; Carrie Egerton of New Hanover; Jeffrey Farmer of Mecklenburg; Heather Finch of Nash; Matthew Goodwin of Gaston; Jonathan Hannah of Cumberland; Joshua Hattem of Orange; Henry Hight of Vance; Matthew S. Hoina of Wake; Christi Holmes of Pender; Daniel Hurley of Cumberland; Kevin Kelley of Wake; Amanda Kolb of Wake; Lisa Peterson of Wake; Mariana Areli Rodriguez-Medina of Wake; Raymond Shen of Orange; John Arthur Vaughn, Jr., of Gaston; and Porsha Wilson of Pitt.

#### RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 1275** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A PLAN TO IMPROVE THE STATE'S TRACKING OF DROPOUT DATA, TO EXAMINE THE ACCOUNTABILITY FORMULA

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TO REWARD HIGH SCHOOLS FOR REDUCING THEIR DROPOUT RATE, TO IDENTIFY CURRENT STATE TECHNICAL HIGH SCHOOLS AND CAREER CENTERS AND TO COOPERATE WITH THE STATE BOARD OF COMMUNITY COLLEGES TO ENCOURAGE CONCURRENT ENROLLMENT, TO STUDY THE RELATIONSHIP BETWEEN ACADEMIC RIGOR AND REDUCING THE DROPOUT RATE, TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO PLACE EXCELLENT, EXPERIENCED TEACHERS IN GRADES SEVEN THROUGH NINE, TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY WHETHER RAISING THE COMPULSORY ATTENDANCE AGE TO EIGHTEEN WILL REDUCE THE DROPOUT RATE, TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT A POLICY TO REQUIRE KINDERGARTEN THROUGH EIGHTH GRADE TEACHERS TO TAKE THREE RENEWAL CREDITS IN READING METHODS COURSES, TO DIRECT THE UNC BOARD OF GOVERNORS TO STUDY WHETHER TO REQUIRE AT LEAST TWO READING METHODS COURSES FOR ALL ELEMENTARY EDUCATION MAJORS AND AT LEAST ONE READING METHODS COURSE FOR ALL MIDDLE GRADES EDUCATION MAJORS, TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE FISCAL AND INSTRUCTIONAL ACCOUNTABILITY OF LOCAL SCHOOL ADMINISTRATIVE UNITS, AND TO DIRECT THE STATE BOARD OF EDUCATION TO TAKE OVER ALL POWERS AND DUTIES RELATED TO A SCHOOL WHEN THAT SCHOOL AND ITS LOCAL BOARD OF EDUCATION FAIL TO IMPLEMENT RECOMMENDATIONS OF AN ASSISTANCE TEAM ASSIGNED TO THAT SCHOOL, 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, seconded by Representative Boyd-McIntyre, the House adjourns at 7:50 p.m. to reconvene July 16 at 2:05 p.m.

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## **TWO HUNDRED EIGHTH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, July 16, 2002

The House meets at 2:05 p.m. pursuant to adjournment and is called to order by the Speaker.

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The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Most Wise God:

"It is a noble idea to want to be elected to public office. It can even be an exciting adventure. It is, indeed, a high calling to be placed in a position to serve others that also includes making decisions that will affect their lives. But, this calling comes with a price. Election to public office comes with words...words like courage, integrity, honesty and trust. These words, although always in the back of our minds, can be misplaced and our decisions can become clouded by external pressures. Yes, they are words, but they are more than words. They are claims upon our souls. Dear Lord, remind each one of us of the true price of sitting in this Chamber. Humble our hearts and wipe away any thought of entitlement that we may think we are due. Teach us to count the cost of our duty in the many names and faces of those people whose hands we shook, whose words we heard, whose hopes we now hold. Amen."

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

Leaves of absence are granted Representatives Blue and Boyd-McIntyre for today.

#### **ENROLLED BILLS**

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

**S.B. 1288**, AN ACT ALLOWING THE TOWN OF BETHEL TO EXTEND ITS EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES BEYOND ITS LIMITS SUBJECT TO THE APPROVAL OF THE PITT COUNTY BOARD OF COMMISSIONERS.

**H.B. 1517**, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF LITTLETON.

#### **CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

July 16, 2002

**H.B. 1493**, AN ACT TO ABOLISH THE OFFICE OF CORONER IN GRANVILLE COUNTY. (S.L. 2002-17)

**H.B. 1597**, AN ACT TO REPEAL TERM LIMITS FOR MEMBERS OF THE HAYWOOD COUNTY BOARD OF EDUCATION, EDENTON-CHOWAN COUNTY BOARD OF EDUCATION, AND IREDELL-STATESVILLE BOARD OF EDUCATION. (S.L. 2002-18)

**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. 1661**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF LEE TO CONVEY THE GOLDEN POULTRY/GOLD KIST WATER PLANT AT PRIVATE SALE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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. 1668**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SOUTHPORT OCCUPANCY TAX, with a favorable report.

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

**H.B. 1745**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE 300 PLATE REQUIREMENT FROM SPECIAL LICENSE PLATES FOR WORLD WAR II AND KOREAN CONFLICT VETERANS' PLATES, with a favorable report.

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

**S.B. 1132**, A BILL TO BE ENTITLED AN ACT TO REMOVE AN AREA FROM THE CORPORATE LIMITS OF THE TOWN OF ELLENBORO, with a favorable report.

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

July 16, 2002

**S.B. 1300**, A BILL TO BE ENTITLED AN ACT CONCERNING A VOLUNTARY SATELLITE ANNEXATION OF CERTAIN DESCRIBED PROPERTY BY THE CITY OF NEWTON, with a favorable report.

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

**S.B. 1357**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO DURHAM COUNTY OCCUPANCY TAX PROVISIONS, 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:

**S.B. 46** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MONROE TO LEVY A PREPARED FOOD TAX, reported without prejudice.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 17.

#### **MESSAGES FROM THE SENATE**

The following are received from the Senate:

**H.B. 1614** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY RESIDENCE REQUIREMENTS FOR THE CITY OF LINCOLN SEAT ON THE LINCOLN COUNTY BOARD OF EDUCATION, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 17.

**H.B. 1616** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE AROUND EAGLE POINT NATURE PRESERVE ON HIGH ROCK RESERVOIR IN ROWAN COUNTY, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 17.

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**S.B. 1224** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO ALLOW THE OFFICE OF ADMINISTRATIVE HEARINGS TO USE THE INTERNET FOR AGENCY PUBLICATIONS AND TO CONFORM THE ADMINISTRATIVE PROCEDURE ACT TO PROVISIONS OF CHAPTER 12 OF THE GENERAL STATUTES RELATING TO RULES WHICH ESTABLISH OR INCREASE FEES, is read the first time and referred to the Committee on Science and Technology.

**S.B. 1262** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ENTER INTO MUTUAL AID AGREEMENTS WITH LAW ENFORCEMENT AGENCIES ON BEHALF OF ITS SPECIAL PEACE OFFICERS WHO HAVE BEEN DESIGNATED FOR THE PURPOSE OF ENFORCING THE LAW GOVERNING THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on State Government.

**S.B. 1271**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE USE OF CENTER-FIRE WEAPONS IN SCOTLAND COUNTY, is read the first time and referred to the Committee on Wildlife Resources.

**S.B. 1394**, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE CITY OF CHARLOTTE MAY BY RESOLUTION DEEM THE CREATION OF A SELF-FUNDED RISK PROGRAM AS THE PURCHASE OF INSURANCE FOR THE PURPOSE OF WAIVING GOVERNMENTAL IMMUNITY, is read the first time and referred to the Committee on Local Government I.

### CALENDAR

Action is taken on the following:

**H.B. 1589**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF PRINCETON, 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, Blust, Bonner, Bowie, Brubaker, Buchanan, Capps, Carpenter, Church,

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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, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, 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, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 116.

Voting in the negative: None.

Excused absences: Representatives Blue and Boyd-McIntyre - 2.

**H.B. 1619**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 707 OF THE 1963 SESSION LAWS RELATED TO CURRENT EXPENSE EXPENDITURES FROM LOCAL FUNDS FOR THE SCOTLAND COUNTY SCHOOLS, 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. 1666**, 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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1723** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CARRBORO TOWN CHARTER TO AUTHORIZE THE BOARD OF ALDERMEN TO ABOLISH A TRUST FUND SPECIFICALLY AUTHORIZED BY STATUTE TO BE CREATED BY A CITY UPON CONDITION THAT THE TOWN APPROPRIATES ALL

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FUNDS CONTAINED THEREIN FOR THE PURPOSE OR PURPOSES FOR WHICH THE FUND WAS ESTABLISHED, 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. 1546** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CERTAIN OCCUPANCY LIMITATIONS FOR VEHICLES DRIVEN BY LEVEL 2 DRIVERS WITH LIMITED PROVISIONAL LICENSES.

Representative Goodwin offers Amendment No. 1 which is adopted by electronic vote (114-1).

The bill, as amended, passes its second reading, by electronic vote (102-16), 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. 1678**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM TO CONFORM WITH THE PROVISIONS OF THE ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION ACT OF 2001, 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.

Representative Culpepper moves, seconded by Representative Goodwin, that the House adjourn, subject to the receipt of Committee Reports, to reconvene July 17 at 2:00 p.m.

The motion carries.

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**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. 1633**, A BILL TO BE ENTITLED AN ACT TO ACCELERATE THE ADDITIONAL ONE-HALF CENT LOCAL OPTION SALES AND USE TAX, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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. 1774**, A JOINT RESOLUTION HONORING THE MEMORY OF CHIANG CHING-KUO, LATE PRESIDENT OF THE REPUBLIC OF CHINA ON TAIWAN, AND EXPRESSING THE BELIEF THAT THE REPUBLIC OF CHINA ON TAIWAN SHOULD BE PERMITTED TO PARTICIPATE IN A MEANINGFUL AND APPROPRIATE WAY IN THE WORLD HEALTH ORGANIZATION, with a favorable report as to the committee substitute resolution, which changes the title, unfavorable as to the original resolution.

Pursuant to Rule 36(b), the committee substitute resolution is placed on the Calendar of July 17. The original resolution is placed on the Unfavorable Calendar.

The House stands adjourned at 4:12 p.m.

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**TWO HUNDRED NINTH DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, July 17, 2002

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

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The following prayer is offered by the Reverend June Johnson Manning, Macedonia Presbyterian Church, Montgomery County, North Carolina:

"Creator of all, the One and Holy God:

"We invoke Your presence as this House session begins. Lead these Representatives, gracious and merciful God, to love You above all others, and to love their neighbors as their own kin.

"We give You thanksgiving, our God for those who willingly and selflessly serve here.

"As stewards of North Carolina's finances and property, impart to them a renewed knowledge of Your activity in their lives so that they might exercise corporate stewardship with all their heart, soul and might. May they do their work in a spirit of wisdom, kindness, and justice. Help them use their authority to serve faithfully working diligently to promote the general welfare of all. We lift this prayer to our God...all praise be Yours now and forever. 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 Blue, Boyd-McIntyre, and Hiatt 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. 1288**, AN ACT ALLOWING THE TOWN OF BETHEL TO EXTEND ITS EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES BEYOND ITS LIMITS SUBJECT TO THE APPROVAL OF THE PITT COUNTY BOARD OF COMMISSIONERS. (S.L. 2002-19)

**H.B. 1517**, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF LITTLETON. (S.L. 2002-20)

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### 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. 1776**, A HOUSE RESOLUTION RECOGNIZING THE IMPORTANCE TO THE ECONOMY OF THE STATE OF NORTH CAROLINA OF BIOBASED AND VALUE-ADDED AGRIBUSINESS, with recommendation that the committee substitute resolution be adopted, unfavorable as to the original resolution.

Pursuant to Rule 36(b), the committee substitute resolution is placed on the Calendar of July 18. The original resolution is placed on the Unfavorable Calendar.

### INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative Gibson:

**H.B. 1777**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE ADOPTION OF AND AMENDMENTS TO CERTAIN ADMINISTRATIVE RULES GOVERNING THE SANITATION OF HOSPITALS, NURSING HOMES, REST HOMES, AND OTHER INSTITUTIONS, is referred to the Committee on Environment and Natural Resources.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**H.B. 1503** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO SPECIAL MEETINGS OF SHAREHOLDERS UNDER THE NORTH CAROLINA BUSINESS CORPORATION ACT, TO AMEND THE LAW RELATING TO DISSENTERS' RIGHTS UNDER THE NORTH CAROLINA BUSINESS CORPORATION ACT, TO CLARIFY THAT A GENERAL PARTNER MUST EXECUTE DOCUMENTS FOR FILING BY THE SECRETARY

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OF STATE, AND TO CLARIFY THE LAW RELATING TO REGISTRATION OF GENERAL PARTNERSHIPS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 18.

**S.B. 1392** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE REQUIRED STORAGE PERIOD FOR UNCLAIMED PROPERTY HELD BY LAW ENFORCEMENT IN MECKLENBURG COUNTY, is read the first time and referred to the Committee on Local Government I.

### CALENDAR

Action is taken on the following:

**H.B. 1614** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY RESIDENCE REQUIREMENTS FOR THE CITY OF LINCOLNTON SEAT ON THE LINCOLN COUNTY BOARD OF EDUCATION.

On motion of Representative Kiser, the House concurs in the Senate committee substitute bill, by electronic vote (115-0), and the bill is ordered enrolled.

**H.B. 1616** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE AROUND EAGLE POINT NATURE PRESERVE ON HIGH ROCK RESERVOIR IN ROWAN COUNTY.

On motion of Representative McCombs, the House concurs in the Senate committee substitute bill, by electronic vote (114-2), and the bill is ordered enrolled.

**H.B. 1633** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ACCELERATE THE ADDITIONAL ONE-HALF CENT LOCAL OPTION SALES AND USE TAX, TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR, AND TO MAKE CONFORMING AND TECHNICAL CHANGES, is moved up on today's Calendar.

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Representative C. Wilson offers Amendment No. 1 which is adopted by electronic vote (114-2).

Representative Nesbitt offers an amendment. The Speaker rules that the amendment is not germane to the title.

Representative Hill offers Amendment No. 2 which is adopted by electronic vote (111-1).

On motion of Representative Daughtry, the bill, as amended, is withdrawn from the Calendar, by electronic vote (62-55), and re-referred to the Committee on Finance.

On motion of the Chair, the House recesses at 3:51 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 committees and permanent subcommittee are presented:

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 1633** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ACCELERATE THE ADDITIONAL ONE-HALF CENT LOCAL OPTION SALES AND USE TAX, TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR, AND TO MAKE CONFORMING AND TECHNICAL CHANGES, with a favorable report.

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

**S.B. 1292** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RAISE REVENUES TO SUPPORT THE CURRENT OPERATIONS OF STATE AND LOCAL GOVERNMENT, TO UPDATE THE REFERENCE DATE TO THE INTERNAL REVENUE CODE USED TO DEFINE AND DETERMINE CERTAIN STATE TAX PROVISIONS, AND TO PROVIDE

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THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 18. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**H.B. 1516**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING PLANNING BY THE DEPARTMENT OF TRANSPORTATION, with a favorable report as to the committee substitute bill, unfavorable as to the 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. 1627**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE REMOVAL OF FILED DD FORM 214 OR FOR THE REDACTING OF THE FORM WHEN A COPY IS REQUESTED BY PERSONS OTHER THAN THE FILER OR A MEMBER OF HIS FAMILY IN NASH COUNTY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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 Standing Committee on Appropriations Subcommittee on Capital.

**H.B. 1726**, 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, reported to the Standing Committee on Appropriations, with a favorable recommendation.

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By Representatives Barefoot and Cox, Chairs, for the Committee on Pensions and Retirement:

**H.B. 1657**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE DURHAM FIREMEN'S SUPPLEMENTAL RETIREMENT SYSTEM, with a favorable report as to the committee substitute bill, unfavorable as to the 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. 1232**, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND WITH AT LEAST TEN YEARS OF SERVICE TO CONTINUE AS MEMBERS AFTER THE TAKEOVER OF A VOLUNTEER DEPARTMENT BY A CITY OR COUNTY, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original 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 original bill is placed on the Unfavorable Calendar.

**S.B. 1238** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE PURCHASE OF WITHDRAWN SERVICE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND TO CORRECT THE CALCULATION OF BENEFITS FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM WHO PURCHASE WITHDRAWN SERVICE, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the 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.

**S.B. 1429** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL

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EMPLOYEES' RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM TO CONFORM WITH THE PROVISIONS OF THE ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION ACT OF 2001, 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. 644** (Senate Committee Substitute), 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 withdrawn from the Committee on Transportation 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. 1655**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CLEVELAND COUNTY SANITARY BOARD TO SET COMPENSATION FOR ITS MEMBERS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government I.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Culpepper and without objection, **S.B. 712** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE EIGHT-YEAR TERMS FOR DISTRICT COURT JUDGES, is withdrawn from the Calendar and placed on the Calendar of July 24.

#### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **H.B. 1633** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ACCELERATE THE ADDITIONAL ONE-HALF CENT LOCAL OPTION SALES AND USE TAX, TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR, AND TO MAKE CONFORMING AND TECHNICAL CHANGES, is placed on the Calendar for immediate consideration.

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Representative Nesbitt inquires of the Chair if he re-submits the amendment offered previously, would it be in order. The Speaker states that his decision would be the same.

The bill fails to pass its second reading, by the following vote, and is placed on the Unfavorable Calendar.

Those voting in the affirmative are: Speaker Black; Representatives Alexander, Allen, Baddour, Barefoot, Bell, Bonner, Church, Coates, Cole, Cox, J. Crawford, Culpepper, Cunningham, Dedmon, Earle, Easterling, Edwards, Fox, Gibson, Goodwin, Gray, Hackney, Haire, Hall, Hill, Holliman, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, McCombs, McLawhorn, Miller, Nye, Oldham, Owens, Redwine, Rogers, Saunders, Sherrill, Smith, Sutton, Tolson, Tucker, Underhill, Wainwright, Warner, Warren, Warwick, Weiss, Willingham, Womble, Wright, and Yongue - 57.

Voting in the negative: Representatives Adams, Allred, Arnold, Baker, Barbee, Barnhart, Blust, Bowie, Brubaker, Buchanan, Capps, Carpenter, Clary, M. Crawford, Creech, Culp, Daughtry, Davis, Decker, Dockham, Eddins, Ellis, Esposito, Gillespie, Grady, Gulley, Harrington, Hensley, Hilton, Holmes, Howard, Hunter, Johnson, Justus, Kiser, McAllister, McComas, McMahan, Michaux, Miner, Mitchell, Morgan, Morris, Nesbitt, Pope, Preston, Rayfield, Russell, Setzer, Sexton, Shubert, Starnes, Teague, Thompson, Walend, Walker, Weatherly, West, C. Wilson, and G. Wilson - 60.

Excused absences: Representatives Blue, Boyd-McIntyre, and Hiatt - 3.

On motion of Representative Culpepper, seconded by Representative Allen, the House adjourns at 7:48 p.m. to reconvene July 18 at 10:05 a.m.

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## **TWO HUNDRED TENTH DAY**

HOUSE OF REPRESENTATIVES  
Thursday, July 18, 2002

The House meets at 10:05 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

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"Almighty God:

"You have guided Your people since the beginning of time. As we continue to try and understand Thy ways, we find that You still guide Your people, even in this hour. There is much work to be done. There are incredibly complex and difficult decisions ahead of this Body. We fail not in admitting our helplessness before You; however, we may often fail to seek Your wisdom and attempt to discern Your will for us. Impart wisdom unto us, O Lord, and speak to us once more, as You did with the prophets of old, and tell us what we should and shouldn't do. Let our conscience be our guide, but interrupt our thought process from time to time to remind us that You are the One making the decisions and You alone are our ultimate authority...the One to whom we must answer and give an account of our actions. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 17 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue and Eddins for today. Representatives Hiatt and Hill are excused for a portion of the session.

#### **ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

**S.B. 861**, AN ACT TO INCREASE THE NUMBER OF QUALIFIED DENTAL PRACTITIONERS IN THE STATE BY AUTHORIZING THE BOARD OF DENTAL EXAMINERS TO LICENSE BY CREDENTIALS PERSONS WHO ARE LICENSED TO PRACTICE DENTISTRY OR DENTAL HYGIENE IN OTHER STATES AND WHO OTHERWISE MEET STATE REQUIREMENTS FOR LICENSE BY CREDENTIALS, TO ISSUE A LIMITED VOLUNTEER DENTAL LICENSE, TO ISSUE AN INSTRUCTOR'S LICENSE, AND TO IMPOSE APPLICATION AND RENEWAL FEES FOR LICENSURE AUTHORIZED UNDER THIS ACT.

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

**H.B. 1614**, AN ACT TO CLARIFY RESIDENCE REQUIREMENTS FOR THE CITY OF LINCOLN SEAT ON THE LINCOLN COUNTY BOARD OF EDUCATION.

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**H.B. 1616**, AN ACT TO ESTABLISH A NO-WAKE ZONE AROUND EAGLE POINT NATURE PRESERVE ON HIGH ROCK RESERVOIR IN ROWAN COUNTY.

#### MESSAGES FROM THE SENATE

The following are received from the Senate:

**H.B. 622** (Senate Committee Substitute), 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 returned for concurrence in the Senate committee substitute bill and referred to the Committee on Rules, Calendar, and Operations of the House.

Senate Committee Substitute for **H.B. 1533**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BERTIE, DURHAM, HERTFORD, AND NORTHAMPTON COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, is returned for concurrence in the 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. 1538** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO DISTRIBUTION TO

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KNOWN BUT UNLOCATED DEVISEES OR HEIRS TO CONFORM TO THE NORTH CAROLINA UNCLAIMED PROPERTY ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is returned for concurrence in the Senate committee substitute bill.

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

**S.B. 1144** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEFINE AND AUTHORIZE THE USE OF NONTANDEM TWO-WHEELED PERSONAL ASSISTIVE MOBILITY DEVICES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 1214**, A BILL TO BE ENTITLED AN ACT TO EXCLUDE AIRPORTS FROM THE PUBLIC ENTERPRISE BILLING INFORMATION PRIVACY LAW, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

#### **MOTION TO RECONSIDER VOTE**

Having voted on the prevailing side, Representative Buchanan moves that the vote by which **H.B. 1633** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ACCELERATE THE ADDITIONAL ONE-HALF CENT LOCAL OPTION SALES AND USE TAX, TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR, AND TO MAKE CONFORMING AND TECHNICAL CHANGES, failed to pass its second reading be reconsidered.

Representative C. Wilson inquires of the Chair if he would be willing to reconsider his ruling on the amendment offered by Representative Nesbitt on the previous day. The Speaker states that the rules are the same every day.

On motion of the Chair, the House recesses at 11:46 a.m.

#### **RECESS**

The House reconvenes pursuant to recess and is called to order by the Speaker.

On motion of the Chair, the House recesses at 3:14 p.m.

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**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 Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs,  
for the Committee on Finance:

**H.B. 1670**, A BILL TO BE ENTITLED AN ACT TO SET THE PUBLIC UTILITY REGULATORY FEE, TO SET THE ELECTRIC MEMBERSHIP CORPORATION REGULATORY FEE, AND TO SET THE INSURANCE REGULATORY CHARGE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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 Owens, the House adjourns at 4:19 p.m. to reconvene Monday, July 22, 2002, at 7:05 p.m.

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**TWO HUNDRED ELEVENTH DAY**

HOUSE OF REPRESENTATIVES  
Monday, July 22, 2002

The House meets at 7:05 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Almighty God:

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"What does it profit us if we seek human adoration but fail to seek affirmation from Thee? What good does it do us to make political power plays if Your will is trampled beneath our exploits? Teach us to mind You like a compliant child answers to his parents. Remind us all that we are mere children ourselves. Keep true in us the desire to serve You and others in all that we seek to accomplish. And, as always, we humbly beseech Thee, have mercy upon us. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 18 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Eddins, Hiatt, Hill, and Starnes for today. Representative Wright is excused for a portion of the session.

### ENROLLED BILLS

The following bill is duly ratified and presented to the Governor:

**H.B. 1515**, AN ACT PERTAINING TO THE MEMBERSHIP OF THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

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

**H.B. 1609**, AN ACT RELATING TO INVESTMENTS BY THE CITY OF DURHAM.

**H.B. 1653**, AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO REPEAL CERTAIN OPTIONAL RIGHTS OF THE CITY MANAGER, TO AUTHORIZE THE CITY MANAGER TO ACCEPT PROPERTY OFFERED FOR PUBLIC DEDICATION, TO REPEAL THE SECTION THAT PROHIBITS THE CITY MANAGER FROM AWARDED CONTRACTS THAT EXCEED FIFTY THOUSAND DOLLARS, AND TO MOVE A CERTAIN SECTION FROM CHAPTER FOUR TO CHAPTER EIGHT FOR ORGANIZATIONAL PURPOSES.

**H.B. 1654**, AN ACT TO PERMIT THE CITY OF CHARLOTTE TO DESIGNATE SOMEONE OTHER THAN THE CITY CLERK TO ISSUE CLOSING-OUT SALE LICENSES.

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**H.B. 1689**, AN ACT TO CHANGE THE NAME OF THE PEARLAND FIRE DISTRICT IN CALDWELL COUNTY TO THE SAWMILLS RURAL FIRE DISTRICT.

**H.B. 1714**, AN ACT TO PERMIT THE CARTERET COUNTY BOARD OF EDUCATION TO LEASE PROPERTY TO THE BOYS AND GIRLS CLUB.

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 1614**, AN ACT TO CLARIFY RESIDENCE REQUIREMENTS FOR THE CITY OF LINCOLNTON SEAT ON THE LINCOLN COUNTY BOARD OF EDUCATION. (S.L. 2002-22)

**H.B. 1616**, AN ACT TO ESTABLISH A NO-WAKE ZONE AROUND EAGLE POINT NATURE PRESERVE ON HIGH ROCK RESERVOIR IN ROWAN COUNTY. (S.L. 2002-23)

**H.B. 1584**, AN ACT TO MAKE THE STATE DEADLINE FOR APPROVAL OF HAZARD MITIGATION PLANS CONSISTENT WITH THE FEDERAL DEADLINE FOR APPROVAL OF THESE PLANS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, AND TO EXTEND THE DATE BY WHICH CERTAIN SMALL MUNICIPAL WASTE COMBUSTION UNITS MUST ACHIEVE COMPLIANCE WITH CERTAIN REQUIREMENTS RELATED TO THE EMISSION OF AIR POLLUTANTS. (S.L. 2002-24)

**H.B. 1488**, AN ACT TO EXTEND THE SUNSET ON THE LAW GOVERNING TRANSPORTATION OF OPEN CONTAINERS OF ALCOHOLIC BEVERAGES. (S.L. 2002-25)

**H.B. 1504**, AN ACT TO REPEAL AN OBSOLETE ATTESTATION REQUIREMENT THAT CONVEYANCES BY BANKS MUST BE EXECUTED BY THE SECRETARY OR THE CASHIER AND TO VALIDATE CONVEYANCES BY BANKS THAT OTHERWISE COMPLY WITH THE STATUTE ON EXECUTION OF CORPORATE CONVEYANCES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 2002-26)

**H.B. 1505**, AN ACT TO AMEND THE VOTING REQUIREMENT FOR MEMBER APPROVAL OF AMENDMENTS TO BYLAWS TO

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CONFORM TO THE VOTING REQUIREMENT FOR MEMBER APPROVAL OF AMENDMENTS TO ARTICLES OF INCORPORATION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 2002-27)

**H.B. 1513**, AN ACT TO CLARIFY THAT THE RECENT ESTABLISHMENT OF A ROLLING UPSET BID PROCEDURE FOR JUDICIAL AND EXECUTION SALES DID NOT AFFECT THE REQUIREMENT THAT SALES BE CONFIRMED BY THE APPROPRIATE JUDICIAL OFFICIAL, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 2002-28)

**H.B. 1539**, AN ACT TO REPEAL AN OBSOLETE PROHIBITION ON THE ESTABLISHMENT OF AUTOMATED TELLER MACHINES OR OTHER INFORMATION-PROCESSING DEVICES OR MACHINES BY OUT-OF-STATE FINANCIAL INSTITUTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 2002-29)

**H.B. 893**, AN ACT REQUIRING THE WILDLIFE RESOURCES COMMISSION TO REPORT ON ITS EFFORTS TO ENSURE COMPLIANCE WITH LOCAL HUNTING LAWS BY DEER HUNTERS USING DOGS IN MOORE COUNTY. (S.L. 2002-30)

#### MESSAGES FROM THE SENATE

The following is received from the Senate:

**S.J.R. 1472**, A JOINT RESOLUTION RECOGNIZING PARAMOUNT'S CAROWINDS THEME PARK FOR ITS NUMEROUS ACCOMPLISHMENTS IN ITS THIRTY-YEAR HISTORY, 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:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1501** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING UNLAWFUL ACCESS OR DAMAGE TO A GOVERNMENT COMPUTER OR CAUSING DENIAL OF SERVICE AFFECTING A GOVERNMENT COMPUTER, is moved up on today's Calendar.

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The bill 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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1664**, A BILL TO BE ENTITLED AN ACT TO GUARANTEE THAT EACH RETIRED MEMBER OF THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM RECEIVING RETIREMENT ALLOWANCES SHALL RECEIVE BENEFITS IN AN AMOUNT NOT LESS THAN THE ACCUMULATED CONTRIBUTIONS OF THE RETIREE AT RETIREMENT, is moved up on today's Calendar.

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 sent to the Senate.

**H.J.R. 1774** (Committee Substitute), A JOINT RESOLUTION HONORING THE MEMORY OF CHIANG CHING-KUO, LATE PRESIDENT OF THE REPUBLIC OF CHINA ON TAIWAN, AND EXPRESSING THE BELIEF THAT THE REPUBLIC OF CHINA ON TAIWAN (ROC) SHOULD BE PERMITTED TO PARTICIPATE IN A MEANINGFUL AND APPROPRIATE WAY IN THE WORLD HEALTH ORGANIZATION, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

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

**LAO-HMONG RECOGNITION DAY**

**2002**

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

July 22, 2002

**A PROCLAMATION**

WHEREAS, the Lao-Hmong, which means "free people," are Laotian members of the Hmong tribe and are noted for their warrior tradition, loyalty and bravery; and

WHEREAS, beginning in 1960, the United States recruited thousands of the Lao-Hmong to fight against the Communist Pathet Lao and North Vietnamese Army regulars in Laos; and

WHEREAS, the United States relied heavily on the Lao-Hmong Special Guerrilla Units to engage in direct combat with North Vietnamese troops from 1960 to 1975, conducting tactical guerrilla actions, flying thousands of deadly combat missions in support of the Armed Forces and the Central Intelligence Agency, and fighting in conventional and guerrilla combat clashes with extreme casualties; and

WHEREAS, the Lao-Hmong, although outnumbered, fought against enemy forces to disrupt the flow of troops and war supplies along the Ho Chi Minh Trail; and

WHEREAS, the Lao-Hmong protected United States personnel, guarded United States Air Force radar installations, gathered critical intelligence about enemy operations, and undertook rescue missions to save the lives of downed United States pilots; and

WHEREAS, more than 35,000 of the Lao-Hmong lost their lives defending the democratic way of life, thousands suffered grievous injuries and permanent disabilities, and thousands more were captured and sent to communist concentration camps; and

WHEREAS, after the conclusion of the war, many Lao-Hmong soldiers were the victims of acts of retribution and atrocities by the Pathet Lao, causing many of the Lao-Hmong to flee to neighboring Thailand and become refugees;

NOW, THEREFORE, I, MICHAEL F. EASLEY, Governor of the State of North Carolina, do hereby proclaim July 22, 2002, as "**LAO-HMONG RECOGNITION DAY**" in North Carolina, to recognize the bravery, sacrifice and loyalty to the United States exhibited by the Lao-Hmong in Southeast Asia.

S/ Michael F. Easley

July 22, 2002

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 two, and of the Independence of the United States of America the two hundred and twenty-sixth.

#### **CALENDAR (continued)**

**H.B. 1503** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO SPECIAL MEETINGS OF SHAREHOLDERS UNDER THE NORTH CAROLINA BUSINESS CORPORATION ACT, TO AMEND THE LAW RELATING TO DISSENTERS' RIGHTS UNDER THE NORTH CAROLINA BUSINESS CORPORATION ACT, TO CLARIFY THAT A GENERAL PARTNER MUST EXECUTE DOCUMENTS FOR FILING BY THE SECRETARY OF STATE, AND TO CLARIFY THE LAW RELATING TO REGISTRATION OF GENERAL PARTNERSHIPS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is moved up on today's Calendar.

On motion of Representative Culpepper, 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.

#### **INTRODUCTION OF PAGES**

Pages for the week of July 22 are introduced to the membership. They are: Rashon Barnes of Bertie; Ebony T. Brooks of Forsyth; Vanecia Joyce Dunn of Wake; Bobby Denzell Dunn of Wake; Robert Fenequito of Guilford; April Fowler of Cabarrus; Michael David Franz of Mecklenburg; Holly M. Furr of Stanly; Meghan Herridge of Johnston; Melanie Houston of Duplin; Allison Jessup of Wake; Tremaine Jones of Guilford; Lauren Knish of Wake; Brittany Lanier of Wake; Clark Leonard of Wake, Stephen Mangum of Wake; Felix Franklin Miller, IV, of Guilford; Erin Motley of Wake; Michael C. Phillips of Wake; Caitlin Pickard of Wake; Christine Stanford of Wayne; Sterling Story of Wake; and Catherine Trottman of Wake.

#### **RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 99**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES AND CITIES TO LEVY A MENU OF LOCAL

July 22, 2002

OPTION TAXES IF APPROVED BY THE VOTERS, 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 McMahan, the House adjourns at 8:07 p.m. to reconvene July 23 at 4:00 p.m.

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## TWO HUNDRED TWELFTH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, July 23, 2002

The House meets at 4:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Most Merciful God:

"We confess to You that we do not always operate with pure intentions. Often times, our need for approval from others, our desire to prove our positions of power, or our wish to exact vengeance get in our way. This can be doubly true in the arena of politics where people are forced to choose sides. Forgive us for our stubbornness and our hesitancy to seek compromise. Forgive us for our pride, which is most often the only thing standing in the way of resolution and reconciliation. Remind us, O Lord, that You see into every heart, overhear every sidebar, and are fully aware of what motivates us to act. Let that reminder serve as a gentle admonition that tells us that there is nowhere we can run and hide from You. Give us courage to destroy our carefully constructed human barriers and replace them with sincerity and innocence to bring change to our policy-making decisions. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 22 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Eddins and Hiatt for today.

July 23, 2002

**ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

**H.B. 1503**, AN ACT TO AMEND THE LAW RELATING TO SPECIAL MEETINGS OF SHAREHOLDERS UNDER THE NORTH CAROLINA BUSINESS CORPORATION ACT, TO AMEND THE LAW RELATING TO DISSENTERS' RIGHTS UNDER THE NORTH CAROLINA BUSINESS CORPORATION ACT, TO CLARIFY THAT A GENERAL PARTNER MUST EXECUTE DOCUMENTS FOR FILING BY THE SECRETARY OF STATE, AND TO CLARIFY THE LAW RELATING TO REGISTRATION OF GENERAL PARTNERSHIPS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

**CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 1609**, AN ACT RELATING TO INVESTMENTS BY THE CITY OF DURHAM. (S.L. 2002-31)

**H.B. 1653**, AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO REPEAL CERTAIN OPTIONAL RIGHTS OF THE CITY MANAGER, TO AUTHORIZE THE CITY MANAGER TO ACCEPT PROPERTY OFFERED FOR PUBLIC DEDICATION, TO REPEAL THE SECTION THAT PROHIBITS THE CITY MANAGER FROM AWARDED CONTRACTS THAT EXCEED FIFTY THOUSAND DOLLARS, AND TO MOVE A CERTAIN SECTION FROM CHAPTER FOUR TO CHAPTER EIGHT FOR ORGANIZATIONAL PURPOSES. (S.L. 2002-32)

**H.B. 1654**, AN ACT TO PERMIT THE CITY OF CHARLOTTE TO DESIGNATE SOMEONE OTHER THAN THE CITY CLERK TO ISSUE CLOSING-OUT SALE LICENSES. (S.L. 2002-33)

**H.B. 1689**, AN ACT TO CHANGE THE NAME OF THE PEARLAND FIRE DISTRICT IN CALDWELL COUNTY TO THE SAWMILLS RURAL FIRE DISTRICT. (S.L. 2002-34)

**H.B. 1714**, AN ACT TO PERMIT THE CARTERET COUNTY BOARD OF EDUCATION TO LEASE PROPERTY TO THE BOYS AND GIRLS CLUB. (S.L. 2002-35)

July 23, 2002

**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. 1519**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAWS AFFECTING MOTOR CARRIER SAFETY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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 Warner and Bonner, Chairs, for the Committee on Education:

**S.B. 1231**, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 116-19 BY DEFINING THE TERMS "NEEDY NORTH CAROLINA STUDENTS" AND "INSTITUTIONAL METHODOLOGY", 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. 1620**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE YADKIN COUNTY AND THE TOWN OF JONESVILLE TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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. 1696**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE HIGHWAY PATROL TO ASSESS AND COLLECT FEES FOR PROVIDING ESCORTS FOR OVERSIZED AND HAZARDOUS SHIPMENTS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

July 23, 2002

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. 1160** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES AND TO PROVIDE A ONE-TIME EXTENSION TO THE TIME PERIOD IN WHICH A TAX-PAYER MAY SIGN A LETTER OF COMMITMENT WITH THE DEPARTMENT OF COMMERCE TO QUALIFY FOR A LOWER TIER DESIGNATION, with a favorable report.

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

**S.B. 1195**, A BILL TO BE ENTITLED AN ACT TO CREATE AN OCCUPANCY TAX DISTRICT IN THE TOWN OF SEVEN DEVILS, AND TO AUTHORIZE THE SEVEN DEVILS TAX DISTRICT TO LEVY AN OCCUPANCY TAX, with a favorable report.

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

**S.B. 1346**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF EDEN TO NEGOTIATE ANNEXATION CONTRACTS, 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.

By Representatives Gibson, McComas, and Warwick, Chairs, for the Committee on Environment and Natural Resources:

**H.B. 1575**, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN STATUTES RELATED TO LAND-USE RESTRICTIONS AND RECORDATION OF THOSE RESTRICTIONS IN CONNECTION WITH THE CLEANUP OF RELEASES FROM PETROLEUM UNDERGROUND STORAGE TANKS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of July 24. The original bill is placed on the Unfavorable Calendar.

**S.B. 1251** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MERGE THE DIVISION OF RADIATION PROTECTION OF

July 23, 2002

THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES INTO THE DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, TO CREATE THE RADIATION PROTECTION SECTION OF THE DIVISION OF ENVIRONMENTAL HEALTH, AND TO MAKE CONFORMING STATUTORY CHANGES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, 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 Warren, Alexander, Barefoot, Bell, Black, Bonner, Cox, Culpepper, Earle, Easterling, Edwards, Fox, Gibson, Goodwin, Haire, Jeffus, Lucas, McLawhorn, Nye, Owens, Rogers, Saunders, Smith, Sutton, Tolson, Tucker, Weiss, and Wright:

**H.J.R. 1778**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LINWOOD EBORN MERCER, FORMER MEMBER OF THE GENERAL ASSEMBLY, 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:

**S.J.R. 1474**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BASCOM LAMAR LUNSFORD ON THE OCCASION OF THE SEVENTY-FIFTH ANNIVERSARY OF THE MOUNTAIN DANCE AND FOLK FESTIVAL, is read the first time and 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. 1099**, A BILL TO BE ENTITLED AN ACT TO ALLOW LETTERS OF CREDIT TO SUBSTITUTE FOR SURETY BONDS TO MEET CERTAIN STATUTORY REQUIREMENTS, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Financial Institutions.

July 23, 2002



Upon concurrence, the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 1509**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALES AND USE TAX EXEMPTION REGARDING CERTAIN AGRICULTURAL SUBSTANCES AND TO MAKE VARIOUS ADMINISTRATIVE CHANGES IN THE TAX LAWS, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Finance.

Upon concurrence, the Senate committee substitute bill changes the title.

**H.B. 1648** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COLLEGE OF THE ALBEMARLE TO ENTER INTO A LEASE AGREEMENT WITH THE YMCA, is returned for concurrence in Senate Amendment No. 1 and placed on the Calendar.

Upon concurrence, Senate Amendment No. 1 changes the title.

**S.B. 1162** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO DEFRAUD DRUG OR ALCOHOL SCREENING TESTS, 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.R. 1776** (Committee Substitute), A HOUSE RESOLUTION RECOGNIZING THE IMPORTANCE TO THE ECONOMY OF THE STATE OF NORTH CAROLINA OF BIOBASED AND VALUE-ADDED AGRIBUSINESS, is moved up on today's Calendar.

The resolution is adopted by electronic vote (116-0) and ordered printed.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1668**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SOUTHPORT OCCUPANCY TAX, is moved up on today's Calendar.

July 23, 2002

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, 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, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, 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, Preston, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 105.

Voting in the negative: Representatives Allred, Baker, Capps, Creech, Davis, Decker, Harrington, Hilton, Pope, Rayfield, Setzer, and Shubert - 12.

Excused absences: Representatives Eddins and Hiatt - 2.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1132**, A BILL TO BE ENTITLED AN ACT TO REMOVE AN AREA FROM THE CORPORATE LIMITS OF THE TOWN OF ELLENBORO, 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, 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, Edwards, Ellis, Esposito, 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,

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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, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 117.

Voting in the negative: None.

Excused absences: Representatives Eddins and Hiatt - 2.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1300**, A BILL TO BE ENTITLED AN ACT CONCERNING A VOLUNTARY SATELLITE ANNEXATION OF CERTAIN DESCRIBED PROPERTY BY THE CITY OF NEWTON, 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, 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, Decker, Dockham, Earle, Easterling, Edwards, Ellis, Esposito, 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, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 115.

Voting in the negative: Representative Davis.

Excused absences: Representatives Eddins and Hiatt - 2.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

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**H.B. 1661** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF LEE TO CONVEY THE GOLDEN POULTRY/GOLD KIST WATER PLANT AND RIVER INTAKE FACILITY AT PRIVATE SALE, is moved up on today's Calendar.

The bill 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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1357**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO DURHAM COUNTY OCCUPANCY TAX PROVISIONS, is moved up on today's Calendar.

The bill 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 enrolled.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1745**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE 300 PLATE REQUIREMENT FROM SPECIAL LICENSE PLATES FOR WORLD WAR II AND KOREAN CONFLICT VETERANS' PLATES, 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: Speaker Black; 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, Edwards, Ellis, Esposito, 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,

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Shubert, Smith, Starnes, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 113.

Voting in the negative: Representatives Bowie, Creech, Hensley, Kiser and Sutton - 5.

Excused absences: Representatives Eddins and Hiatt - 2.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Culpepper and without objection, **S.B. 1292** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELAY THE INCREASE IN THE CHILD TAX CREDIT BY ONE YEAR; TO DELAY THE INCREASE IN THE STANDARD DEDUCTION FOR MARRIED PERSONS BY ONE YEAR; TO UPDATE THE REFERENCE DATE TO THE INTERNAL REVENUE CODE USED TO DEFINE AND DETERMINE CERTAIN STATE TAX PROVISIONS; TO CONFORM TO THE FEDERAL ANNUAL EXCLUSION AMOUNT FOR GIFT TAXES; TO DELAY THE EFFECT OF ACCELERATED DEPRECIATION UNDER SECTION 168 OF THE CODE AND SECTION 1400L OF THE CODE; TO DISREGARD THE PHASE-OUT OF THE STATE DEATH TAX CREDIT UNDER THE CODE; TO ALLOW THE SECRETARY OF REVENUE TO RECOUP A PORTION OF THE COSTS OF ADMINISTERING THE UNAUTHORIZED SUBSTANCES TAX FROM LOCAL SALES AND USE TAX DISTRIBUTIONS; TO SET THE INSURANCE REGULATORY FEE AND THE PUBLIC UTILITY REGULATORY FEES; TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR; TO CONFORM THE DEFINITION OF BUSINESS INCOME TO FEDERAL STANDARDS; TO PROVIDE THAT IN APPORTIONING CORPORATE INCOME TO THIS STATE FOR INCOME TAX PURPOSES, SALES IN ANOTHER STATE OR COUNTRY WHERE THEY ARE NOT TAXABLE ARE NOT CONSIDERED; TO CLOSE A LOOPHOLE IN THE 2001 LEGISLATION INTENDED TO CLOSE A LOOPHOLE THAT ALLOWS CORPORATIONS TO AVOID FRANCHISE TAX LIABILITY BY TRANSFERRING ASSETS TO A LIMITED LIABILITY COMPANY; AND TO ENLARGE THE CLASS OF TAXPAYERS ELIGIBLE FOR AN ENHANCED CREDIT FOR INVESTING IN LOW-INCOME HOUSING IN A COUNTY THAT SUSTAINED SEVERE OR MODERATE DAMAGE FROM A HURRICANE IN 1999, is withdrawn from the Calendar and referred to the Committee on Finance.

July 23, 2002

**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. 1508** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE READINESS FOR AND TO IMPROVE MANAGEMENT OF A PUBLIC HEALTH THREAT THAT MAY RESULT FROM AN ACT OF TERRORISM USING NUCLEAR, BIOLOGICAL, OR CHEMICAL AGENTS AS RECOMMENDED BY THE NORTH CAROLINA PUBLIC HEALTH STUDY COMMISSION, 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.

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

**H.J.R. 1526**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LISTON BRYAN RAMSEY, FORMER MEMBER AND SPEAKER OF THE HOUSE OF REPRESENTATIVES, with a favorable report as to the committee substitute joint resolution, unfavorable as to the original joint resolution.

Pursuant to Rule 36(b), the committee substitute joint resolution is placed on the Calendar of July 24. The original joint resolution is placed on the Unfavorable Calendar.

**BILL WITHDRAWN FROM COMMITTEE**

On motion of the Chair, and without objection, **S.J.R. 1474**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BASCOM LAMAR LUNSFORD ON THE OCCASION OF THE SEVENTY-FIFTH ANNIVERSARY OF THE MOUNTAIN DANCE AND FOLK FESTIVAL, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and placed on the Calendar for immediate consideration.

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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 enrolled.

On motion of Representative Culpepper, seconded by Representative Jeffus, the House adjourns at 4:57 p.m. to reconvene July 24 at 2:00 p.m.

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## **TWO HUNDRED THIRTEENTH DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, July 24, 2002

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, House Chaplain:

"Merciful God:

"Your omniscience astounds us, particularly Your ability to hear the cries and petitions of all people at the same time. Today, we add to these petitions. The time has come for us to put numbers down on paper...to cut and paste...to edit and revise. There is so much to do, and there is simply no way that everyone is going to agree on everything. But, of course, You already know this, don't You? What advice would You offer those who have to oversee these difficult budget decisions? Where do we hold our ground? When do we compromise? Do we dig a foxhole and bury ourselves, or should we be intentional and non-confrontational, inviting opinions and ideas from all sides? Do we walk the party lines, strictly speaking, or is there room for everyone at the table? The pressure is here, now. We need Your help in knowing how to behave and how to be involved in constructive discourse. Our actions and debates are now food for the public to taste and to determine if what is on their plates is edible or needs to be thrown away. Remind us, dear God, that we are not alone, here. We do not have to travel this highway without divine guidance. Why go it alone, when you are right here with us? What would You have us to do? Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 23 has been examined and found correct. Upon his motion, the Journal is approved as written.

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Leaves of absence are granted Representatives Blue, Easterling, Eddins, and Hiatt for today. Representative McLawhorn is excused for a portion of the session.

### ENROLLED BILLS

The following bill is duly ratified and presented to the Governor:

**H.B. 1583**, AN ACT TO ESTABLISH THE LEGAL EFFECT OF THE USE OF ELECTRONIC TECHNOLOGY IN CRIMINAL PROCESS AND PROCEDURE, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION.

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

**S.B. 1357**, AN ACT TO MAKE CHANGES TO DURHAM COUNTY OCCUPANCY TAX PROVISIONS.

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

**S.J.R. 1474**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BASCOM LAMAR LUNSFORD ON THE OCCASION OF THE SEVENTY-FIFTH ANNIVERSARY OF THE MOUNTAIN DANCE AND FOLK FESTIVAL. (RESOLUTION 2002-5)

### 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. 1135** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO USE THE DESIGN-BUILD METHOD OF CONTRACTING FOR THE MULTILANING OF US HIGHWAY 601 FROM THE SOUTH CAROLINA STATE LINE TO US HIGHWAY 74 IN UNION COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 25.

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**MESSAGES FROM THE SENATE**

The following is received from the Senate:

**S.B. 1395** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITATIONS ON RAIL TRANSPORTATION LIABILITY FOR PASSENGER RAIL SERVICES IN MECKLENBURG COUNTY AND MUNICIPALITIES IN MECKLENBURG COUNTY, is read the first time and referred to the Committee on Transportation.

**CALENDAR**

Action is taken on the following:

**H.J.R. 1526** (Committee Substitute), A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LISTON BRYAN RAMSEY, FORMER MEMBER AND SPEAKER OF THE HOUSE OF REPRESENTATIVES, is moved up on today's Calendar.

The resolution 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 by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1670** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH, SET, OR MODIFY VARIOUS FEES, is moved up on today's Calendar.

Representative Fox offers Amendment No. 1, which is ruled to be material. The amendment is adopted by the following vote.

Those voting in the affirmative are: Speaker Black; Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Bonner, Bowie, Boyd-McIntyre, Church, Coates, Cole, Cox, Culp, Culpepper, Dedmon, Edwards, Fox, Gibson, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Hensley, Hill, Holliman, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, McAllister, McComas, McLawhorn, McMahan, Michaux, Miller, Mitchell, Nesbitt, Nye, Owens, Pope, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Sutton, Tolson, Tucker,

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Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Womble, Wright, and Yongue - 73.

Voting in the negative: Representatives Barbee, Barnhart, Bell, Blust, Brubaker, Buchanan, Capps, Carpenter, Clary, M. Crawford, Creech, Daughtry, Davis, Decker, Dockham, Earle, Ellis, Esposito, Gillespie, Gray, Hilton, Holmes, Johnson, Kiser, McCombs, Miner, Morgan, Morris, Preston, Rayfield, Setzer, Shubert, Starnes, Teague, Thompson, C. Wilson, and G. Wilson - 37.

Excused absences: Representatives Blue, Easterling, Eddins, and Hiatt - 4.

Representative Hensley offers Amendment No. 2 which is adopted by electronic vote (78-34).

Representative Hensley offers Amendment No. 3 which fails of adoption by electronic vote (52-59).

The Speaker stops debate and attends to the following business.

#### **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. 1518**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INFORMAL BID LIMIT FOR DEPARTMENT OF TRANSPORTATION PROJECTS, AND TO INCREASE FROM THREE TO TWENTY THE LIMIT ON THE NUMBER OF DESIGN-BUILD PROJECTS THE DEPARTMENT OF TRANSPORTATION MAY AWARD EACH YEAR, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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. 1611**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN

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TRANSYLVANIA COUNTY AND TO REQUIRE PERMISSION BEFORE HUNTING ON THE LAND OF ANOTHER IN TRANSYLVANIA COUNTY, with a favorable report as to the committee substitute bill, unfavorable as to the 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. 1635**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW REGULATING FOXHUNTING IN HARNETT COUNTY, with a favorable report.

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

**H.B. 1651**, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING IN PITT COUNTY, with a favorable report as to the committee substitute bill, unfavorable as to the 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. 1271**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE USE OF CENTER-FIRE WEAPONS IN SCOTLAND COUNTY, 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. 1502**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE SANDERS FOREST AND BENT TREE PLANTATION COMMUNITIES IN BRUNSWICK COUNTY, with a favorable report.

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

**H.B. 1623**, A BILL TO BE ENTITLED AN ACT TO CLASSIFY BRUNSWICK COUNTY AS A HIGH HAZARD COUNTY WITH RESPECT TO THE REGULATION OF OPEN FIRES, with a favorable report.

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

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**S.B. 1394**, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE CITY OF CHARLOTTE MAY BY RESOLUTION DEEM THE CREATION OF A SELF-FUNDED RISK PROGRAM AS THE PURCHASE OF INSURANCE FOR THE PURPOSE OF WAIVING GOVERNMENTAL IMMUNITY, with a favorable report.

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

By Representatives Cox and Barefoot, Chairs, for the Committee on Pensions and Retirement:

**H.B. 1724**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUS OF TEACHERS PARTICIPATING IN FOREIGN EXCHANGE PROGRAMS FOR PURPOSES OF RETIREMENT AND TENURE, with a favorable report as to the committee substitute bill, unfavorable as to the 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. 1670** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH, SET, OR MODIFY VARIOUS FEES, is before the Body.

Representative Hensley offers Amendment No. 4.

Representative Hensley withdraws his amendment.

Representative Haire offers Amendment No. 5, which is ruled to be material.

Amendment No. 5 is temporarily displaced.

Representative Earle offers Amendment No. 6 which is adopted by electronic vote (112-0).

Representative Nesbitt offers Amendment No. 7 which is adopted by electronic vote (58-52).

Representative Morgan states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". Representatives Clary and

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Sutton state that their voting equipment malfunctioned and they request to change their votes from "no" to "aye". These requests are granted. The adjusted vote total is (61-50).

Amendment No. 5, which was temporarily displaced, is before the Body.

Amendment No. 5 fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Alexander, Allen, Baddour, Barefoot, Bell, Bonner, Boyd-McIntyre, Buchanan, Church, Cole, Cox, J. Crawford, Culpepper, Cunningham, Dedmon, Earle, Edwards, Fox, Gibson, Hackney, Haire, Hall, Hill, Holliman, Hunter, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, Miller, Nesbitt, Nye, Owens, Pope, Redwine, Rogers, Saunders, Sherrill, Smith, Sutton, Tolson, Tucker, Wainwright, Warner, Warren, Warwick, Weiss, West, Willingham, Womble, and Yongue - 53.

Voting in the negative: Representatives Adams, Allred, Arnold, Baker, Barbee, Barnhart, Blust, Bowie, Brubaker, Capps, Carpenter, Clary, Coates, M. Crawford, Creech, Culp, Daughtry, Davis, Decker, Dockham, Ellis, Esposito, Gillespie, Goodwin, Grady, Gray, Gulley, Harrington, Hensley, Hilton, Holmes, Howard, Johnson, Kiser, McAllister, McComas, McCombs, McMahan, Michaux, Miner, Mitchell, Morgan, Morris, Preston, Rayfield, Russell, Setzer, Sexton, Shubert, Starnes, Teague, Thompson, Underhill, Walend, Walker, Weatherly, C. Wilson, G. Wilson, and Wright - 59.

Excused absences: Representatives Blue, Easterling, Eddins, Hiatt, and McLawhorn - 5.

Representative Hensley resubmits Amendment No. 4.

Representative C. Wilson inquires of the Chair if the amendments adopted are material, can second reading be voted on today. The Speaker states they are not constitutional roll calls, so without objection, the readings can be taken today.

Amendment No. 4 is adopted by electronic vote (111-1).

Without objection, the bill, as amended, passes its second roll call reading, by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Baker, Barefoot, Barnhart, Bell, Blust, Bonner,

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Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Edwards, Esposito, Fox, Gibson, Goodwin, Gray, Gulley, Hackney, Haire, Hall, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, McAllister, McComas, McCombs, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Owens, Preston, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 94.

Voting in the negative: Representatives Allred, Capps, M. Crawford, Creech, Davis, Ellis, Gillespie, Grady, Harrington, Hensley, Hilton, Johnson, Kiser, Miner, Pope, Rayfield, and Starnes - 17.

Excused absences: Representatives Blue, Easterling, Eddins, Hiatt, and McLawhorn - 5.

Representative Redwine inquires of the Chair if the bill can have its third reading today. The Speaker states that it can.

Without objection, 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, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Edwards, Esposito, Fox, Gibson, Goodwin, Gray, Gulley, Hackney, Haire, Hall, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, McAllister, McComas, McCombs, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Owens, Pope, Preston, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 97.

Voting in the negative: Representatives Allred, M. Crawford, Creech, Davis, Ellis, Gillespie, Grady, Harrington, Hensley, Hilton, Johnson, Kiser, Miner, Rayfield, and Starnes - 15.

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Excused absences: Representatives Blue, Easterling, Eddins, Hiatt, and McLawhorn - 5.

#### **WITHDRAWAL OF BILLS FROM CALENDAR**

On motion of Representative Culpepper and without objection, **S.B. 712** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE EIGHT-YEAR TERMS FOR DISTRICT COURT JUDGES, is withdrawn from the Calendar and placed on the Calendar of July 31.

On motion of Representative Culpepper and without objection, **S.B. 1429** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM TO CONFORM WITH THE PROVISIONS OF THE ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION ACT OF 2001, is withdrawn from the Calendar and placed on the Calendar of July 31.

Representative Culpepper moves, seconded by Representative Insko, that the House adjourn, subject to the receipt of Committee Reports, to reconvene July 25 at 10:05 a.m.

The motion carries.

#### **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:

**S.B. 1292** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELAY THE INCREASE IN THE CHILD TAX CREDIT BY ONE YEAR; TO DELAY THE INCREASE IN THE STANDARD DEDUCTION FOR MARRIED PERSONS BY ONE YEAR; TO UPDATE THE REFERENCE DATE TO THE INTERNAL REVENUE CODE USED TO DEFINE AND DETERMINE CERTAIN STATE TAX PROVISIONS; TO CONFORM TO THE FEDERAL ANNUAL EXCLUSION AMOUNT FOR GIFT TAXES; TO DELAY THE EFFECT OF ACCELERATED DEPRECIATION UNDER SECTION 168 OF THE

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CODE AND SECTION 1400L OF THE CODE; TO DISREGARD THE PHASE-OUT OF THE STATE DEATH TAX CREDIT UNDER THE CODE; TO ALLOW THE SECRETARY OF REVENUE TO RECOUP A PORTION OF THE COSTS OF ADMINISTERING THE UNAUTHORIZED SUBSTANCES TAX FROM LOCAL SALES AND USE TAX DISTRIBUTIONS; TO SET THE INSURANCE REGULATORY FEE AND THE PUBLIC UTILITY REGULATORY FEES; TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR; TO CONFORM THE DEFINITION OF BUSINESS INCOME TO FEDERAL STANDARDS; TO PROVIDE THAT IN APPORTIONING CORPORATE INCOME TO THIS STATE FOR INCOME TAX PURPOSES, SALES IN ANOTHER STATE OR COUNTRY WHERE THEY ARE NOT TAXABLE ARE NOT CONSIDERED; TO CLOSE A LOOPHOLE IN THE 2001 LEGISLATION INTENDED TO CLOSE A LOOPHOLE THAT ALLOWS CORPORATIONS TO AVOID FRANCHISE TAX LIABILITY BY TRANSFERRING ASSETS TO A LIMITED LIABILITY COMPANY; AND TO ENLARGE THE CLASS OF TAXPAYERS ELIGIBLE FOR AN ENHANCED CREDIT FOR INVESTING IN LOW-INCOME HOUSING IN A COUNTY THAT SUSTAINED SEVERE OR MODERATE DAMAGE FROM A HURRICANE IN 1999, 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 of July 25. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

The House stands adjourned at 7:45 p.m.

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## **TWO HUNDRED FOURTEENTH DAY**

HOUSE OF REPRESENTATIVES  
Thursday, July 25, 2002

The House meets at 10:05 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

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"Loving God:

"You hold all the powers of life and death in Your hands. You possess all knowledge and can see into every human heart. You are so great, why should You care about us? What are we that we should be mindful of You? We are Your creation carefully and deliberately molded by Your mighty but gentle hands. Yet, we are more than mere creations, aren't we? You call us Your very own. We are Your children. Indeed, You have put a claim on our lives. You created us to love and to serve. Your desire is for us to understand and respect each other, not just as strangers passing on the street, but to see all people as equal, indeed as brothers and sisters. Wonderful God, Friend of all, grant unto us a special dispensation of remembrance so that in our mutual laughter and toils together, we would see and welcome one another just as You see and welcome us. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 24 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue, Easterling, Eddins, Hiatt, Hurley, and Teague for today. Representatives Gray, Justus, Tucker, and Warwick are excused for a portion of the session.

#### **ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

**H.B. 1747**, AN ACT TO AUTHORIZE THE BOARD OF CHIROPRACTIC EXAMINERS TO COLLECT A FEE FOR THE ANNUAL RECERTIFICATION OF CHIROPRACTIC DIAGNOSTIC IMAGING TECHNICIANS.

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

**H.J.R. 1526**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LISTON BRYAN RAMSEY, FORMER MEMBER AND SPEAKER OF THE HOUSE OF REPRESENTATIVES. (RESOLUTION 2002-6)

#### **CHAPTERED BILLS**

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

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**S.B. 1357**, AN ACT TO MAKE CHANGES TO DURHAM COUNTY OCCUPANCY TAX PROVISIONS. (S.L. 2002-36)

### INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Edwards, Allen, Baddour, Black, Cox, Culpepper, Cunningham, Hackney, Hensley, Hunter, Jarrell, Oldham, Rogers, and Smith:

**H.J.R. 1779**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HOWARD B. CHAPIN, FORMER MEMBER OF 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.J.R. 1368** (Committee Substitute), A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MYRTLE ELEANOR "LULU BELLE" COOPER WISEMAN STAMEY, FORMER MEMBER OF THE GENERAL ASSEMBLY, AND CELEBRATING THE YEAR OF APPALACHIA, is read the first time.

Without objection, Rule 41(a) is suspended and the resolution is placed on today's Calendar.

**S.B. 1008** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE POSSESSION OR OPERATION OF VIDEO GAMING MACHINES EXCEPT BY A FEDERALLY RECOGNIZED INDIAN TRIBE AS AUTHORIZED BY THE INDIAN GAMING REGULATORY ACT AND A VALID TRIBAL-STATE COMPACT, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 1163**, A BILL TO BE ENTITLED AN ACT PROVIDING FOR VOLUNTARY FLEXIBLE WORK SCHEDULES FOR STATE EMPLOYEES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

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**S.B. 1329** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PAY THE NONBETTERMENT RELOCATION COST FOR MOVING A COUNTY-OWNED GAS LINE LOCATED ON A DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY IF THE GAS LINE MUST BE MOVED DUE TO A DEPARTMENT OF TRANSPORTATION CONSTRUCTION PROJECT, 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:

**S.B. 1292** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ACCELERATE THE ADDITIONAL LOCAL OPTION SALES TAX, THE REPEAL OF REIMBURSEMENTS, AND THE DECREASE IN THE STATE SALES TAX RATE; TO PROVIDE NO HOLD HARMLESS PAYMENTS IN THE 2002-2003 FISCAL YEAR OTHER THAN A PAYMENT EQUAL TO THE EXCESS, IF ANY, OF A LOCAL GOVERNMENT'S REPEALED REIMBURSEMENT AMOUNT OVER THREE TIMES IT'S ESTIMATED PROCEEDS FROM THE NEW TAX; TO DELAY THE INCREASE IN THE CHILD TAX CREDIT BY ONE YEAR; TO DELAY THE INCREASE IN THE STANDARD DEDUCTION FOR MARRIED PERSONS BY ONE YEAR; TO UPDATE THE REFERENCE DATE TO THE INTERNAL REVENUE CODE USED TO DEFINE AND DETERMINE CERTAIN STATE TAX PROVISIONS; TO CONFORM TO THE FEDERAL ANNUAL EXCLUSION AMOUNT FOR GIFT TAXES; TO DELAY THE EFFECT OF ACCELERATED DEPRECIATION UNDER SECTION 168 OF THE CODE AND SECTION 1400L OF THE CODE; TO DISREGARD THE PHASE-OUT OF THE STATE DEATH TAX CREDIT UNDER THE CODE; TO ALLOW THE SECRETARY OF REVENUE TO RECOUP A PORTION OF THE COSTS OF ADMINISTERING THE UNAUTHORIZED SUBSTANCES TAX FROM LOCAL SALES AND USE TAX DISTRIBUTIONS; TO SET THE INSURANCE REGULATORY FEE AND THE PUBLIC UTILITY REGULATORY FEES; TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR; TO CONFORM THE DEFINITION OF BUSINESS INCOME TO FEDERAL STANDARDS; TO PROVIDE THAT IN APPORTIONING CORPORATE INCOME TO THIS STATE FOR INCOME TAX PURPOSES, SALES OF TANGIBLE PERSONAL PROPERTY IN ANOTHER STATE OR COUNTRY WHERE THE SALES ARE NOT TAXABLE ARE NOT CONSIDERED;

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TO CLOSE A LOOPHOLE IN THE 2001 LEGISLATION INTENDED TO CLOSE A LOOPHOLE THAT ALLOWS CORPORATIONS TO AVOID FRANCHISE TAX LIABILITY BY TRANSFERRING ASSETS TO A LIMITED LIABILITY COMPANY; AND TO ENLARGE THE CLASS OF TAXPAYERS ELIGIBLE FOR AN ENHANCED CREDIT FOR INVESTING IN LOW-INCOME HOUSING IN A COUNTY THAT SUSTAINED SEVERE OR MODERATE DAMAGE FROM A HURRICANE IN 1999, 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: Speaker Black; Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barbee, Barefoot, Bell, Bonner, Bowie, Boyd-McIntyre, Buchanan, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Decker, Dedmon, Dockham, Earle, Edwards, Esposito, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Hensley, Hill, Holliman, Holmes, Hunter, Insko, Jarrell, Jeffus, Lucas, Luebke, McAllister, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morris, Nesbitt, Nye, Owens, Preston, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Smith, Sutton, Thompson, Tolson, Underhill, Wainwright, Walend, Warner, Warren, Warwick, Weiss, Willingham, G. Wilson, Womble, Wright, and Yongue - 84.

Voting in the negative: Representatives Arnold, Barnhart, Blust, Brubaker, Capps, Carpenter, Creech, Daughtry, Davis, Ellis, Gillespie, Harrington, Hilton, Howard, Johnson, Kiser, McComas, Miner, Morgan, Pope, Rayfield, Shubert, Starnes, Weatherly, West, and C. Wilson - 26.

Excused absences: Representatives Blue, Easterling, Eddins, Hiatt, Hurley, Justus, Teague, and Tucker - 8.

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

The following Special Message is received from the Senate:

**S.B. 1112** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONTINUE THE LAW MAKING CERTAIN MODIFICATIONS TO THE APPROPRIATIONS ACT OF 2001, is read the first time.

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Without objection, Rule 41(a) is suspended and the bill is placed on the Calendar for immediate consideration.

The bill passes its second reading, by electronic vote (98-9), and there being no objection is read a third time.

Representative J. Crawford states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (99-9).

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

#### **CALENDAR (continued)**

**S.J.R. 1368** (Committee Substitute), A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MYRTLE ELEANOR "LULU BELLE" COOPER WISEMAN STAMEY, FORMER MEMBER OF THE GENERAL ASSEMBLY, AND CELEBRATING THE YEAR OF APPALACHIA, 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 enrolled.

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

The following Special Message is received from the Senate:

**S.J.R. 1473**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES EDWARD TAYLOR, THE WORLD'S FIRST AIRPLANE MECHANIC, AND URGING THE CITIZENS OF THIS STATE TO RECOGNIZE MAY 24 OF EACH YEAR AS NORTH CAROLINA AVIATION MAINTENANCE TECHNICIAN DAY IN HONOR OF CHARLES EDWARD TAYLOR AND ALL THE AVIATION MAINTENANCE TECHNICIANS WHO HAVE FOLLOWED IN HIS FOOTSTEPS, is read the first time.

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 (97-0), and there being no objection is read a third time.

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The resolution passes its third reading and is ordered enrolled.

**CALENDAR (continued)**

**H.B. 1745**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE 300 PLATE REQUIREMENT FROM SPECIAL LICENSE PLATES FOR WORLD WAR II AND KOREAN CONFLICT VETERANS' PLATES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Black; Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hill, Hilton, Holliman, Holmes, Hunter, Jeffus, Johnson, Lucas, Luebke, McAllister, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Shubert, Smith, Starnes, Thompson, Tolson, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, G. Wilson, Womble, Wright, and Yongue - 98.

Voting in the negative: Representatives Creech, Hensley, Kiser, and Sutton - 4.

Excused absences: Representatives Blue, Easterling, Eddins, Gray, Hiatt, Hurley, Justus, Teague, and Tucker - 9.

**ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

**S.B. 1112**, AN ACT TO CONTINUE THE LAW MAKING CERTAIN MODIFICATIONS TO THE APPROPRIATIONS ACT OF 2001.

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

**S.J.R. 1368**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MYRTLE ELEANOR "LULU BELLE" COOPER WISEMAN

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STAMEY, FORMER MEMBER OF THE GENERAL ASSEMBLY, AND CELEBRATING THE YEAR OF APPALACHIA. (RESOLUTION 2002-7)

### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1640**, A BILL TO BE ENTITLED AN ACT TO INCLUDE THE TOWN OF DUCK AS A MUNICIPALITY AUTHORIZED TO REGULATE AND CONTROL SWIMMING, PERSONAL WATER-CRAFT, SURFING, AND LITTERING IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWN WITHIN ITS BOUNDARIES OR WITHIN ITS EXTRA-TERRITORIAL JURISDICTION, 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, **S.B. 887**, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL AUTHORITY FOR MAGISTRATES WHO ARE LICENSED TO PRACTICE LAW, 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, seconded by Representative Earle, the House adjourns at 12:44 p.m. to reconvene Monday, July 29, 2002, at 7:05 p.m.

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## TWO HUNDRED FIFTEENTH DAY

HOUSE OF REPRESENTATIVES  
Monday, July 29, 2002

The House meets at 7:05 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Lord, we want to be more holy in our hearts. There is the citadel of all our desires, where all our hopes are born and the deep resolutions of our spirit take wings. In our hearts our loves are cherished, and all the deep

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hungers of our spirit are honored without quivering and without shock. In our hearts, above all else, let love and integrity envelop us until our love is perfected and the last vestige of our desiring is no longer in conflict with Thee. Lord, we want to be more holy in our hearts. Amen."

Written by:  
Howard Thurman, USA,  
20<sup>th</sup> Century

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 25 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Easterling, Gray, Hiatt, Saunders, and Wright for today.

### ENROLLED BILLS

The following bill is duly ratified and presented to the Governor:

**H.B. 1552**, AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO DELAY THE EFFECTIVE DATE OF THE LOCKSMITH LICENSING ACT AND TO ALLOW THE LOCKSMITH LICENSING BOARD TO ADOPT TEMPORARY RULES.

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

**H.B. 1484**, AN ACT REPEALING THE SECTION OF THE CHARTER OF THE CITY OF TRINITY THAT PROHIBITS THE CITY COUNCIL FROM HOLDING CLOSED SESSIONS AS AUTHORIZED UNDER THE GENERAL LAW.

**H.B. 1486**, AN ACT TO ESTABLISH A NO-WAKE ZONE IN THE VICINITY OF THE ROANOKE RIVER BRIDGE ON HIGHWAY 17 IN BERTIE COUNTY.

**H.B. 1599**, AN ACT TO CHANGE THE COMPOSITION OF THE TOWN OF ANGIER BOARD OF ALCOHOLIC CONTROL FROM THREE TO FIVE MEMBERS.

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**H.B. 1607**, AN ACT TO REPEAL THE LINCOLNTON FIREMEN'S SUPPLEMENTAL RETIREMENT FUND.

**H.B. 1615**, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CHINA GROVE.

**H.B. 1666**, AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM.

**H.B. 1683**, AN ACT TO PROVIDE FOR STAGGERED TERMS FOR THE SEVEN SEPARATE SEATS ON THE WAYNE COUNTY BOARD OF COMMISSIONERS.

**H.B. 1684**, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF THOMASVILLE.

**H.B. 1690**, AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CANDOR, AND OTHER DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF NORWOOD.

**H.B. 1698**, AN ACT AUTHORIZING THE DEPARTMENT OF CULTURAL RESOURCES TO ERECT A SECOND HISTORICAL MARKER COMMEMORATING AN INDIVIDUAL.

**H.B. 1723**, AN ACT TO AMEND THE CARRBORO TOWN CHARTER TO AUTHORIZE THE BOARD OF ALDERMEN TO ABOLISH A TRUST FUND SPECIFICALLY AUTHORIZED BY STATUTE TO BE CREATED BY A CITY UPON CONDITION THAT THE TOWN APPROPRIATES ALL FUNDS CONTAINED THEREIN FOR THE PURPOSE OR PURPOSES FOR WHICH THE FUND WAS ESTABLISHED.

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

**S.J.R. 1473**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES EDWARD TAYLOR, THE WORLD'S FIRST AIRPLANE MECHANIC, AND URGING THE CITIZENS OF THIS STATE TO RECOGNIZE MAY 24 OF EACH YEAR AS NORTH CAROLINA AVIATION MAINTENANCE TECHNICIAN DAY IN HONOR OF CHARLES EDWARD TAYLOR AND ALL THE AVIATION MAINTENANCE TECHNICIANS WHO HAVE FOLLOWED IN HIS FOOTSTEPS. (RESOLUTION 2002-8)

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**REPORTS OF STANDING COMMITTEES AND PERMANENT  
SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**S.B. 1054** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REFORM THE METHOD OF ELECTING SUPREME COURT JUSTICES AND COURT OF APPEALS JUDGES AND TO ESTABLISH A FAIR ELECTIONS FUND THAT PROVIDES CANDIDATES FOR THESE OFFICES WITH AN ALTERNATIVE MEANS OF FINANCING THEIR CAMPAIGNS, with a favorable report as to the House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2, 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. 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. 1520** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON TAX CREDITS FOR QUALIFIED BUSINESS INVESTMENTS AND TO AMEND THE DEFINITION OF QUALIFIED GRANTEE BUSINESS, is returned for concurrence in Senate amendment and referred to the Committee on Finance.

Upon concurrence, the Senate amendment changes the title.

The Speaker rules the Senate amendment to be material, thus constituting its first reading.

**H.B. 1546** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CERTAIN OCCUPANCY LIMITATIONS FOR VEHICLES DRIVEN BY LEVEL 2 DRIVERS WITH LIMITED PROVISIONAL LICENSES, is returned for concurrence in 3 Senate amendments.

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

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Senate Committee Substitute for **H.B. 1662** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS, is returned for concurrence in the 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. 1211** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE BOONE'S CAVE STATE NATURAL AREA AND A PORTION OF BALDHEAD ISLAND STATE NATURAL AREA FROM THE STATE NATURE AND HISTORIC PRESERVE, TO REMOVE THESE PROPERTIES FROM THE STATE PARKS SYSTEM, TO AUTHORIZE THE TRANSFER OF THESE PROPERTIES FOR LIMITED PURPOSES, AND TO ALLOW CERTAIN PUBLIC ENTITIES TO USE THE FIRE TOWER AT MOUNT JEFFERSON STATE NATURAL AREA FOR PUBLIC COMMUNICATION PURPOSES, is read the first time and referred to the Committee on Environment and Natural Resources.

**S.B. 1218**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF TAX LAWS BY CRIMINALIZING OR INCREASING THE PENALTY FOR CERTAIN FORMS OF TAX FRAUD AND BY ALLOWING THE DEPARTMENT OF REVENUE TO DISCLOSE CERTAIN INFORMATION TO LAW ENFORCEMENT AGENCIES, is read the first time and referred to the Committee on Judiciary I.

**S.B. 1227** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN STATUTES RELATED TO LAND-USE RESTRICTIONS AND RECORDATION OF THOSE RESTRICTIONS IN CONNECTION WITH THE CLEANUP OF RELEASES FROM PETROLEUM UNDERGROUND STORAGE TANKS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Environment and Natural Resources.

**S.J.R. 1469** (Committee Substitute), A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILLIAM JOSEPH GASTON ON THE

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225TH ANNIVERSARY OF HIS BIRTH, 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:

**S.B. 1292** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ACCELERATE THE ADDITIONAL LOCAL OPTION SALES TAX, THE REPEAL OF REIMBURSEMENTS, AND THE DECREASE IN THE STATE SALES TAX RATE; TO PROVIDE NO HOLD HARMLESS PAYMENTS IN THE 2002-2003 FISCAL YEAR OTHER THAN A PAYMENT EQUAL TO THE EXCESS, IF ANY, OF A LOCAL GOVERNMENT'S REPEALED REIMBURSEMENT AMOUNT OVER THREE TIMES IT'S ESTIMATED PROCEEDS FROM THE NEW TAX; TO DELAY THE INCREASE IN THE CHILD TAX CREDIT BY ONE YEAR; TO DELAY THE INCREASE IN THE STANDARD DEDUCTION FOR MARRIED PERSONS BY ONE YEAR; TO UPDATE THE REFERENCE DATE TO THE INTERNAL REVENUE CODE USED TO DEFINE AND DETERMINE CERTAIN STATE TAX PROVISIONS; TO CONFORM TO THE FEDERAL ANNUAL EXCLUSION AMOUNT FOR GIFT TAXES; TO DELAY THE EFFECT OF ACCELERATED DEPRECIATION UNDER SECTION 168 OF THE CODE AND SECTION 1400L OF THE CODE; TO DISREGARD THE PHASE-OUT OF THE STATE DEATH TAX CREDIT UNDER THE CODE; TO ALLOW THE SECRETARY OF REVENUE TO RECOUP A PORTION OF THE COSTS OF ADMINISTERING THE UNAUTHORIZED SUBSTANCES TAX FROM LOCAL SALES AND USE TAX DISTRIBUTIONS; TO SET THE INSURANCE REGULATORY FEE AND THE PUBLIC UTILITY REGULATORY FEES; TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR; TO CONFORM THE DEFINITION OF BUSINESS INCOME TO FEDERAL STANDARDS; TO PROVIDE THAT IN APPORTIONING CORPORATE INCOME TO THIS STATE FOR INCOME TAX PURPOSES, SALES OF TANGIBLE PERSONAL PROPERTY IN ANOTHER STATE OR COUNTRY WHERE THE SALES ARE NOT TAXABLE ARE NOT CONSIDERED; TO CLOSE A LOOPHOLE IN THE 2001 LEGISLATION INTENDED TO CLOSE A LOOPHOLE THAT ALLOWS CORPORATIONS TO AVOID FRANCHISE TAX LIABILITY BY TRANSFERRING ASSETS TO A LIMITED LIABILITY COMPANY; AND TO ENLARGE THE CLASS OF TAXPAYERS ELIGIBLE FOR AN ENHANCED CREDIT FOR INVESTING IN LOW-INCOME HOUSING

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IN A COUNTY THAT SUSTAINED SEVERE OR MODERATE DAMAGE FROM A HURRICANE IN 1999, is moved up on today's Calendar.

Representative Allred offers Amendment No. 1 which fails of adoption by electronic vote (42-71).

The bill passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

Those voting in the affirmative are: Speaker Black; Representatives Adams, Alexander, Allen, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blue, Bonner, Bowie, Boyd-McIntyre, Buchanan, Church, Clary, Coates, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Dedmon, Dockham, Earle, Edwards, Esposito, Fox, Gibson, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Hensley, Hill, Holliman, Holmes, Hunter, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, McAllister, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Redwine, Rogers, Russell, Setzer, Sexton, Sherrill, Smith, Sutton, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weiss, Willingham, Womble, and Yongue - 82.

Voting in the negative: Representatives Allred, Barnhart, Blust, Brubaker, Capps, Carpenter, Creech, Daughtry, Davis, Decker, Eddins, Ellis, Gillespie, Harrington, Hilton, Howard, Johnson, Justus, Kiser, McComas, Miner, Morgan, Pope, Rayfield, Shubert, Starnes, Teague, Thompson, Weatherly, West, C. Wilson, and G. Wilson - 32.

Excused absences: Representatives Easterling, Gray, Hiatt, Saunders, and Wright - 5.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 1533**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BERTIE, DURHAM, HERTFORD, AND NORTHAMPTON COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

On motion of Representative Hunter, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (112-1), and the bill is ordered enrolled.

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Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1538** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO DISTRIBUTION TO KNOWN BUT UNLOCATED DEVISEES OR HEIRS TO CONFORM TO THE NORTH CAROLINA UNCLAIMED PROPERTY ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Culpepper, 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.

**H.B. 1668**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SOUTHPORT 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, Allen, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Carpenter, Church, Clary, Coates, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Edwards, Fox, Gibson, Goodwin, Grady, Gully, Hackney, Haire, Hall, Hensley, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Redwine, Rogers, Russell, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, Womble, and Yongue - 94.

Voting in the negative: Representatives Allred, Baker, Brubaker, Capps, M. Crawford, Creech, Davis, Decker, Eddins, Ellis, Esposito, Gillespie, Harrington, Hilton, Rayfield, Setzer, Shubert, and G. Wilson - 18.

Excused absences: Representatives Easterling, Gray, Hiatt, Saunders, and Wright - 5.

**S.B. 1132**, A BILL TO BE ENTITLED AN ACT TO REMOVE AN AREA FROM THE CORPORATE LIMITS OF THE TOWN OF ELLENBORO, 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, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps,

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Carpenter, Church, Clary, Coates, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, 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, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 112.

Voting in the negative: Representative Eddins.

Excused absences: Representatives Easterling, Gray, Hiatt, Saunders, and Wright - 5.

**S.B. 1300**, A BILL TO BE ENTITLED AN ACT CONCERNING A VOLUNTARY SATELLITE ANNEXATION OF CERTAIN DESCRIBED PROPERTY BY THE CITY OF NEWTON, 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, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, 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, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 112.

Voting in the negative: Representative Davis.

Excused absences: Representatives Easterling, Gray, Hiatt, Saunders, and Wright - 5.

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Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1627** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE REMOVAL OF FILED DD FORM 214 AND OTHER DISCHARGE PAPERS OR FOR THE REDACTING OF THE FORM OR FORMS WHEN A COPY IS REQUESTED BY PERSONS OTHER THAN THE FILER OR A MEMBER OF HIS FAMILY IN CRAVEN, NASH, AND PAMLICO 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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1657** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE DURHAM FIREMEN'S SUPPLEMENTAL 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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1516** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING PLANNING BY THE DEPARTMENT OF TRANSPORTATION, passes its second reading, by electronic vote (108-2), and there being no objection is read a third time.

Representatives Bowie, Cunningham, and Wainwright state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (111-2).

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1575** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN STATUTES RELATED TO LAND-USE RESTRICTIONS AND RECORDATION OF THOSE RESTRICTIONS IN CONNECTION WITH THE CLEANUP OF RELEASES FROM PETROLEUM UNDERGROUND STORAGE TANKS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

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The bill passes its third reading and is ordered sent to the Senate.

**S.B. 1135** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO USE THE DESIGN-BUILD METHOD OF CONTRACTING FOR THE MULTILANING OF US HIGHWAY 601 FROM THE SOUTH CAROLINA STATE LINE TO US HIGHWAY 74 IN UNION COUNTY, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

Representative Justus 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 enrolled and presented to the Governor.

### INTRODUCTION OF PAGES

Pages for the week of July 29 are introduced to the membership. They are: Caroline Leigh Batchelor of Mecklenburg; Allison Bowles of Davie; Brett Bowman of Pasquotank; Lauren Elizabeth Brooks of Person; Elizabeth Carver of Person; Koty Dove of Jones; Titus Dudley of Jones; Sara Ann Funderburk of Lincoln; Sharesa Griffin of Martin; Samuel Jordan Gunnells of Wake; Jonathan Hammill of Gaston; Bernadette Healy of Mecklenburg; Walter Gentry Martin of Forsyth; Rosalyn McMillan of Robeson; Brandon Mills of Forsyth; Nicole Moore of Person; Thomas A. Parker of Nash; Joshua Richardson of Pitt; Chase Schaap of Wake; Reagan E. Seeger of Henderson; Stephe Streater of Durham; and Nan Yang of Wake.

On motion of Representative Culpepper, seconded by Representative Boyd-McIntyre, the House adjourns at 7:54 p.m. to reconvene July 30 at 2:00 p.m.

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## TWO HUNDRED SIXTEENTH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, July 30, 2002

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

July 30, 2002

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Most glorious God, Creator of us all:

"We greet Thee on this day already entrenched in the mire of committees and debates and discussion and compromise. We thank You for the freedom of government we enjoy through which we can engage one another in honest and open debate...where we can hear differences of opinions and offer our own respective two cents worth. Good Lord, help us to see how our differences can actually help us keep our vision from becoming myopic and too near-sighted. Despite what some of us may truly believe, we, in fact, may not always be right. We need each other whether we know it or not, whether we like it or not. We need to hear fresh perspectives and other options. Thank You for giving us this freedom. Thank You for Your sovereign governance. May we always avail ourselves to the hearing of Your Word as You whisper, and from time to time, scream in our ears. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 29 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue, Hiatt, and Saunders for today.

#### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 1135**, AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO USE THE DESIGN-BUILD METHOD OF CONTRACTING FOR THE MULTILANING OF US HIGHWAY 601 FROM THE SOUTH CAROLINA STATE LINE TO US HIGHWAY 74 IN UNION COUNTY.

**H.B. 1538**, AN ACT TO AMEND THE LAW RELATING TO DISTRIBUTION TO KNOWN BUT UNLOCATED DEVISEES OR HEIRS TO CONFORM TO THE NORTH CAROLINA UNCLAIMED PROPERTY ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

**H.B. 1544**, AN ACT TO AMEND THE PROCESS BY WHICH A VARIANCE MAY BE GRANTED BY THE COASTAL RESOURCES COMMISSION UNDER THE COASTAL AREA MANAGEMENT ACT,

July 30, 2002

AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

**S.B. 1132**, AN ACT TO REMOVE AN AREA FROM THE CORPORATE LIMITS OF THE TOWN OF ELLENBORO.

**S.B. 1300**, AN ACT CONCERNING A VOLUNTARY SATELLITE ANNEXATION OF CERTAIN DESCRIBED PROPERTY BY THE CITY OF NEWTON.

**H.B. 1533**, AN ACT TO AUTHORIZE CERTAIN COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY AND TO MODIFY THE TIMETABLE FOR STOKES COUNTY OR ANY OF ITS MUNICIPALITIES TO ADOPT A SCHEDULE OF DISCOUNTS FOR PREPAYMENT OF PROPERTY TAXES.

**H.B. 1589**, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF PRINCETON.

**H.B. 1629**, AN ACT AUTHORIZING THE CITY OF THOMASVILLE TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE.

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

**H.J.R. 1675**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HUGH STEWART JOHNSON, JR., A FORMER MEMBER OF THE NORTH CAROLINA GENERAL ASSEMBLY. (RESOLUTION 2002-9)

#### **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. 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

July 30, 2002

ONE-HALF TIMES TEST, with a favorable report as to the House committee substitute bill, which changes the title, 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.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**S.B. 1133**, 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.

**S.B. 1371**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 707 OF THE 1963 SESSION LAWS RELATED TO CURRENT EXPENSE EXPENDITURES FROM LOCAL FUNDS FOR THE SCOTLAND COUNTY SCHOOLS, 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:

**S.B. 1114**, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CHARTER OF THE TOWN OF BADIN A PROVISION ON THE AD VALOREM TAX RATE, with a favorable report as to the House committee substitute bill, which changes the title, 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.

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

##### **2001 GENERAL ASSEMBLY SECOND SESSION 2002**

Senate Chamber  
July 29, 2002

Mr. Speaker:

July 30, 2002

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. 759** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITATIONS ON RAIL TRANSPORTATION LIABILITY, 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*

**SPECIAL MESSAGE FROM THE SENATE**

**2001 GENERAL ASSEMBLY  
SECOND SESSION 2002**

Senate Chamber  
July 29, 2002

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. 1292** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RAISE REVENUES TO SUPPORT THE CURRENT OPERATIONS OF STATE AND LOCAL GOVERNMENT, TO UPDATE THE REFERENCE DATE TO THE INTERNAL REVENUE CODE USED TO DEFINE AND DETERMINE CERTAIN STATE TAX PROVISIONS, AND TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR, and requests conferees. The President Pro Tempore appoints:

Senator Kerr, Co-Chair  
Senator Hoyle, Co-Chair  
Senator Rand  
Senator Ballance  
Senator Clodfelter  
Senator Plyler  
Senator Lee  
Senator Odom  
Senator Thomas  
Senator Wellons

July 30, 2002

Senator Soles  
Senator Hagan  
Senator Garrou

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 No. 2 for **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, is returned for concurrence in Senate Committee Substitute Bill No. 2 and referred to the Committee on Local Government I.

Upon concurrence, Senate Committee Substitute Bill No. 2 changes the title.

Senate Committee Substitute for **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, is returned for concurrence in the 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. 1646**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY

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TO THE CORPORATE LIMITS OF THE TOWN OF ROWLAND, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute bill changes the title.

**S.B. 1170** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING ADDITIONAL METHODS FOR BIDDING ON PUBLIC PROCUREMENT CONTRACTS, is read the first time and referred to the Committee on Science and Technology.

**S.B. 1210** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STREAMLINED PROGRAM FOR PERMITTING THE MANAGEMENT OF WINERY WASTEWATER, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 1219** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DISSOLUTION OF THE GASTONIA POLICEMEN'S SUPPLEMENTARY PENSION FUND, is read the first time and referred to the Committee on Pensions and Retirement.

**S.B. 1312** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF FAYETTEVILLE TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND HAVE THE OPTION OF DEMOLISHING THOSE BUILDINGS PURSUANT TO G.S. 160A-432, is read the first time and referred to the Committee on Local Government I.

**S.B. 1336** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO ESTABLISH A SMALL BUSINESS ENTERPRISE PROGRAM, is read the first time and referred to the Committee on Local Government I.

**S.B. 1350** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROHIBITION AGAINST HUNTING FROM THE RIGHT-OF-WAY IN HARNETT COUNTY, is read the first time and referred to the Committee on Wildlife Resources.

**S.B. 1351**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW REGULATING FOXHUNTING IN HARNETT COUNTY, is read the first time and referred to the Committee on Wildlife Resources.

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**S.B. 1367** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT BERTIE, COLUMBUS, AND GREENE COUNTIES, AND THE TOWN OF WINDSOR MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES, is read the first time and referred to the Committee on Local Government II.

**S.B. 1455** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAWS TO PREVENT SECURITIES FRAUD, TO PROHIBIT THE STATE FROM CONTRACTING WITH BUSINESSES THAT HAVE ANY OFFICERS OR DIRECTORS WHO HAVE BEEN CONVICTED OF SECURITIES FRAUD, AND TO PROHIBIT THE STATE FROM CONTRACTING WITH VENDORS THAT ARE INCORPORATED IN A TAX HAVEN COUNTRY BUT THE UNITED STATES IS THE PRINCIPAL MARKET FOR THE PUBLIC TRADING OF THEIR CORPORATION'S STOCK, 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:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1648** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COLLEGE OF THE ALBEMARLE TO ENTER INTO A LEASE AGREEMENT WITH THE YMCA.

On motion of Representative Owens, the House concurs in the Senate amendment, which changes the title, by electronic vote (113-0), and the bill is ordered enrolled.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1620** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF JONESVILLE TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT 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, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Carpenter, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon,

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Dockham, Earle, Easterling, Edwards, Ellis, Fox, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, 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, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Sexton, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, Womble, Wright, and Yongue - 95.

Voting in the negative: Representatives Allred, Baker, Barbee, Brubaker, Capps, Clary, Creech, Davis, Decker, Eddins, Esposito, Gillespie, Harrington, Hilton, Setzer, Sherrill, Shubert, Thompson, and G. Wilson - 19.

Excused absences: Representatives Blue, Hiatt, and Saunders - 3.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1195**, A BILL TO BE ENTITLED AN ACT TO CREATE AN OCCUPANCY TAX DISTRICT IN THE TOWN OF SEVEN DEVILS, AND TO AUTHORIZE THE SEVEN DEVILS TAX DISTRICT TO LEVY AN 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, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Carpenter, Church, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Edwards, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Hensley, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Preston, Redwine, Rogers, Russell, Sexton, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, Womble, Wright, and Yongue - 91.

Voting in the negative: Representatives Allred, Baker, Barbee, Brubaker, Capps, Clary, M. Crawford, Creech, Davis, Decker, Eddins, Ellis, Esposito, Gillespie, Harrington, Hilton, Kiser, Pope, Rayfield, Setzer, Sherrill, Shubert, Thompson, and G. Wilson - 24.

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Excused absences: Representatives Blue, Hiatt, and Saunders - 3.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1346** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF EDEN TO NEGOTIATE ANNEXATION CONTRACTS, 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, Daughtry, 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, 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, Setzer, Sexton, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 111.

Voting in the negative: Representatives Davis, Decker, Sherrill, and Shubert - 4.

Excused absences: Representatives Blue, Hiatt, and Saunders - 3.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1696** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE HIGHWAY PATROL TO ASSESS AND COLLECT FEES FOR PROVIDING ESCORTS FOR OVERSIZED AND HAZARDOUS SHIPMENTS ONLY WHEN REQUESTED BY THE SHIPPER OR WHEN REQUIRED BY LAW.

On motion of Representative Cole, the bill is temporarily displaced.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1160** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE

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REVENUE LAWS AND RELATED STATUTES AND TO PROVIDE A ONE-TIME EXTENSION TO THE TIME PERIOD IN WHICH A TAX-PAYER MAY SIGN A LETTER OF COMMITMENT WITH THE DEPARTMENT OF COMMERCE TO QUALIFY FOR A LOWER TIER DESIGNATION, 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, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Hensley, Hill, Hilton, 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, Rayfield, Redwine, Russell, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 105.

Voting in the negative: Representatives M. Crawford, Creech, Davis, Decker, Harrington, Kiser, McAllister, Miller, and Pope - 9.

Excused absences: Representatives Blue, Hiatt, and Saunders - 3.

Representative Ellis requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (106-9).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1508** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROMOTE READINESS FOR AND TO IMPROVE MANAGEMENT OF A PUBLIC HEALTH THREAT THAT MAY RESULT FROM AN ACT OF TERRORISM USING NUCLEAR, BIOLOGICAL, OR CHEMICAL AGENTS AND TO AMEND THE NORTH CAROLINA MEDICAL CARE COMMISSION'S RULE-MAKING AUTHORITY REGARDING STANDARDS AND CRITERIA FOR THE EDUCATION AND CREDENTIALING OF PERSONS TO ADMINISTER TREATMENT FOR ANAPHYLAXIS, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

July 30, 2002

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. 1519** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO REFUSE TO ISSUE A CERTIFICATE OF TITLE FOR, AND TO REFUSE OR CANCEL THE REGISTRATION OF, A MOTOR VEHICLE OWNED BY A MOTOR CARRIER THAT IS DETERMINED TO BE AN IMMINENT HAZARD; TO CLARIFY THE DEFINITION OF INTERSTATE AND INTRASTATE MOTOR CARRIER; TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DETERMINE THE SAFETY FITNESS OF INTRASTATE MOTOR CARRIERS; AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PROHIBIT THE INTRASTATE OPERATIONS OF A MOTOR CARRIER THAT IS DETERMINED TO BE AN IMMINENT HAZARD, 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.

**S.B. 1231**, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 116-19 BY DEFINING THE TERMS "NEEDY NORTH CAROLINA STUDENTS" AND "INSTITUTIONAL METHODOLOGY", 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.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Cole and without objection, **H.B. 1696** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE HIGHWAY PATROL TO ASSESS AND COLLECT FEES FOR PROVIDING ESCORTS FOR OVERSIZED AND HAZARDOUS SHIPMENTS ONLY WHEN REQUESTED BY THE SHIPPER OR WHEN REQUIRED BY LAW, which was temporarily displaced, is withdrawn from the Calendar and re-referred to the Appropriations Subcommittee on Transportation.

#### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

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**S.B. 1251** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MERGE THE DIVISION OF RADIATION PROTECTION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES INTO THE DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, TO CREATE THE RADIATION PROTECTION SECTION OF THE DIVISION OF ENVIRONMENTAL HEALTH, AND TO MAKE CONFORMING STATUTORY CHANGES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW 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 enrolled and presented to the Governor.

### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1636**, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL LOCAL SCHOOL ADMINISTRATIVE AGENCIES TO ENSURE THAT EVERY SCHOOL DEVELOP AND MAINTAIN AN INDIVIDUALIZED DIABETES CARE PLAN FOR A CHILD WITH DIABETES AT THE REQUEST OF THE CHILD'S PARENT OR GUARDIAN AND TO ASSIST THE CHILD WITH THE MANAGEMENT OF THE CHILD'S DIABETES IN ACCORDANCE WITH THE CHILD'S DIABETES CARE PLAN, TO PROVIDE IMMUNITY FROM LIABILITY, TO DIRECT THE STATE BOARD OF EDUCATION TO DISSEMINATE GUIDELINES, AND TO APPROPRIATE FUNDS, is withdrawn from the Committee on Education and re-referred to the Committee on Health.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 163** (Committee Substitute), 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 CHILDREN ADMINISTRATIVE UNITS IN WHICH GROUP HOMES FOR ARE LOCATED, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Education.

Representative Culpepper moves, seconded by Representative Bonner, that the House adjourn, subject to the receipt of Messages from the Senate and the appointment of conferees, to reconvene July 31 at 3:00 p.m.

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The motion carries.

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

The following Special Message is received from the Senate:

**H.B. 1525** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF RED CROSS, is returned for concurrence in Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 31.

### **CONFEREES APPOINTED**

The Speaker announces the following conferees on **S.B. 1292** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ACCELERATE THE ADDITIONAL LOCAL OPTION SALES TAX, THE REPEAL OF REIMBURSEMENTS, AND THE DECREASE IN THE STATE SALES TAX RATE; TO PROVIDE NO HOLD HARMLESS PAYMENTS IN THE 2002-2003 FISCAL YEAR OTHER THAN A PAYMENT EQUAL TO THE EXCESS, IF ANY, OF A LOCAL GOVERNMENT'S REPEALED REIMBURSEMENT AMOUNT OVER THREE TIMES IT'S ESTIMATED PROCEEDS FROM THE NEW TAX; TO DELAY THE INCREASE IN THE CHILD TAX CREDIT BY ONE YEAR; TO DELAY THE INCREASE IN THE STANDARD DEDUCTION FOR MARRIED PERSONS BY ONE YEAR; TO UPDATE THE REFERENCE DATE TO THE INTERNAL REVENUE CODE USED TO DEFINE AND DETERMINE CERTAIN STATE TAX PROVISIONS; TO CONFORM TO THE FEDERAL ANNUAL EXCLUSION AMOUNT FOR GIFT TAXES; TO DELAY THE EFFECT OF ACCELERATED DEPRECIATION UNDER SECTION 168 OF THE CODE AND SECTION 1400L OF THE CODE; TO DISREGARD THE PHASE-OUT OF THE STATE DEATH TAX CREDIT UNDER THE CODE; TO ALLOW THE SECRETARY OF REVENUE TO RECOUP A PORTION OF THE COSTS OF ADMINISTERING THE UNAUTHORIZED SUBSTANCES TAX FROM LOCAL SALES AND USE TAX DISTRIBUTIONS; TO SET THE INSURANCE REGULATORY FEE AND THE PUBLIC UTILITY REGULATORY FEES; TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR; TO CONFORM THE DEFINITION OF BUSINESS INCOME TO FEDERAL STANDARDS; TO PROVIDE THAT IN APPORTIONING CORPORATE INCOME TO THIS STATE FOR INCOME TAX PURPOSES, SALES OF TANGIBLE PERSONAL PROPERTY IN ANOTHER STATE OR COUNTRY WHERE THE SALES ARE NOT TAXABLE ARE NOT CONSIDERED;

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TO CLOSE A LOOPHOLE IN THE 2001 LEGISLATION INTENDED TO CLOSE A LOOPHOLE THAT ALLOWS CORPORATIONS TO AVOID FRANCHISE TAX LIABILITY BY TRANSFERRING ASSETS TO A LIMITED LIABILITY COMPANY; AND TO ENLARGE THE CLASS OF TAXPAYERS ELIGIBLE FOR AN ENHANCED CREDIT FOR INVESTING IN LOW-INCOME HOUSING IN A COUNTY THAT SUSTAINED SEVERE OR MODERATE DAMAGE FROM A HURRICANE IN 1999: Representative Luebke, Chair; Representatives Wainwright, Allen, and Buchanan, Vice Chairs; Representatives Baddour, Hackney, Culpepper, Cunningham, Alexander, Womble, Weiss, Warner, McMahan, Sherrill, and Gulley.

The Senate is so notified by Special Message.

The House stands adjourned at 3:50 p.m.

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## **TWO HUNDRED SEVENTEENTH DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, July 31, 2002

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 Jim Harry, House Chaplain:

"Good day to You, Lord:

"Time has a way of sneaking up on us. July has come to an end. Back to school sales are everywhere to be found. Fall merchandise is already on the store shelves. Everything seems to move so quickly. Well, almost everything. Almighty God, help us discern whether our current impasse is simply a necessary part of good policy making or has it become a part of distasteful politics. Using the words of an anonymous saint, 'Grant us the serenity to accept the things we cannot change, the courage to change the things we can, and the wisdom to distinguish one from another'. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 30 has been examined and found correct. Upon his motion, the Journal is approved as written.

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Leaves of absence are granted Representatives Saunders and Wainwright for today. Representative Harrington is excused for a portion of the session.

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 861**, AN ACT TO INCREASE THE NUMBER OF QUALIFIED DENTAL PRACTITIONERS IN THE STATE BY AUTHORIZING THE BOARD OF DENTAL EXAMINERS TO LICENSE BY CREDENTIALS PERSONS WHO ARE LICENSED TO PRACTICE DENTISTRY OR DENTAL HYGIENE IN OTHER STATES AND WHO OTHERWISE MEET STATE REQUIREMENTS FOR LICENSE BY CREDENTIALS, TO ISSUE A LIMITED VOLUNTEER DENTAL LICENSE, TO ISSUE AN INSTRUCTOR'S LICENSE, AND TO IMPOSE APPLICATION AND RENEWAL FEES FOR LICENSURE AUTHORIZED UNDER THIS ACT. (S.L. 2002-37)

**H.B. 1484**, AN ACT REPEALING THE SECTION OF THE CHARTER OF THE CITY OF TRINITY THAT PROHIBITS THE CITY COUNCIL FROM HOLDING CLOSED SESSIONS AS AUTHORIZED UNDER THE GENERAL LAW. (S.L. 2002-38)

**H.B. 1486**, AN ACT TO ESTABLISH A NO-WAKE ZONE IN THE VICINITY OF THE ROANOKE RIVER BRIDGE ON HIGHWAY 17 IN BERTIE COUNTY. (S.L. 2002-39)

**H.B. 1599**, AN ACT TO CHANGE THE COMPOSITION OF THE TOWN OF ANGIER BOARD OF ALCOHOLIC CONTROL FROM THREE TO FIVE MEMBERS. (S.L. 2002-40)

**H.B. 1607**, AN ACT TO REPEAL THE LINCOLNTON FIREMEN'S SUPPLEMENTAL RETIREMENT FUND. (S.L. 2002-41)

**H.B. 1615**, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CHINA GROVE. (S.L. 2002-42)

**H.B. 1666**, AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM. (S.L. 2002-43)

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**H.B. 1683**, AN ACT TO PROVIDE FOR STAGGERED TERMS FOR THE SEVEN SEPARATE SEATS ON THE WAYNE COUNTY BOARD OF COMMISSIONERS. (S.L. 2002-44)

**H.B. 1684**, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF THOMASVILLE. (S.L. 2002-45)

**H.B. 1690**, AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CANDOR, AND OTHER DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF NORWOOD. (S.L. 2002-46)

**H.B. 1698**, AN ACT AUTHORIZING THE DEPARTMENT OF CULTURAL RESOURCES TO ERECT A SECOND HISTORICAL MARKER COMMEMORATING AN INDIVIDUAL. (S.L. 2002-47)

**H.B. 1723**, AN ACT TO AMEND THE CARRBORO TOWN CHARTER TO AUTHORIZE THE BOARD OF ALDERMEN TO ABOLISH A TRUST FUND SPECIFICALLY AUTHORIZED BY STATUTE TO BE CREATED BY A CITY UPON CONDITION THAT THE TOWN APPROPRIATES ALL FUNDS CONTAINED THEREIN FOR THE PURPOSE OR PURPOSES FOR WHICH THE FUND WAS ESTABLISHED. (S.L. 2002-48)

#### **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. 1523**, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS PROPERTY TAX LAWS, with a favorable report as to the committee substitute bill, unfavorable as to the 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:

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**H.B. 1640**, A BILL TO BE ENTITLED AN ACT TO INCLUDE THE TOWN OF DUCK AS A MUNICIPALITY AUTHORIZED TO REGULATE AND CONTROL SWIMMING, PERSONAL WATERCRAFT, SURFING, AND LITTERING IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWN WITHIN ITS BOUNDARIES OR WITHIN ITS EXTRATERRITORIAL JURISDICTION, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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. 1697**, A BILL TO BE ENTITLED AN ACT TO UPDATE THE AUTHORITY FOR FUNDING OF AIRPORT IMPROVEMENTS BY THE ROCKINGHAM COUNTY AIRPORT AUTHORITY, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of August 1. The original bill is placed on the Unfavorable Calendar.

By Representatives Gibson, McComas, and Warwick, Chairs, for the Committee on Environment and Natural Resources:

**S.B. 1037** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANY PROSPECTIVE APPLICANT FOR AN AIR QUALITY PERMIT FOR A NEW FACILITY MAY COMMENCE CONSTRUCTION PRIOR TO OBTAINING THE AIR QUALITY PERMIT TO OPERATE THAT FACILITY IF THE PROSPECTIVE APPLICANT SUBMITS A NOTICE OF THE CONSTRUCTION AND THAT ANY CURRENT HOLDER OF AN AIR QUALITY PERMIT MAY COMPLETE NEW CONSTRUCTION AT AN EXISTING PERMITTED FACILITY PRIOR TO OBTAINING THE AIR QUALITY PERMIT TO OPERATE THAT FACILITY IF THE PROSPECTIVE APPLICANT SUBMITS A NOTICE OF THE CONSTRUCTION, with a favorable report as to the House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2 and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

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The House committee substitute bill is re-referred to the Committee on Finance. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

**H.B. 1761**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE TO USE FINANCING CONTRACTS IN ACQUIRING PROPERTY THROUGH THE PARKS AND RECREATION TRUST FUND AND THE NATURAL HERITAGE TRUST FUND, 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.

### CONFERENCE REPORT

Representative McMahan sends forth the Conference Report on Senate Committee Substitute for **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. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 1.

The Speaker rules the Conference Report to be material, thus constituting its first reading.

### INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Nye, Justus, and Warwick:

**H.R. 1780**, A HOUSE RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES AND THE PRESIDENT TO ENACT LEGISLATION TO ESTABLISH A FEDERAL/STATE PARTNERSHIP TO USE LOCAL COUNTY VETERANS SERVICE OFFICERS TO ASSIST THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS IN ELIMINATING THE VETERANS CLAIMS PROCESSING BACKLOG, is referred to the Committee on Rules, Calendar, and Operations of the House.

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**MESSAGES FROM THE SENATE**

The following are received from the Senate:

Senate Committee Substitute for **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 returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of August 1.

Upon concurrence, the Senate committee substitute bill changes the title.

**S.B. 1161** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PRESENT-USE VALUE STATUTES AND TO CREATE A PROPERTY TAX SUBCOMMITTEE OF THE REVENUE LAWS STUDY COMMITTEE, is read the first time and referred to the Committee on Agriculture.

**S.B. 1253** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN ANIMAL WASTE MANAGEMENT SYSTEMS SHALL NOT QUALIFY FOR SPECIAL PROPERTY CLASSIFICATION AND EXCLUSION FROM THE TAX BASE PURSUANT TO G.S. 105-275(8) AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY ISSUES RELATED TO THE TAX EXCLUSION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Environment and Natural Resources.

**S.B. 1407** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONTRACT RIGHT REGARDING THE TIMING OF PAYMENTS UNDER CONTRACTS REQUIRING REIMBURSEMENT OF FEDERAL FUEL EXCISE TAXES AND TO MAKE VARIOUS MOTOR FUEL EXCISE TAX CHANGES, is read the first time and referred to the Committee on Finance.

**S.B. 1416** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE LOW-INCOME HOUSING TAX CREDIT BY MAKING IT SIMPLER AND LESS COSTLY WHILE PROVIDING THE SAME LEVEL OF INCENTIVES FOR THE CONSTRUCTION OF LOW-INCOME HOUSING AND TO MODIFY THE FORMULA FOR

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CALCULATING NORTH CAROLINA ESTATE TAX ON ESTATES WITH PROPERTY IN MORE THAN ONE STATE, 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 bill appears on today's Calendar.

**H.B. 1662** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS AND TO ANNEX OTHER DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF BRUNSWICK.

On motion of Representative J. Crawford, the House concurs in the material Senate committee substitute bill, on 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, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Hensley, Hiatt, 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, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 108.

Voting in the negative: Representatives Capps, M. Crawford, Creech, Davis, and Decker - 5.

Excused absences: Representatives Harrington, Saunders, and Wainwright - 3.

**H.B. 1525** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF RED CROSS.

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On motion of Representative Goodwin, the House concurs in the Senate amendment, by electronic vote (114-0), and the bill is ordered enrolled.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1546** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CERTAIN OCCUPANCY LIMITATIONS FOR VEHICLES DRIVEN BY LEVEL 2 DRIVERS WITH LIMITED PROVISIONAL LICENSES.

On motion of Representative Clary, the House concurs in Senate Amendment No. 1, by electronic vote (113-1).

Representative Clary moves that the House do not concur in Senate Amendment No. 3.

On motion of the Chair, Senate Amendment No. 3 is temporarily displaced.

On motion of Representative Clary, the House concurs in perfecting Amendment No. 4 by electronic vote (107-6).

On motion of Representative Clary, the House concurs in Senate Amendment No. 3 as perfected by Senate Amendment No. 4, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

**H.B. 1620** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF JONESVILLE TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT 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, Allen, Arnold, Baddour, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, 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, Hensley, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Redwine, Rogers, Russell, Sexton, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, Womble, and Yongue - 92.

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Voting in the negative: Representatives Allred, Baker, Barbee, Brubaker, M. Crawford, Creech, Davis, Decker, Eddins, Esposito, Gillespie, Hiatt, Hilton, Pope, Rayfield, Setzer, Sherrill, Shubert, Thompson, and G. Wilson - 20.

Excused absences: Representatives Harrington, Saunders, and Wainwright - 3.

Representative Ellis requests and is granted permission to be recorded as voting "no". The adjusted vote total is (92-21).

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Buchanan and without objection, **S.B. 1195**, A BILL TO BE ENTITLED AN ACT TO CREATE AN OCCUPANCY TAX DISTRICT IN THE TOWN OF SEVEN DEVILS, AND TO AUTHORIZE THE SEVEN DEVILS TAX DISTRICT TO LEVY AN OCCUPANCY TAX, is withdrawn from the Calendar and placed on the Calendar of August 6.

#### **CALENDAR (continued)**

**S.B. 1346** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF EDEN TO NEGOTIATE ANNEXATION CONTRACTS, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute.

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, 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, 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, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 110.

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Voting in the negative: Representatives Clary, Davis, Setzer, and Shubert - 4.

Excused absences: Representatives Harrington, Saunders, and Wainwright - 3.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1502**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE SANDERS FOREST AND BENT TREE PLANTATION COMMUNITIES IN BRUNSWICK 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. 1611** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN TRANSYLVANIA COUNTY AND TO REQUIRE PERMISSION BEFORE HUNTING ON THE LAND OF ANOTHER IN TRANSYLVANIA 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. 1623**, A BILL TO BE ENTITLED AN ACT TO CLASSIFY BRUNSWICK COUNTY AS A HIGH HAZARD COUNTY WITH RESPECT TO THE REGULATION OF OPEN FIRES, 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. 1635**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW REGULATING FOXHUNTING IN HARNETT 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.

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Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1651** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING IN PITT 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.

**S.B. 1271**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE USE OF CENTER-FIRE WEAPONS IN SCOTLAND 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.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Culpepper and without objection, **S.B. 1394**, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE CITY OF CHARLOTTE MAY BY RESOLUTION DEEM THE CREATION OF A SELF-FUNDED RISK PROGRAM AS THE PURCHASE OF INSURANCE FOR THE PURPOSE OF WAIVING GOVERNMENTAL IMMUNITY, is withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

#### **CALENDAR (continued)**

**S.B. 1160** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES AND TO PROVIDE A ONE-TIME EXTENSION TO THE TIME PERIOD IN WHICH A TAX-PAYER MAY SIGN A LETTER OF COMMITMENT WITH THE DEPARTMENT OF COMMERCE TO QUALIFY FOR A LOWER TIER DESIGNATION, 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, Allen, 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, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Hensley, Hiatt, Hill,

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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, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 111.

Voting in the negative: Representatives Allred, M. Crawford, and Davis -3.

Excused absences: Representatives Harrington, Saunders, and Wainwright - 3.

**S.B. 712** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE EIGHT-YEAR TERMS FOR DISTRICT COURT JUDGES.

On motion of Representative Gray, the bill is withdrawn from the Calendar, by electronic vote (61-54), and re-referred to the Committee on Judiciary I.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1518** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE INFORMAL BID LIMIT FOR DEPARTMENT OF TRANSPORTATION PROJECTS, TO MODIFY THE CURRENT AUTHORIZATION OF THE DEPARTMENT OF TRANSPORTATION TO AWARD DESIGN-BUILD CONTRACTS, AND CONCERNING CONTRACT REQUIREMENTS FOR IRON USED IN DOT PROJECTS.

REPRESENTATIVE HACKNEY, SPEAKER PRO TEMPORE, PRESIDING.

Representative Barnhart offers Amendment No. 1 which fails of adoption by electronic vote (51-61).

The bill passes its second reading, by electronic vote (113-3).

Representative Nesbitt objects to the third reading. The bill remains on the Calendar.

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Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1724** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUS OF TEACHERS PARTICIPATING IN FOREIGN EXCHANGE PROGRAMS FOR PURPOSES OF RETIREMENT AND TENURE, 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. 1429** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM TO CONFORM WITH THE PROVISIONS OF THE ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION ACT OF 2001, 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.

Representative Culpepper moves, seconded by Representative Warner, that the House adjourn, subject to the receipt of Committee Reports, to reconvene August 1 at 10:05 a.m.

The motion carries.

No reports being received, the House stands adjourned at 6:17 p.m.

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## **TWO HUNDRED EIGHTEENTH DAY**

HOUSE OF REPRESENTATIVES  
Thursday, August 1, 2002

The House meets at 10:05 a.m. pursuant to adjournment and is called to order by the Speaker.

August 1, 2002

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Almighty God:

"It seems as if our work is never done. No matter how hard we try and no matter how much we think we have accomplished, there is always more work to be done. Thus, there comes a point in our work-week when despite our best efforts we must call it a day. Our job as legislators is to figure out when that point and time comes with respect to the work that sits before us. We know others may gripe about what appears to be our hesitancy to move along. We read it in the papers. We hear it on the news. O God, show us clearly what our job is and then give us the courage and moral fortitude to complete it. Let us not be swayed by opinion polls or pundits if by staying here one extra day, or week, or month can result in bringing an easier way of life and more prosperity to the people of the Great State of North Carolina. Have mercy upon us as we seek to show kindness, do justice and walk humbly with our God. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 31 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Baddour, Blue, Hiatt, Hurley, Saunders, Underhill, and Wainwright for today. Representative Warwick is excused for a portion of the session.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 1160**, AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES AND TO PROVIDE A ONE-TIME EXTENSION TO THE TIME PERIOD IN WHICH A TAXPAYER MAY SIGN A LETTER OF COMMITMENT WITH THE DEPARTMENT OF COMMERCE TO QUALIFY FOR A LOWER TIER DESIGNATION.

**S.B. 1231**, AN ACT TO AMEND G.S. 116-19 BY DEFINING THE TERMS "NEEDY NORTH CAROLINA STUDENTS" AND "INSTITUTIONAL METHODOLOGY".

**S.B. 1251**, AN ACT TO MERGE THE DIVISION OF RADIATION PROTECTION OF THE DEPARTMENT OF ENVIRONMENT AND

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NATURAL RESOURCES INTO THE DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, TO CREATE THE RADIATION PROTECTION SECTION OF THE DIVISION OF ENVIRONMENTAL HEALTH, AND TO MAKE CONFORMING STATUTORY CHANGES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

**S.B. 1429**, AN ACT TO MAKE CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM TO CONFORM WITH THE PROVISIONS OF THE ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION ACT OF 2001.

**H.B. 1546**, AN ACT TO PROVIDE CERTAIN OCCUPANCY LIMITATIONS FOR VEHICLES DRIVEN BY LEVEL 2 DRIVERS WITH LIMITED PROVISIONAL LICENSES.

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

**S.B. 1271**, AN ACT TO REGULATE THE USE OF CENTER-FIRE WEAPONS IN SCOTLAND COUNTY.

**H.B. 1525**, AN ACT TO INCORPORATE THE TOWN OF RED CROSS.

**H.B. 1648**, AN ACT TO AUTHORIZE THE COLLEGE OF THE ALBEMARLE AND GUILFORD TECHNICAL COMMUNITY COLLEGE TO ENTER INTO LEASE AGREEMENTS WITH THE YMCAS.

#### **CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 1132**, AN ACT TO REMOVE AN AREA FROM THE CORPORATE LIMITS OF THE TOWN OF ELLENBORO. (S.L. 2002-49)

**S.B. 1300**, AN ACT CONCERNING A VOLUNTARY SATELLITE ANNEXATION OF CERTAIN DESCRIBED PROPERTY BY THE CITY OF NEWTON. (S.L. 2002-50)

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**H.B. 1533**, AN ACT TO AUTHORIZE CERTAIN COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY AND TO MODIFY THE TIMETABLE FOR STOKES COUNTY OR ANY OF ITS MUNICIPALITIES TO ADOPT A SCHEDULE OF DISCOUNTS FOR PREPAYMENT OF PROPERTY TAXES. (S.L. 2002-51)

**H.B. 1589**, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF PRINCETON. (S.L. 2002-52)

**H.B. 1629**, AN ACT AUTHORIZING THE CITY OF THOMASVILLE TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE. (S.L. 2002-53)

**S.B. 1112**, AN ACT TO CONTINUE THE LAW MAKING CERTAIN MODIFICATIONS TO THE APPROPRIATIONS ACT OF 2001. (S.L. 2002-54)

#### **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. 622** (Senate Committee Substitute), 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 recommendation that the House concur.

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Pursuant to Rule 36(b), the bill is placed on the Calendar of August 5.

**H.B. 644** (Senate Committee Substitute), 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 recommendation that the House do not concur; request conferees.

Pursuant to Rule 36(b), the bill is placed on the Calendar of August 5.

**H.J.R. 1462**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DAVID WEBSTER BUMGARDNER, JR., A FORMER MEMBER OF THE NORTH CAROLINA GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of August 5.

**H.B. 1540**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE COASTAL AREA MANAGEMENT ACT (CAMA) RULE REGARDING OCEANFRONT SETBACK EXCEPTIONS THAT IS TO BECOME EFFECTIVE AUGUST 1, 2002, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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 Hackney sends forth the Conference Report on **S.B. 759** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITATIONS ON RAIL TRANSPORTATION LIABILITY. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of August 5.

#### 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:

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**H.B. 1736**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A RETIRED LEGISLATOR SPECIAL LICENSE PLATE, with a favorable report.

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

#### WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative McMahan and without objection, the Conference Report on Senate Committee Substitute for **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 withdrawn from the Calendar and placed on the Calendar of August 6.

#### CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 1662** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS.

On motion of Representative J. Crawford, the House concurs in the material Senate committee substitute bill, 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 Adams, Alexander, Allen, Allred, Arnold, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, 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, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Rogers, Russell, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 103.

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Voting in the negative: Representatives Capps, M. Crawford, Creech, and Decker - 4.

Excused absences: Representatives Baddour, Blue, Hiatt, Hurley, Saunders, Underhill, Wainwright, and Warwick - 8.

Senate Committee Substitute for **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.

On motion of Representative Gibson, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (109-0), 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. 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 House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (104-6), and the bill is ordered enrolled and presented to the Governor.

Representative Miller requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (105-6).

**H.B. 1697** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE WARREN FIELD AIRPORT COMMISSION TO LEASE PROPERTY FOR MORE THAN TEN YEARS, 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.

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**S.B. 1133**, 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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1371**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 707 OF THE 1963 SESSION LAWS RELATED TO CURRENT EXPENSE EXPENDITURES FROM LOCAL FUNDS FOR THE SCOTLAND COUNTY SCHOOLS, 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. 1518** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE INFORMAL BID LIMIT FOR DEPARTMENT OF TRANSPORTATION PROJECTS, TO MODIFY THE CURRENT AUTHORIZATION OF THE DEPARTMENT OF TRANSPORTATION TO AWARD DESIGN-BUILD CONTRACTS, AND CONCERNING CONTRACT REQUIREMENTS FOR IRON USED IN DOT PROJECTS, passes its third reading, by electronic vote (111-1), and is ordered sent to the Senate.

On motion of Representative Culpepper, seconded by Representative Rogers, the House adjourns at 10:47 a.m. to reconvene Monday, August 5, 2002, at 7:05 p.m.

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## TWO HUNDRED NINETEENTH DAY

HOUSE OF REPRESENTATIVES  
Monday, August 5, 2002

The House meets at 7:05 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

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"Almighty God:

"Search us and know us tonight as we enter into an exciting, but difficult week. Humble our hearts as we begin the complexities of budget preparations. Grant unto each of us a full measure of your kindness and justice. Place within us a sincerity of heart as we reach for compromise and civility. Keep us in tune with the moving of Your Spirit within us so that when we speak and act, we may do so with purity of heart and of purpose. When roadblocks get in our way, help us to stop long enough to lift the impediment together and move it out of our way. Remind us of our need for Thy mercy and goodness, Thy discernment and power in all that we seek to accomplish. And, may God Almighty have mercy upon this Body and the Great State of North Carolina. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 1 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Dockham, Goodwin, Hiatt, Hilton, Jarrell, McAllister, McCombs, Oldham, and Weiss 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. 1271**, AN ACT TO REGULATE THE USE OF CENTER-FIRE WEAPONS IN SCOTLAND COUNTY. (S.L. 2002-55)

**H.B. 1525**, AN ACT TO INCORPORATE THE TOWN OF RED CROSS. (S.L. 2002-56)

**H.B. 1648**, AN ACT TO AUTHORIZE THE COLLEGE OF THE ALBEMARLE AND GUILFORD TECHNICAL COMMUNITY COLLEGE TO ENTER INTO LEASE AGREEMENTS WITH THE YMCAS. (S.L. 2002-57)

**H.B. 1503**, AN ACT TO AMEND THE LAW RELATING TO SPECIAL MEETINGS OF SHAREHOLDERS UNDER THE NORTH CAROLINA BUSINESS CORPORATION ACT, TO AMEND THE LAW RELATING TO DISSENTERS' RIGHTS UNDER THE NORTH CAROLINA BUSINESS CORPORATION ACT, TO CLARIFY THAT A GENERAL PARTNER MUST EXECUTE DOCUMENTS FOR FILING BY THE

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SECRETARY OF STATE, AND TO CLARIFY THE LAW RELATING TO REGISTRATION OF GENERAL PARTNERSHIPS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 2002-58)

**H.B. 1747**, AN ACT TO AUTHORIZE THE BOARD OF CHIROPRACTIC EXAMINERS TO COLLECT A FEE FOR THE ANNUAL RECERTIFICATION OF CHIROPRACTIC DIAGNOSTIC IMAGING TECHNICIANS. (S.L. 2002-59)

**S.B. 1135**, AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO USE THE DESIGN-BUILD METHOD OF CONTRACTING FOR THE MULTILANING OF US HIGHWAY 601 FROM THE SOUTH CAROLINA STATE LINE TO US HIGHWAY 74 IN UNION COUNTY. (S.L. 2002-60)

**H.B. 1515**, AN ACT PERTAINING TO THE MEMBERSHIP OF THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES. (S.L. 2002-61)

**H.B. 1538**, AN ACT TO AMEND THE LAW RELATING TO DISTRIBUTION TO KNOWN BUT UNLOCATED DEVISEES OR HEIRS TO CONFORM TO THE NORTH CAROLINA UNCLAIMED PROPERTY ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 2002-62)

**H.B. 1552**, AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO DELAY THE EFFECTIVE DATE OF THE LOCKSMITH LICENSING ACT AND TO ALLOW THE LOCKSMITH LICENSING BOARD TO ADOPT TEMPORARY RULES. (S.L. 2002-63)

**H.B. 1583**, AN ACT TO ESTABLISH THE LEGAL EFFECT OF THE USE OF ELECTRONIC TECHNOLOGY IN CRIMINAL PROCESS AND PROCEDURE, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION. (S.L. 2002-64)

#### **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:

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**H.B. 1734**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH TIERED JOB CREATION THRESHOLDS FOR THE CREDIT FOR CREATING JOBS; TO RAISE THE INVESTMENT THRESHOLD FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO ESTABLISH TIER RATES FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO MODIFY THE WAGE STANDARD FOR THE CREDIT FOR WORKER TRAINING; TO MODIFY THE WAGE STANDARD FOR TIER ONE AND TWO COUNTIES; TO PROVIDE RECURRING FUNDS FOR THE INDUSTRIAL RECRUITMENT COMPETITIVE FUND; TO ENACT A JOB DEVELOPMENT INVESTMENT GRANT PROGRAM TO IMPROVE NORTH CAROLINA'S COMPETITIVENESS IN ECONOMIC DEVELOPMENT AND THE RECRUITMENT AND RETENTION OF NEW BUSINESS AND INDUSTRIAL PROJECTS AND EXPANSIONS; AND TO EXTEND THE TAX CREDIT FOR QUALIFIED BUSINESS INVESTMENTS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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 Representative Gibson:

**H.J.R. 1781**, A JOINT RESOLUTION HONORING THE MEMORY OF ALEXANDER TROY ON THE OCCASION OF THE TOWN OF TROY'S 150<sup>TH</sup> 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. 1492**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CONDEMN LAND FOR SECONDARY ROAD PAVING OR MAINTENANCE PROJECTS WHEN THE OWNERS OF THE MAJORITY OF THE ROAD FRONTAGE

August 5, 2002

ADJACENT TO THE PROJECT AGREE TO PROVIDE THE NECESSARY RIGHT-OF-WAY FOR THE PROJECT, is returned for concurrence in the Senate Amendment No. 3.

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

Upon concurrence, Senate Amendment No. 3 changes the title.

**S.B. 1420** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE PENALTIES AGAINST IMPROPER AND COERCIVE POLITICAL FUND-RAISING PRACTICES AGAINST STATE EMPLOYEES AND TO APPLY THE LAW TO ALL STATE EMPLOYEES, is read the first time and referred to the Committee on State Personnel.

### CONFERENCE REPORT

Representative Hackney moves the adoption of the following Conference Report.

#### House Committee Substitute for Senate Bill 759

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 759, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITATIONS ON RAIL TRANSPORTATION LIABILITY, House Committee Substitute Favorable 5/22/01, submit the following report:

The Senate and the House agree to the following amendment to the House Committee Substitute Favorable 5/22/01, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute Favorable 5/22/01, and substitute the attached Proposed Conference Committee Substitute S759-CCSSL-3[v.6].

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

Date conferees approved report: July 24, 2002.

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*Conferees for the  
Senate*

S/ Wib Gulley, Chair  
S/ Walter Dalton  
S/ Daniel G. Clodfelter  
S/ Stan Bingham

*Conferees for the  
House of Representatives*

S/ Joe Hackney, Chair  
S/ Drew P. Saunders  
S/ E. Nelson Cole  
S/ David Miner  
S/ Jennifer Weiss

The Conference Report, which changes the title, is adopted, by electronic vote (104-0), 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.J.R. 1462**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DAVID WEBSTER BUMGARDNER, JR., A FORMER MEMBER OF THE NORTH CAROLINA GENERAL ASSEMBLY, 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.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 622** (Senate Committee Substitute), 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

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EXCLUSIVELY TO THE STATE; AND TO PROVIDE THAT ANY SUCH ACTION SHALL BE BROUGHT BY THE ATTORNEY GENERAL ON BEHALF OF THE STATE.

On motion of Representative Sexton, the House concurs in the Senate committee substitute bill, by electronic vote (93-11), and the bill is ordered enrolled and presented to the Governor.

**H.B. 644** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC TOLL ROADS AND BRIDGES IN NORTH CAROLINA AND THE CREATION OF A TURNPIKE AUTHORITY.

On motion of Representative J. Crawford, the House does not concur in the Senate committee substitute bill, by electronic vote (101-1).

The Speaker appoints Representatives J. Crawford, Cole, Saunders, Dedmon, Buchanan, Bowie, and Clary as conferees on the part of the House and the Senate is so notified by Special Message.

#### INTRODUCTION OF PAGES

Pages for the week of August 5 are introduced to the membership. They are: Holly Adams of Buncombe; Brittany S. Bartley of Robeson; Marcus E. Dorsey, Jr., of Robeson; Sydney Farrar of Chatham; Zachery Fulginiti of Mecklenburg; Austin Hester of Wake; Andrew Lamar of Randolph; Joseph Langston of Nash; Michael Stanley Leliever of Lee; Shannon Eve Lowery of Nash; Christopher Prince of Wake; Crystal Dawn Reed of Guilford; Ethridge R. Ricks of Craven; Lee Shubert of Union; Lauren Steele of Wake; Angela Marie Sunday of Forsyth; Leesa Lane Wallace of Rowan; Bryant Wardlow of Wilson; Kristen Wilson of Pitt; Claude Wilson of Mecklenburg; and Timothy Joe Wood of Randolph.

On motion of Representative Culpepper, seconded by Representative Hill, the House adjourns at 8:07 p.m. to reconvene August 6 at 2:00 p.m.

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## TWO HUNDRED TWENTIETH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, August 6, 2002

August 6, 2002



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, House Chaplain:

"Almighty God:

"We gather once again to do Your bidding. Let Thy will be done. We gather once again to make crucial decisions that affect Your children. Let Thy will be done. We gather once again to continue the political process necessary to meet the needs of real people. Let Thy will be done. O Lord, who doth rule over all creation, teach us to seek after Your righteousness, to search after Your justice, and to experience Your mercy and kindness, so that in our work, Your will may be done on earth just as it is in heaven. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 5 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Hilton and McAllister 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:

**S.B. 1407** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONTRACT RIGHT REGARDING THE TIMING OF PAYMENTS UNDER CONTRACTS REQUIRING REIMBURSEMENT OF FEDERAL FUEL EXCISE TAXES AND TO MAKE VARIOUS MOTOR FUEL EXCISE TAX CHANGES, with a favorable report.

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

**S.B. 1416** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE LOW-INCOME HOUSING TAX CREDIT BY MAKING IT SIMPLER AND LESS COSTLY WHILE PROVIDING THE

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SAME LEVEL OF INCENTIVES FOR THE CONSTRUCTION OF LOW-INCOME HOUSING AND TO MODIFY THE FORMULA FOR CALCULATING NORTH CAROLINA ESTATE TAX ON ESTATES WITH PROPERTY IN MORE THAN ONE STATE, 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 Womble, Decker, Esposito, Gray, Holmes, Oldham, and Sexton:

**H.R. 1782**, A HOUSE RESOLUTION HONORING THE ACHIEVEMENTS OF THE 2002 WINTER OLYMPIANS, is referred to the Committee on Rules, Calendar, and Operations of the House.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative McMahan, the Conference Report on Senate Committee Substitute for **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 withdrawn from the Calendar and placed on the Calendar of August 7.

#### **CALENDAR**

Action is taken on the following:

**S.B. 1195**, A BILL TO BE ENTITLED AN ACT TO CREATE AN OCCUPANCY TAX DISTRICT IN THE TOWN OF SEVEN DEVILS, AND TO AUTHORIZE THE SEVEN DEVILS TAX DISTRICT TO LEVY AN OCCUPANCY TAX.

Representative Buchanan offers Amendment No. 1, which is ruled to be material. The amendment, which changes the title, is adopted by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Barefoot, Barnhart, Bell, Bonner,

August 6, 2002

Bowie, Boyd-McIntyre, Buchanan, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Earle, Easterling, Edwards, Ellis, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, Womble, Wright, and Yongue - 95.

Voting in the negative: Representatives Allred, Baker, Barbee, Blust, Capps, M. Crawford, Creech, Davis, Decker, Dockham, Eddins, Esposito, Gillespie, Kiser, Pope, Rayfield, Setzer, Shubert, and G. Wilson - 19.

Excused absences: Representatives Hilton and McAllister - 2.

The bill remains on the Calendar for its second roll call reading.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1114** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CHARTER OF THE TOWN OF BADIN A PROVISION ON THE AD VALOREM TAX RATE AND TO SET OUT THE BOUNDARIES OF THE TOWN OF NORMAN, 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, 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, Hensley, Hill, 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, 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,

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Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Hilton and McAllister - 2.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 402** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SECRET PEEPING STATUTE AND TO MAKE CONFORMING CHANGES, 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 for concurrence in House committee substitute by Special Message.

Representative Culpepper moves, seconded by Representative Hackney, that the House adjourn, subject to the receipt of Committee Reports, to reconvene August 7 at 11:00 a.m.

The motion carries.

#### **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. 1782**, A HOUSE RESOLUTION HONORING THE ACHIEVEMENTS OF THE 2002 WINTER OLYMPIANS, with recommendation that it be adopted.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of August 7.

The House stands adjourned at 3:42 p.m.

August 6, 2002

**TWO HUNDRED TWENTY-FIRST DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, August 7, 2002

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 Jim Harry, House Chaplain:

"Almighty God:

"Your servant, Charles Albert Tindley, wrote these words long ago, 'When the storms of life are raging, stand by me. When the world is tossing me, like a ship upon the sea, Thou who rulest wind and water, stand by me.' Lord God, O, how we know that these words still ring true today. And, as we work on this complex appropriations bill, we may feel as if the world is tossing us about the sea like a rag doll. But, the hope of Tindley's song is to be found in his final phrase, for it is there that he finds from whence cometh his help. 'Thou who rulest wind and water, stand by me.' The message of his song is the petition of our prayer to You this day. In the midst of our particular storm, let us find our strength and hope in You...for if You can calm the raging seas, certainly You can handle the choppy waters of our legislation. Grant that we, like Mr. Tindley, would find our help, our hope, and our solution by clinging tightly to Thee and not to ourselves. Amen."

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

Leaves of absence are granted Representatives Adams, Blue, and Hiatt for today. Representative Womble 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:

August 7, 2002

**H.B. 1520** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON TAX CREDITS FOR QUALIFIED BUSINESS INVESTMENTS AND TO AMEND THE DEFINITION OF QUALIFIED GRANTEE BUSINESS, with recommendation that the House concur.

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

By Representatives Church and Morgan, Chairs, for the Committee on Financial Institutions:

Senate Committee Substitute for **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 recommendation that the House concur.

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:

**S.B. 1144** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEFINE AND AUTHORIZE THE USE OF NONTANDEM TWO-WHEELED PERSONAL ASSISTIVE MOBILITY DEVICES, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of August 8. The Senate committee substitute bill is placed on the Unfavorable Calendar.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative McMahan and without objection, Senate Committee Substitute for **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 withdrawn from the Calendar and placed on the Calendar of August 12.

#### **CALENDAR**

Action is taken on the following:

August 7, 2002

**H.R. 1782**, A HOUSE RESOLUTION HONORING THE ACHIEVEMENTS OF THE 2002 WINTER OLYMPIANS, is moved up on today's Calendar.

The resolution is adopted, by electronic vote (113-0), and ordered printed.

Representative Pope requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (114-0).

On motion of Representative Culpepper, seconded by Representative Warren, the House adjourns at 11:55 a.m. to reconvene August 8 at 10:05 a.m.

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## **TWO HUNDRED TWENTY-SECOND DAY**

HOUSE OF REPRESENTATIVES  
Thursday, August 8, 2002

The House meets at 10:05 a.m. pursuant to adjournment and is called to order by the Speaker Pro Tempore.

The following prayer is offered by Sister Joan Jurski, Sister of St. Francis, Catholic Social Ministries, Catholic Diocese of Raleigh.

"Good and gracious God, we ask blessings upon these women and men gathered here in this Assembly. As Creator of Heaven and earth You call them to be good stewards of their time, talent and treasure. You call them to continue Your creative work on this earth as builders of the common good for all the citizens of North Carolina. You call them to respect the uniqueness of all God's children. You call them to care and compassion as well as strength and order and steadfastness.

"Spirit of the Living God, time and again throughout history you anointed your servants and sent them on a mission to renew the face of the earth. We pray you anoint these men and women so that they, too, realize their mission to renew the face of the earth.

"Anoint them with the oil of gladness.

"Anoint them with the oil of integrity.

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"Anoint their eyes with the gift of vision to see the truth. Let their eyes be unclouded by distractions.

"Anoint their heads and hearts with strength and tenderness. May they always be open to the needs of all the citizens of this fair State. May they always be reverent to the mystery of each other's uniqueness.

"Anoint their ears with the oil of silence. May they listen in reverent silence to the truth that others may speak.

"We ask your blessing, Gracious God, on each person here. May they feel your steadfast presence. In their discouragement and fatigue, give them laughter and support. Let them always know humor and be ready to laugh at themselves.

"In their vision give them zeal.

"In their differences give them a map for the journey of give and take.

"In their times of being overwhelmed help them to see that the path unfolds one step at a time. Give them patience and consolation.

"Lord God we know that we are Your beloved. We give thanks for Your abiding presence. We give thanks for all that You have provided for us, for our citizens and for this beautiful State.

"Bless us now in all things good and human.

"We pray in the name of Jesus Christ, Your Son and our brother. Amen."

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

Leaves of absence are granted Representatives Alexander, Blue, Hiatt, Insko, and McComas for today.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

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**H.B. 148**, AN ACT TO ALLOW MORE THAN TWO NONPROFIT WATER CORPORATIONS TO JOIN CERTAIN WATER AND SEWER AUTHORITIES.

**H.B. 622**, 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.

**H.B. 1308**, AN ACT TO CONFIRM THE DATE ON WHICH STATE REQUIREMENTS GOVERNING THE CONCENTRATION OF SULFUR IN GASOLINE BECOMES EFFECTIVE AND TO PROVIDE THAT GASOLINE THAT MEETS FEDERAL REQUIREMENTS GOVERNING THE CONCENTRATION OF SULFUR IN GASOLINE SHALL BE DEEMED TO COMPLY WITH STATE REQUIREMENTS GOVERNING THE CONCENTRATION OF SULFUR IN GASOLINE DURING THE TWO-YEAR PERIOD ALLOWED FOR THE TRANSITION TO LOW-SULFUR GASOLINE BY FEDERAL REGULATIONS.

**S.B. 759**, AN ACT TO PROVIDE LIMITATIONS ON RAIL TRANSPORTATION LIABILITY.

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

**S.B. 1133**, AN ACT TO MODIFY THE DISTRIBUTIONS FROM THE TOWN OF RUTHERFORDTON BOARD OF ALCOHOLIC BEVERAGE CONTROL.

**S.B. 1371**, AN ACT TO AMEND CHAPTER 707 OF THE 1963 SESSION LAWS RELATED TO CURRENT EXPENSE EXPENDITURES FROM LOCAL FUNDS FOR THE SCOTLAND COUNTY SCHOOLS.

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**H.B. 1662**, AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS AND TO ANNEX OTHER DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF BRUNSWICK.

**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. 1685**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CLAYTON TO ENTER INTO AGREEMENTS FOR PAYMENTS IN LIEU OF ANNEXATION, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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. 1037** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANY PROSPECTIVE APPLICANT FOR AN AIR QUALITY PERMIT FOR A NEW FACILITY MAY COMMENCE CONSTRUCTION PRIOR TO OBTAINING THE AIR QUALITY PERMIT TO OPERATE THAT FACILITY IF THE PROSPECTIVE APPLICANT SUBMITS A NOTICE OF THE CONSTRUCTION AND THAT ANY CURRENT HOLDER OF AN AIR QUALITY PERMIT MAY COMPLETE NEW CONSTRUCTION AT AN EXISTING PERMITTED FACILITY PRIOR TO OBTAINING THE AIR QUALITY PERMIT TO OPERATE THAT FACILITY IF THE PROSPECTIVE APPLICANT SUBMITS A NOTICE OF THE CONSTRUCTION, 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. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Dedmon, Chair, for the Committee on Local Government I:

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**S.B. 1392** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE REQUIRED STORAGE PERIOD FOR UNCLAIMED PROPERTY HELD BY LAW ENFORCEMENT IN MECKLENBURG 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.

On motion of the Chair, the House recesses at 10:23 a.m.

### RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

Representative Culpepper moves, seconded by Representative Weiss, that the House adjourn, subject to the receipt of Committee Reports, to reconvene Monday, August 12, 2002, at 4:00 p.m.

The motion carries.

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Easterling, Oldham, Redwine, and Thompson, Chairs, for the Committee on Appropriations:

**S.B. 1115** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2001 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of August 12, as a Special Order of Business. The Senate committee substitute bill is placed on the Unfavorable Calendar.

The House stands adjourned.

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**TWO HUNDRED TWENTY-THIRD DAY**

HOUSE OF REPRESENTATIVES  
Monday, August 12, 2002

The House meets at 4:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Sovereign Lord:

"You alone hold the keys to life and death. And, only You are in control of all things in heaven and earth. Yet, in Your gracious mercy, You have seen fit to grant unto us the responsibility to care for the welfare of others. Help us to not take this responsibility lightly. Keep us mindful of the needs of all those whose fortunes in life pale in comparison to our own. And, keep the faces of those whose welfare depends upon our decisions ever before us. May we never think of ourselves more highly than we ought and as always, have mercy on us all. 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 August 8 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Hiatt for today. Representatives Adams, Blue, Gray, and Warwick are excused for a portion of the session.

**CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 1133**, AN ACT TO MODIFY THE DISTRIBUTIONS FROM THE TOWN OF RUTHERFORDTON BOARD OF ALCOHOLIC BEVERAGE CONTROL. (S.L. 2002-65)

**S.B. 1371**, AN ACT TO AMEND CHAPTER 707 OF THE 1963 SESSION LAWS RELATED TO CURRENT EXPENSE EXPENDITURES

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FROM LOCAL FUNDS FOR THE SCOTLAND COUNTY SCHOOLS.  
(S.L. 2002-66)

**H.B. 1662**, AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS AND TO ANNEX OTHER DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF BRUNSWICK. (S.L. 2002-67)

**H.B. 1544**, AN ACT TO AMEND THE PROCESS BY WHICH A VARIANCE MAY BE GRANTED BY THE COASTAL RESOURCES COMMISSION UNDER THE COASTAL AREA MANAGEMENT ACT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 2002-68)

### INTRODUCTION OF PAGES

Pages for the week of August 12 are introduced to the membership. They are: David J. Badham of Wake; Cornelius Flowers of Franklin; William Leon Flowers, III, of Franklin; Daniel Furlough of Wake; Chris Goad of Wake; Ciera Harris of Halifax; Jessica Renae Harris of Halifax; Monica Hodges of Wake; Jason Neil Marin of Wake; Adam Nicholson of Wake; George Purrington of Wake; Merriweather Raidle of Wake; Tobatha Dawn Rains of Johnston; Crystal Renee Sanders of Wake; Danielle Brennan Scharle of Wake; Nicholas Scott Sexton of Johnston; Caitlin Sexton of Johnston; Jenna Smith of Wake; Laura Tally of Johnston; and Jeromy Taylor of Franklin.

### CALENDAR

Action is taken on the following:

**S.B. 1144** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEFINE AND AUTHORIZE THE USE OF NONTANDEM TWO-WHEELED PERSONAL ASSISTIVE MOBILITY DEVICES, is moved up on today's Calendar.

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

On motion of Representative Hackney and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of August 14.

**S.B. 1115** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS APPROPRIATIONS

August 12, 2002

ACT OF 2001, TO PROVIDE FOR A TEN PERCENT (10%) REDUCTION IN THE SALARY OF MEMBERS OF THE GENERAL ASSEMBLY FOR THE REMAINDER OF THE 2002-2003 FISCAL YEAR, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

Representative Pope offers Amendment No. 1 which fails of adoption, by electronic vote (44-69).

Representative Pope offers Amendment No. 2.

On motion of the Chair, debate ceases and the House recesses at 6:59 p.m.

### **RECESS**

The House reconvenes pursuant to recess and is called to order by the Speaker.

Amendment No. 2 fails of adoption by electronic vote (34-81).

Representative Michaux offers Amendment No. 3 which is adopted by electronic vote (76-40).

Representative Capps offers Amendment No. 4 which is adopted by electronic vote (115-2).

Representatives McAllister and Tucker request and are granted permission to change their votes from "no" to "aye". The adjusted vote total is (117-0).

Representative Allred offers Amendment No. 5 which is adopted by electronic vote (90-26).

Representative C. Wilson sends forth an amendment. The Speaker rules the amendment out of order.

Representative Insko offers Amendment No. 6 which is adopted by electronic vote (116-0).

Representative Thompson offers Amendment No. 7 which is adopted by electronic vote (111-5).

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Representative Owens offers Amendment No. 8 which is adopted by electronic vote (111-5).

Representative Esposito offers Amendment No. 9 which fails of adoption by electronic vote (58-60).

The bill, as amended, passes its second reading, by electronic vote (62-55), and remains on the Calendar.

Representatives Willingham and McAllister request and are granted permission to change their votes from "no" to "aye". The adjusted vote total is (64-53).

### **RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2, **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 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 Alexander, the House adjourns at 9:07 p.m. to reconvene August 13 at 9:00 a.m.

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## **TWO HUNDRED TWENTY-FOURTH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, August 13, 2002

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 Jim Harry, House Chaplain:

"Gracious and Almighty God:

"Search us and know us. Delve into the corners of our hearts where we try and keep things hidden from You. Remind us that You alone are

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omniscient and that You already know what we think, what motivates us to act, and what we are going to say long before it ever reaches our lips. Indeed, there is nowhere we can run and hide from Thee. Let neither our respective political affiliations nor our personal ideologies create a roadblock from hearing Your voice speak to us. Cleanse the thoughts of our hearts and minds so that by Your Spirit we may perfectly love Thee and faithfully carry out our duties as ambassadors to all of Your people. Amen."

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

Leaves of absence are granted Representatives Hiatt and Weatherly for today. Representative Blue is excused for a portion of the session.

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 1231**, AN ACT TO AMEND G.S. 116-19 BY DEFINING THE TERMS "NEEDY NORTH CAROLINA STUDENTS" AND "INSTITUTIONAL METHODOLOGY". (S.L. 2002-69)

**S.B. 1251**, AN ACT TO MERGE THE DIVISION OF RADIATION PROTECTION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES INTO THE DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, TO CREATE THE RADIATION PROTECTION SECTION OF THE DIVISION OF ENVIRONMENTAL HEALTH, AND TO MAKE CONFORMING STATUTORY CHANGES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 2002-70)

**S.B. 1429**, AN ACT TO MAKE CHANGES IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM TO CONFORM WITH THE PROVISIONS OF THE ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION ACT OF 2001. (S.L. 2002-71)

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**S.B. 1160**, AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES AND TO PROVIDE A ONE-TIME EXTENSION TO THE TIME PERIOD IN WHICH A TAXPAYER MAY SIGN A LETTER OF COMMITMENT WITH THE DEPARTMENT OF COMMERCE TO QUALIFY FOR A LOWER TIER DESIGNATION. (S.L. 2002-72)

**H.B. 1546**, AN ACT TO PROVIDE CERTAIN OCCUPANCY LIMITATIONS FOR VEHICLES DRIVEN BY LEVEL 2 DRIVERS WITH LIMITED PROVISIONAL LICENSES. (S.L. 2002-73)

### CALENDAR

Action is taken on the following:

**S.B. 1115** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2001, TO PROVIDE FOR A TEN PERCENT (10%) REDUCTION IN THE SALARY OF MEMBERS OF THE GENERAL ASSEMBLY FOR THE REMAINDER OF THE 2002-2003 FISCAL YEAR, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

Representative Walend offers Amendment No. 10 which is adopted by electronic vote (105-3).

Representative Clary offers Amendment No. 11 which is adopted by electronic vote (58-57).

Representative Daughtry offers Amendment No. 12 which is adopted by electronic vote (59-57).

Representative Daughtry offers Amendment No. 13 which fails of adoption by electronic vote (51-62).

Representative Redwine offers Amendment No. 14 which is adopted by electronic vote (104-2).

Representatives Allen and Decker state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (106-0).

Representative Kiser offers Amendment No. 15.

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REPRESENTATIVE HACKNEY, SPEAKER PRO TEMPORE, PRESIDING.

Amendment No. 15 fails of adoption by electronic vote (53-59).

Representatives Allred and Gulley state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (55-59).

SPEAKER BLACK PRESIDING.

Representative Sherrill offers Amendment No. 16 which is adopted by electronic vote (106-0).

Representative Shubert offers Amendment No. 17.

On motion of the Chair, the amendment is temporarily displaced.

Representative Yongue offers Amendment No. 18 which is adopted by electronic vote (105-9).

Amendment No. 17, which was temporarily displaced, is before the Body.

On motion of the Chair, debate ceases and the House recesses at 11:44 a.m.

### **RECESS**

The House reconvenes pursuant to recess and is called to order by the Speaker.

Amendment No. 17 is adopted by electronic vote (71-45).

Representative Russell offers Amendment No. 19 which fails of adoption by electronic vote (53-54).

Representative Pope offers Amendment No. 20 which is adopted by electronic vote (104-12).

Representative Blust offers Amendment No. 21 which is adopted by electronic vote (109-7).

Representative Carpenter offers Amendment No. 22.

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Representative C. Wilson inquires of the Chair if the amendments that she sent forth would be heard in the order they were received. The Speaker states that they would be heard in due time.

Representative C. Wilson inquires of the Chair if they would be heard today. The Speaker states that they will be heard when the time comes.

Amendment No. 22 is adopted by electronic vote (114-0).

Representative Shubert offers Amendment No. 23 which fails of adoption by electronic vote (20-92).

Representative Blue requests and is granted permission to be recorded as voting "no". The adjusted vote total is (20-93).

Representative Creech offers Amendment No. 24 which fails of adoption by electronic vote (45-69).

Representative M. Crawford offers Amendment No. 25 which fails of adoption by electronic vote (54-62).

Representative Hackney calls the previous question on the passage of the bill and the call is sustained by electronic vote (67-48).

Representative Blust requests and is granted permission to be recorded as voting "no". The adjusted vote total is (67-49).

The bill, as amended, passes its third reading, by electronic vote (66-52), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

Representative Miner requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (65-53).

**S.B. 1114** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CHARTER OF THE TOWN OF BADIN A PROVISION ON THE AD VALOREM TAX RATE AND TO SET OUT THE BOUNDARIES OF THE TOWN OF NORMAN, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue,

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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, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, 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, Saunders, Setzer, Sexton, Sherrill, Shubert, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 111.

Voting in the negative: Representative Blust.

Excused absences: Representatives Hiatt and Weatherly - 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 State Personnel and re-referred to the Committee on Rules, Calendar, and Operations of the House:

**S.B. 1420** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE PENALTIES AGAINST IMPROPER AND COERCIVE POLITICAL FUND-RAISING PRACTICES AGAINST STATE EMPLOYEES AND TO APPLY THE LAW TO ALL STATE EMPLOYEES.

**H.B. 1569**, A BILL TO BE ENTITLED AN ACT PROVIDING FOR VOLUNTARY FLEXIBLE WORK SCHEDULES FOR STATE EMPLOYEES.

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

#### **2001 GENERAL ASSEMBLY SECOND SESSION 2002**

Senate Chamber  
August 13, 2002

August 13, 2002

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. 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, and requests conferees. The President *Pro Tempore* appoints:

Senator Horton, Chair  
Senator Bingham  
Senator Wellons  
Senator Reeves

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*

**SPECIAL MESSAGE FROM THE SENATE**

**2001 GENERAL ASSEMBLY  
SECOND SESSION 2002**

Senate Chamber  
August 13, 2002

Mr. Speaker:

Pursuant to your message received on August 5, 2002, that the House of Representatives fails to concur in the Senate Committee Substitute to **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, and requests conferees, the President *Pro Tempore* appoints:

Senator Gulley, Chair  
Senator Hoyle  
Senator Carrington

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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*

**CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1523** (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, 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, 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, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Hiatt and Weatherly - 2.

**S.B. 1195**, A BILL TO BE ENTITLED AN ACT AUTHORIZE THE TOWNS IN AVERY COUNTY TO LEVY AN ADDITIONAL 3% OCCUPANCY TAX.

Representative Buchanan offers Amendment No. 2.

On motion of the Chair, the bill, with Amendment No. 2 pending, is temporarily displaced.

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Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1492**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CONDEMN LAND FOR SECONDARY ROAD PAVING OR MAINTENANCE PROJECTS WHEN THE OWNERS OF THE MAJORITY OF THE ROAD FRONTAGE ADJACENT TO THE PROJECT AGREE TO PROVIDE THE NECESSARY RIGHT-OF-WAY FOR THE PROJECT.

On motion of Representative Buchanan, the House concurs in Senate Amendment No. 3, which changes the title, by electronic vote (110-3), 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. 1736**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A RETIRED LEGISLATOR SPECIAL LICENSE PLATE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allen, Arnold, Baddour, Barbee, Barefoot, Bell, Bonner, Boyd-McIntyre, Brubaker, Buchanan, Capps, Church, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Dedmon, Earle, Easterling, Edwards, Esposito, Gibson, Gillespie, Gray, Gulley, Hill, Holliman, Hunter, Hurley, Jarrell, Jeffus, Justus, Lucas, Luebke, McComas, McLawhorn, McMahan, Miller, Miner, Morgan, Morris, Nesbitt, Nye, Owens, Preston, Redwine, Saunders, Setzer, Sherrill, Smith, Thompson, Wainwright, Walend, Warren, Warwick, Weiss, Willingham, Womble, Wright, and Yongue - 62.

Voting in the negative: Representatives Adams, Allred, Baker, Barnhart, Blue, Blust, Bowie, Carpenter, Clary, Coates, M. Crawford, Creech, Daughtry, Davis, Decker, Dockham, Eddins, Ellis, Fox, Goodwin, Grady, Hackney, Haire, Hall, Harrington, Hensley, Hilton, Holmes, Howard, Insko, Kiser, McAllister, McCombs, Michaux, Mitchell, Oldham, Pope, Rayfield, Rogers, Sexton, Shubert, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Walker, Warner, West, and G. Wilson - 51.

Excused absences: Representatives Hiatt and Weatherly - 2.

#### **WITHDRAWAL OF BILLS FROM CALENDAR**

On motion of Representative Culpepper and without objection, **H.B. 1540** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO

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DISAPPROVE AN AMENDMENT TO THE ADMINISTRATIVE RULE "USE STANDARDS FOR OCEAN HAZARD AREAS" ADOPTED BY THE COASTAL RESOURCES COMMISSION, is withdrawn from the Calendar and placed on the Calendar of August 14.

On motion of Representative McMahan and without objection, the Conference Report on Senate Committee Substitute for **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 withdrawn from the Calendar and re-referred to the Conference Committee.

#### CALENDAR (continued)

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1407** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONTRACT RIGHT REGARDING THE TIMING OF PAYMENTS UNDER CONTRACTS REQUIRING REIMBURSEMENT OF FEDERAL FUEL EXCISE TAXES AND TO MAKE VARIOUS MOTOR FUEL EXCISE TAX CHANGES.

On motion of Representative McComas, the bill is withdrawn from the Calendar and placed on the Calendar of August 20.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1416** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE LOW-INCOME HOUSING TAX CREDIT BY MAKING IT SIMPLER AND LESS COSTLY WHILE PROVIDING THE SAME LEVEL OF INCENTIVES FOR THE CONSTRUCTION OF LOW-INCOME HOUSING AND TO MODIFY THE FORMULA FOR CALCULATING NORTH CAROLINA ESTATE TAX ON ESTATES WITH PROPERTY IN MORE THAN ONE STATE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allen, 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,

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Goodwin, Grady, Gray, Hackney, Haire, 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, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 111.

Voting in the negative: Representatives Allred and Gulley - 2.

Excused absences: Representatives Hiatt and Weatherly - 2.

**S.B. 1195**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS IN AVERY COUNTY TO LEVY AN ADDITIONAL 3% OCCUPANCY TAX, which was temporarily displaced, with Amendment No. 2 pending, is before the Body.

Amendment No. 2 is adopted by electronic vote (90-21).

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, Allen, Arnold, Baddour, Barefoot, Barnhart, Bell, Blue, Bonner, Bowie, Boyd-McIntyre, Buchanan, Carpenter, Church, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Edwards, Fox, Gibson, Goodwin, Grady, Gray, Hackney, Haire, Hall, Hensley, Hill, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Lucas, Luebke, McAllister, McCombs, McLawhorn, McMahan, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Redwine, Rogers, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, Willingham, G. Wilson, Womble, Wright, and Yongue - 86.

Voting in the negative: Representatives Allred, Baker, Barbee, Blust, Capps, Clary, M. Crawford, Creech, Davis, Decker, Eddins, Ellis, Gillespie, Gulley, Harrington, Hilton, Justus, Kiser, McComas, Pope, Rayfield, Setzer, Shubert, and Warwick - 24.

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Excused absences: Representatives Hiatt and Weatherly - 2.

### CONFEREES APPOINTED

The Speaker announces the following conferees on **S.B. 402** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SECRET PEEPING STATUTE AND TO MAKE CONFORMING CHANGES: Representatives Hackney, Insko, Sutton, and Arnold.

The Senate is so notified by Special Message.

On motion of Representative Culpepper, seconded by Representative Bowie, the House adjourns at 5:20 p.m. to reconvene August 14 at 2:00 p.m.

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## TWO HUNDRED TWENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES  
Wednesday, August 14, 2002

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, House Chaplain:

"God of us all:

"Your love never ends. Today, we thank You for the budget work that has been completed. We humbly ask You to bless the work that we have done. Teach us, O God, to see each and every question that faces us in the light of all that is good and decent...that we may check in ourselves and in others every passion that makes for ungenerous judgment, all promptings of self-assurance, and presumptuous claims. Grant us insight to recognize the needs and aspirations of others so that we may complete the remainder of our work here dutifully, respectfully, and faithfully. Amen."

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

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Leaves of absence are granted Representatives Adams, Blue, Church, Holliman, and Warwick for today. Representatives Earle and Wright are excused for a portion of the session.

#### **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. 1778**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LINWOOD EBORN MERCER, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

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

By Representative Hackney, Chair, for the Committee on Judiciary I:

**S.B. 1218**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF TAX LAWS BY CRIMINALIZING OR INCREASING THE PENALTY FOR CERTAIN FORMS OF TAX FRAUD AND BY ALLOWING THE DEPARTMENT OF REVENUE TO DISCLOSE CERTAIN INFORMATION TO LAW ENFORCEMENT AGENCIES, 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. 1154**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE LIST OF SECTIONS OF THE NORTH CAROLINA CONDOMINIUM ACT THAT APPLY TO CONDOMINIUMS CREATED ON OR BEFORE OCTOBER 1, 1986, AND TO CODIFY AN APPLICABILITY PROVISION RELATING TO THE NORTH CAROLINA PLANNED COMMUNITY ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

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

**S.B. 1394**, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE CITY OF CHARLOTTE MAY BY RESOLUTION DEEM THE CREATION OF A SELF-FUNDED RISK PROGRAM AS THE PURCHASE

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OF INSURANCE FOR THE PURPOSE OF WAIVING GOVERNMENTAL IMMUNITY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of August 15.

By Representative Jarrell, Chair, for the Committee on Local Government II:

**S.B. 1367** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT BERTIE, COLUMBUS, AND GREENE COUNTIES, AND THE TOWN OF WINDSOR MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of August 15.

### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **H.J.R. 1778**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LINWOOD EBORN MERCER, FORMER MEMBER OF THE GENERAL ASSEMBLY, is placed on today's Calendar as a Special Order of Business.

The resolution passes its second reading, by electronic vote (107-0), 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:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1520** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON TAX CREDITS FOR QUALIFIED BUSINESS INVESTMENTS AND TO AMEND THE DEFINITION OF QUALIFIED GRANTEE BUSINESS.

Representative Pope requests that he be excused from voting on this bill under Rule 24.1A, because the bill concerns the State Ports fees and tax credits and since he is an officer and owner of the company which uses the

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ports, he wishes to avoid even the appearance of a conflict of interest, and this request is granted.

On motion of Representative Allen, the House concurs in the material Senate amendment, on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allen, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Easterling, Eddins, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, 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, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 97.

Voting in the negative: Representatives Allred, Capps, Creech, Davis, Decker, Hiatt, Kiser, and Shubert - 8.

Excused absences: Representatives Adams, Blue, Church, Earle, Holliman, Warwick, and Wright - 7.

Excused Vote: Representative Pope.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Thompson, **H.B. 1736**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A RETIRED LEGISLATOR SPECIAL LICENSE PLATE, is withdrawn from the Calendar and placed on the Calendar of August 19.

#### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **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.

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On motion of Representative Culpepper, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (107-0), and the bill is ordered enrolled and presented to the Governor.

### ENROLLED BILLS

The following bill is duly ratified and presented to the Governor:

**H.B. 1492**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CONDEMN LAND FOR SECONDARY ROAD PAVING OR MAINTENANCE PROJECTS WHEN THE OWNERS OF THE MAJORITY OF THE ROAD FRONTAGE ADJACENT TO THE PROJECT AGREE TO PROVIDE THE NECESSARY RIGHT-OF-WAY FOR THE PROJECT, AND TO DESIGNATE INTERSTATE HIGHWAY 95 AS THE PURPLE HEART MEMORIAL HIGHWAY.

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

**S.B. 1346**, AN ACT TO ALLOW THE CITY OF EDEN TO NEGOTIATE ANNEXATION CONTRACTS.

### CALENDAR (continued)

**S.B. 1195**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS IN AVERY COUNTY TO LEVY AN ADDITIONAL 3% OCCUPANCY TAX.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Those voting in the affirmative are: Representatives Allen, Arnold, Baddour, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Easterling, Esposito, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Hensley, Hill, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Owens, Preston, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert,

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Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 89.

Voting in the negative: Representatives Allred, Baker, Barbee, Brubaker, Capps, M. Crawford, Davis, Decker, Eddins, Ellis, Gillespie, Harrington, Hiatt, Hilton, Kiser, Pope, Rayfield, and Setzer - 18.

Excused absences: Representatives Adams, Blue, Church, Earle, Holliman, Warwick, and Wright - 7.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1685** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX TERRITORY AND DEANNEX TERRITORY TO THE CORPORATE LIMITS OF THE TOWN OF FOUR OAKS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, 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, Easterling, Eddins, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holmes, Howard, Hunter, Hurley, Jarrell, Jeffus, Johnson, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, 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, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Adams, Blue, Church, Earle, Holliman, Warwick, and Wright - 7.

**H.B. 1523** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS PROPERTY TAX LAWS, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

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Those voting in the affirmative are: Representatives Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, 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, Easterling, Eddins, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holmes, Howard, Hunter, Hurley, Jarrell, Jeffus, Johnson, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Adams, Blue, Church, Earle, Holliman, Warwick, and Wright - 7.

Representative Allred requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (106-1).

**S.B. 1416** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE LOW-INCOME HOUSING TAX CREDIT BY MAKING IT SIMPLER AND LESS COSTLY WHILE PROVIDING THE SAME LEVEL OF INCENTIVES FOR THE CONSTRUCTION OF LOW-INCOME HOUSING AND TO MODIFY THE FORMULA FOR CALCULATING NORTH CAROLINA ESTATE TAX ON ESTATES WITH PROPERTY IN MORE THAN ONE STATE, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dockham, Easterling, Eddins, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens,

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Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 107.

Voting in the negative: Representative Decker.

Excused absences: Representatives Adams, Blue, Church, Earle, Holliman, Warwick, and Wright - 7.

Representative Decker states that his voting equipment malfunctioned and he requests to change his vote from "no" to "aye". This request is granted. The adjusted vote total is (108-0).

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Gibson and without objection, **S.B. 1037** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANY PROSPECTIVE APPLICANT FOR AN AIR QUALITY PERMIT FOR A NEW FACILITY MAY COMMENCE CONSTRUCTION PRIOR TO OBTAINING THE AIR QUALITY PERMIT TO OPERATE THAT FACILITY IF THE PROSPECTIVE APPLICANT SUBMITS A NOTICE OF THE CONSTRUCTION AND THAT ANY CURRENT HOLDER OF AN AIR QUALITY PERMIT MAY COMPLETE NEW CONSTRUCTION AT AN EXISTING PERMITTED FACILITY PRIOR TO OBTAINING THE AIR QUALITY PERMIT TO OPERATE THAT FACILITY IF THE PROSPECTIVE APPLICANT SUBMITS A NOTICE OF THE CONSTRUCTION, is withdrawn from the Calendar and placed on the Calendar of August 21.

#### **CALENDAR (continued)**

**S.B. 1144** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEFINE AND AUTHORIZE THE USE OF NONTANDEM TWO-WHEELED PERSONAL ASSISTIVE MOBILITY DEVICES, passes its third reading, by electronic vote (107-0), and is ordered sent to the Senate for concurrence in the House committee substitute by Special Message.

Representative Gibson requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (108-0).

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**H.B. 1540** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE AN AMENDMENT TO THE ADMINISTRATIVE RULE "USE STANDARDS FOR OCEAN HAZARD AREAS" ADOPTED BY THE COASTAL RESOURCES COMMISSION,

Representative McComas requests that he be excused from voting on this bill, because of a conflict, under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (99-9), 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 Gibson, McComas, and Warwick, Chairs, for the Committee on Environment and Natural Resources:

**H.B. 1541**, A BILL TO BE ENTITLED AN ACT TO DELINEATE THE NOLICHUCKY RIVER BASIN AND TO REQUIRE THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION DEVELOP AND IMPLEMENT A SEPARATE BASINWIDE WATER QUALITY MANAGEMENT PLAN FOR THE NOLICHUCKY RIVER BASIN, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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. 1777**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE ADOPTION OF AND AMENDMENTS TO CERTAIN ADMINISTRATIVE RULES GOVERNING THE SANITATION OF HOSPITALS, NURSING HOMES, REST HOMES, AND OTHER INSTITUTIONS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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.

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**S.B. 1211** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE BOONE'S CAVE STATE NATURAL AREA AND A PORTION OF BALDHEAD ISLAND STATE NATURAL AREA FROM THE STATE NATURE AND HISTORIC PRESERVE, TO REMOVE THESE PROPERTIES FROM THE STATE PARKS SYSTEM, TO AUTHORIZE THE TRANSFER OF THESE PROPERTIES FOR LIMITED PURPOSES, AND TO ALLOW CERTAIN PUBLIC ENTITIES TO USE THE FIRE TOWER AT MOUNT JEFFERSON STATE NATURAL AREA FOR PUBLIC COMMUNICATION PURPOSES, with a favorable report.

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

**S.B. 1253** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN ANIMAL WASTE MANAGEMENT SYSTEMS SHALL NOT QUALIFY FOR SPECIAL PROPERTY CLASSIFICATION AND EXCLUSION FROM THE TAX BASE PURSUANT TO G.S. 105-275(8) AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY ISSUES RELATED TO THE TAX EXCLUSION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW 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.

Representative Culpepper moves, seconded by Representative Allen, that the House adjourn, subject to the receipt of Messages from the Senate and the appointment of Conference Committees, to reconvene August 15 at 10:05 a.m.

The motion carries.

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

##### **2001 GENERAL ASSEMBLY SECOND SESSION 2002**

Senate Chamber  
August 14, 2002

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

August 14, 2002

Substitute to **S.B. 1115** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2001 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, and requests conferees. The President *Pro Tempore* appoints:

Senator Plyler, Co-Chair  
Senator Lee, Co-Chair  
Senator Odom, Co-Chair  
Senator Albertson  
Senator Ballance  
Senator Dalton  
Senator Dannelly  
Senator Garrou  
Senator Gulley  
Senator Hagan  
Senator Harris  
Senator Hoyle  
Senator Kerr  
Senator Lucas  
Senator Martin of Guilford  
Senator Martin of Pitt  
Senator Purcell  
Senator Rand  
Senator Reeves  
Senator Swindell  
Senator Thomas  
Senator Warren  
Senator Weinstein  
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*

The Speaker appoints Representatives Redwine, Easterling, Oldham, and Thompson, Co-Chairs; Representatives Allen, Baddour, Boyd-McIntyre, Buchanan, Cole, J. Crawford, Culpepper, Cunningham, Dedmon, Earle, Fox, Gibson, Hackney, Haire, Insko, Jeffus, Luebke, Michaux, Nye, Owens,

August 14, 2002

Rogers, Sherrill, Smith, Tolson, Tucker, Wainwright, Wright, and Yongue, as conferees on the part of the House and the Senate is so notified by Special Message.

#### CONFEREES APPOINTED

The Speaker announces the following additional conferees on **S.B. 1292** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ACCELERATE THE ADDITIONAL LOCAL OPTION SALES TAX, THE REPEAL OF REIMBURSEMENTS, AND THE DECREASE IN THE STATE SALES TAX RATE; TO PROVIDE NO HOLD HARMLESS PAYMENTS IN THE 2002-2003 FISCAL YEAR OTHER THAN A PAYMENT EQUAL TO THE EXCESS, IF ANY, OF A LOCAL GOVERNMENT'S REPEALED REIMBURSEMENT AMOUNT OVER THREE TIMES IT'S ESTIMATED PROCEEDS FROM THE NEW TAX; TO DELAY THE INCREASE IN THE CHILD TAX CREDIT BY ONE YEAR; TO DELAY THE INCREASE IN THE STANDARD DEDUCTION FOR MARRIED PERSONS BY ONE YEAR; TO UPDATE THE REFERENCE DATE TO THE INTERNAL REVENUE CODE USED TO DEFINE AND DETERMINE CERTAIN STATE TAX PROVISIONS; TO CONFORM TO THE FEDERAL ANNUAL EXCLUSION AMOUNT FOR GIFT TAXES; TO DELAY THE EFFECT OF ACCELERATED DEPRECIATION UNDER SECTION 168 OF THE CODE AND SECTION 1400L OF THE CODE; TO DISREGARD THE PHASE-OUT OF THE STATE DEATH TAX CREDIT UNDER THE CODE; TO ALLOW THE SECRETARY OF REVENUE TO RECOUP A PORTION OF THE COSTS OF ADMINISTERING THE UNAUTHORIZED SUBSTANCES TAX FROM LOCAL SALES AND USE TAX DISTRIBUTIONS; TO SET THE INSURANCE REGULATORY FEE AND THE PUBLIC UTILITY REGULATORY FEES; TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR; TO CONFORM THE DEFINITION OF BUSINESS INCOME TO FEDERAL STANDARDS; TO PROVIDE THAT IN APPORTIONING CORPORATE INCOME TO THIS STATE FOR INCOME TAX PURPOSES, SALES OF TANGIBLE PERSONAL PROPERTY IN ANOTHER STATE OR COUNTRY WHERE THE SALES ARE NOT TAXABLE ARE NOT CONSIDERED; TO CLOSE A LOOPHOLE IN THE 2001 LEGISLATION INTENDED TO CLOSE A LOOPHOLE THAT ALLOWS CORPORATIONS TO AVOID FRANCHISE TAX LIABILITY BY TRANSFERRING ASSETS TO A LIMITED LIABILITY COMPANY; AND TO ENLARGE THE CLASS OF TAXPAYERS ELIGIBLE FOR AN ENHANCED CREDIT FOR INVESTING IN LOW-INCOME HOUSING

August 14, 2002

IN A COUNTY THAT SUSTAINED SEVERE OR MODERATE DAMAGE FROM A HURRICANE IN 1999: Representatives Redwine, Easterling, and Oldham.

The Senate is so notified by Special Message.

The House stands adjourned at 5:14 p.m.

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## **TWO HUNDRED TWENTY-SIXTH DAY**

HOUSE OF REPRESENTATIVES  
Thursday, August 15, 2002

The House meets at 10:05 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Eternal God:

"You created the day for our labor and the night for our rest. Give us grace to be diligent with our responsibilities. Keep our hands upon the plow ever aware of the fields yet to be tilled, and keep our hearts and minds fixed upon Thee, ever aware of Your constant and watchful eye upon our hearts' devotion. And, for all to whom love is a stranger, may they find in us, kind and generous friends. Amen."

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

Leaves of absence are granted Representatives Alexander, Church, Cox, Earle, Edwards, Ellis, Hiatt, Hilton, McLawhorn, Miner, and Warner for today.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

August 15, 2002

**S.B. 1416**, AN ACT TO IMPROVE THE LOW-INCOME HOUSING TAX CREDIT BY MAKING IT SIMPLER AND LESS COSTLY WHILE PROVIDING THE SAME LEVEL OF INCENTIVES FOR THE CONSTRUCTION OF LOW-INCOME HOUSING AND TO MODIFY THE FORMULA FOR CALCULATING NORTH CAROLINA ESTATE TAX ON ESTATES WITH PROPERTY IN MORE THAN ONE STATE.

**H.B. 1099**, AN ACT TO PERMIT THE WAIVER OF THE RIGHT OF EQUITY OF REDEMPTION BY FINANCIAL INSTITUTIONS IN CERTAIN SECURITIZED FINANCIAL ASSETS AND TO STUDY ITS APPLICABILITY TO OTHER BUSINESS ENTITIES.

**H.B. 1545**, AN ACT TO AUTHORIZE THE ADDITION OF ELK KNOB STATE NATURAL AREA AND BEECH CREEK BOG STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

**H.B. 1575**, AN ACT TO CLARIFY CERTAIN STATUTES RELATED TO LAND-USE RESTRICTIONS AND RECORDATION OF THOSE RESTRICTIONS IN CONNECTION WITH THE CLEANUP OF RELEASES FROM PETROLEUM UNDERGROUND STORAGE TANKS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

#### **CHAPTERED BILLS**

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 1346**, AN ACT TO ALLOW THE CITY OF EDEN TO NEGOTIATE ANNEXATION CONTRACTS. (S.L. 2002-74)

#### **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:

**S.B. 1170** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING ADDITIONAL METHODS FOR BIDDING ON

August 15, 2002

PUBLIC PROCUREMENT CONTRACTS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the 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. 1224** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO ALLOW THE OFFICE OF ADMINISTRATIVE HEARINGS TO USE THE INTERNET FOR AGENCY PUBLICATIONS AND TO CONFORM THE ADMINISTRATIVE PROCEDURE ACT TO PROVISIONS OF CHAPTER 12 OF THE GENERAL STATUTES RELATING TO RULES WHICH ESTABLISH OR INCREASE FEES, 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:

**S.B. 1253** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN ANIMAL WASTE MANAGEMENT SYSTEMS SHALL NOT QUALIFY FOR SPECIAL PROPERTY CLASSIFICATION AND EXCLUSION FROM THE TAX BASE PURSUANT TO G.S. 105-275(8) AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY ISSUES RELATED TO THE TAX EXCLUSION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, 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. 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, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

August 15, 2002



Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

### CALENDAR

Action is taken on the following:

**H.B. 1520** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON TAX CREDITS FOR QUALIFIED BUSINESS INVESTMENTS AND TO AMEND THE DEFINITION OF QUALIFIED GRANTEE BUSINESS.

Pursuant to Rule 24.1A(c), the request that Representative Pope be excused from voting on August 14 is continued.

On motion of Representative Allen, the House concurs in the material Senate Amendment No. 1, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Adams, Allen, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Carpenter, Clary, Coates, Cole, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Easterling, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McMahan, Michaux, Miller, Mitchell, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 95.

Voting in the negative: Representatives Allred, Capps, Creech, Davis, Decker, Eddins, and Shubert - 7.

Excused absences: Representatives Alexander, Church, Cox, Earle, Edwards, Ellis, Hiatt, Hilton, McLawhorn, Miner, and Warner - 11.

Excused vote: Representative Pope.

August 15, 2002

Representatives Morgan and Warren state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (97-7).

**H.B. 1685** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX TERRITORY AND DEANNEX TERRITORY TO THE CORPORATE LIMITS OF THE TOWN OF FOUR OAKS, 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, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Brubaker, Buchanan, Capps, Carpenter, Clary, Coates, Cole, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Easterling, Eddins, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, 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, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Alexander, Church, Cox, Earle, Edwards, Ellis, Hiatt, Hilton, McLawhorn, Miner, and Warner - 11.

**S.B. 1367** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT BERTIE, COLUMBUS, AND GREENE COUNTIES, AND THE TOWN OF WINDSOR MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Clary, Coates, Cole, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Easterling, Eddins, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Howard, Hurley,

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Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McMahan, Michaux, Miller, 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, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 102.

Voting in the negative: Representative Creech.

Excused absences: Representatives Alexander, Church, Cox, Earle, Edwards, Ellis, Hiatt, Hilton, McLawhorn, Miner, and Warner - 11.

**S.B. 1394**, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE CITY OF CHARLOTTE MAY BY RESOLUTION DEEM THE CREATION OF A SELF-FUNDED RISK PROGRAM AS THE PURCHASE OF INSURANCE FOR THE PURPOSE OF WAIVING GOVERNMENTAL IMMUNITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

#### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 595**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 84TH HOUSE DISTRICT, 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, Senate Committee Substitute for **H.B. 1646**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF ROWLAND, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Judiciary III.

Representative Culpepper moves, seconded by Representative Allen, that the House adjourn, subject to the receipt of Messages from the Senate and conference committee appointments, to reconvene Monday, August 19, 2002, at 7:05 p.m.

The motion carries.

August 15, 2002

**REMOVAL OF CONFEREE**

The Speaker removes Representative Cunningham as a conferee on **S.B. 1115** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2001, TO PROVIDE FOR A TEN PERCENT (10%) REDUCTION IN THE SALARY OF MEMBERS OF THE GENERAL ASSEMBLY FOR THE REMAINDER OF THE 2002-2003 FISCAL YEAR, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, and the Senate is so notified by Special Message.

The House stands adjourned at 2:24 p.m.

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**TWO HUNDRED TWENTY-SEVENTH DAY**

HOUSE OF REPRESENTATIVES  
Monday, August 19, 2002

The House meets at 7:05 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Sovereign God:

"You are the Supreme Ruler over all things in Heaven and on Earth. Only You can allow what transpires nation within nation, state within state. We often think that it is because of our own understanding of power and political strategies that good things get accomplished. But, we know that all, which is pleasing and good, comes from You. It is through Your divine grace and mercy that we even have a part to play in the interests of government. Teach us that our positions in this General Assembly only exist to do that which is ultimately good for all people. Sometimes, that means listening to our constituents and voting for them. Sometimes, that means having the courage to speak up for those whose voices cannot be heard over the roar of privilege and prestige. Help us to see ever so clearly that those currently in power and those among us who may one day attain earthly power will not conduct our eternal evaluation. Rather, remind us, O God, that how we are judged when we stand before Thee in all of Your

August 19, 2002

fullness and glory will be determined in as much as we have done well unto the least of Your children. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 19 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Arnold, Blue, Clary, Dockham, Haire, Hiatt, Luebke, McAllister, McCombs, Nesbitt, Sexton, Thompson, Warwick, and Wright for today.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 1144**, AN ACT TO DEFINE AND AUTHORIZE THE USE OF NONTANDEM TWO-WHEELED PERSONAL ASSISTIVE MOBILITY DEVICES.

**H.B. 1520**, AN ACT TO EXTEND THE SUNSET ON TAX CREDITS FOR QUALIFIED BUSINESS INVESTMENTS, TO AMEND THE DEFINITION OF QUALIFIED GRANTEE BUSINESS, TO EXTEND THE SUNSET ON THE STATE PORTS TAX CREDIT, AND TO CLARIFY AND AMEND THE NORTH CAROLINA STATE PORTS AUTHORITY'S FEE-SETTING AUTHORITY.

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

**S.B. 1394**, AN ACT PROVIDING THAT THE CITY OF CHARLOTTE MAY BY RESOLUTION DEEM THE CREATION OF A SELF-FUNDED RISK PROGRAM AS THE PURCHASE OF INSURANCE FOR THE PURPOSE OF WAIVING GOVERNMENTAL IMMUNITY.

**H.B. 1600**, AN ACT AFFECTING THE REGULATION OF ABANDONMENT OF JUNKED MOTOR VEHICLES IN THE CITY OF ALBEMARLE.

**H.B. 1661**, AN ACT TO ALLOW THE COUNTY OF LEE TO CONVEY THE GOLDEN POULTRY/GOLD KIST WATER PLANT AND RIVER INTAKE FACILITY AT PRIVATE SALE.

**H.B. 1686**, AN ACT AUTHORIZING THE VILLAGE OF WHISPERING PINES TO REGULATE THE OPERATION OF ELECTRIC GOLF CARTS

August 19, 2002

WITHIN THE VILLAGE AND TO AUTHORIZE THE MOORE COUNTY BOARD OF COMMISSIONERS TO REGULATE THE OPERATION OF ELECTRIC GOLF CARTS WITHIN THE SEVEN LAKES COMMUNITY IN MOORE COUNTY.

**H.B. 1691**, AN ACT AUTHORIZING THE TROY REDEVELOPMENT COMMISSION TO CONVEY PROPERTY TO A NONPROFIT ORGANIZATION FOR THE PURPOSE OF PROVIDING AFFORDABLE HOUSING IN A REDEVELOPMENT AREA.

**H.B. 1697**, AN ACT TO PERMIT THE WARREN FIELD AIRPORT COMMISSION TO LEASE PROPERTY FOR MORE THAN TEN YEARS.

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

**H.J.R. 1462**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DAVID WEBSTER BUMGARDNER, JR., A FORMER MEMBER OF THE NORTH CAROLINA GENERAL ASSEMBLY. (RESOLUTION 2002-10)

**H.J.R. 1778**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LINWOOD EBORN MERCER, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 2002-11)

#### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 1308**, AN ACT TO CONFIRM THE DATE ON WHICH STATE REQUIREMENTS GOVERNING THE CONCENTRATION OF SULFUR IN GASOLINE BECOMES EFFECTIVE AND TO PROVIDE THAT GASOLINE THAT MEETS FEDERAL REQUIREMENTS GOVERNING THE CONCENTRATION OF SULFUR IN GASOLINE SHALL BE DEEMED TO COMPLY WITH STATE REQUIREMENTS GOVERNING THE CONCENTRATION OF SULFUR IN GASOLINE DURING THE TWO-YEAR PERIOD ALLOWED FOR THE TRANSITION TO LOW-SULFUR GASOLINE BY FEDERAL REGULATIONS. (S.L. 2002-75)

**H.B. 148**, AN ACT TO ALLOW MORE THAN TWO NONPROFIT WATER CORPORATIONS TO JOIN CERTAIN WATER AND SEWER AUTHORITIES. (S.L. 2002-76)

August 19, 2002

**H.B. 622**, 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. (S.L. 2002-77)

**S.B. 759**, AN ACT TO PROVIDE LIMITATIONS ON RAIL TRANSPORTATION LIABILITY. (S.L. 2002-78)

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

The following reports from standing committees are presented:

By Representative Jarrell, Chair, for the Committee on State Government:

**S.B. 1262** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ENTER INTO MUTUAL AID AGREEMENTS WITH LAW ENFORCEMENT AGENCIES ON BEHALF OF ITS SPECIAL PEACE OFFICERS WHO HAVE BEEN DESIGNATED FOR THE PURPOSE OF ENFORCING THE LAW GOVERNING THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

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

**S.B. 1441** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN ACTIVITIES OF THE UNIVERSITY OF NORTH CAROLINA, INCLUDING THE NORTH CAROLINA ARBORETUM, FROM THE UMSTEAD ACT, with a favorable report as to the House

August 19, 2002

committee substitute bill, unfavorable as to the 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 Easterling, Oldham, Redwine, and Thompson, Chairs, for the Committee on Appropriations:

**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, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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. 1766**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE HONORARY LISTON B. RAMSEY MOUNTED HORSE/CAISSON PATROL UNIT, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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. 1232** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND WITH AT LEAST TEN YEARS OF SERVICE TO CONTINUE AS MEMBERS AFTER THE TAKEOVER OF A VOLUNTEER DEPARTMENT BY A CITY OR COUNTY; AND TO EXEMPT VOLUNTEER FIREFIGHTERS, EMERGENCY MEDICAL SERVICES PERSONNEL AND RESCUE SQUAD WORKERS FROM OVERTIME AND MINIMUM WAGE LAWS, with a favorable report.

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

**S.B. 1238** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE PURCHASE OF WITHDRAWN SERVICE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT

August 19, 2002



SYSTEM, TO CORRECT THE CALCULATION OF BENEFITS FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM WHO PURCHASE WITHDRAWN SERVICE, AND TO INCREASE APPROPRIATIONS TO THE RETIREMENT SYSTEMS DIVISION, 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. 1779**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HOWARD B. CHAPIN, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of August 20.

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

##### **2001 GENERAL ASSEMBLY SECOND SESSION 2002**

Senate Chamber  
August 15, 2002

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that Senator Metcalf has been added as a conferee on **S.B. 1115** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2001 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

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

#### **MESSAGES FROM THE SENATE**

The following are received from the Senate:

August 19, 2002

**H.B. 1534**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO GRANT THE DOMESTIC VIOLENCE COMMISSION AUTHORITY TO ADOPT RULES TO APPROVE ABUSER TREATMENT PROGRAMS, is returned for concurrence in Senate amendment.

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

Senate Committee Substitute for **H.B. 1649**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXPIRATION DATE OF A LOCAL ACT ALLOWING THE CITY OF CHARLOTTE TO CONTRACT WITH PRIVATE PARTIES FOR THE DEVELOPMENT, CONSTRUCTION, AND OCCUPANCY OF CHARLOTTE/DOUGLAS INTERNATIONAL AIRPORT SPECIAL USER PROJECTS WITHOUT COMPLYING WITH ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES, is returned for concurrence in the 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.

**S.B. 1252** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAND CONSERVATION STATUTES OF THE STATE OF NORTH CAROLINA, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

Pursuant to Rule 38(a), **H.B. 1402** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADDRESS CONFIDENTIALITY PROGRAM FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL OFFENSES, AND STALKING, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Appropriations.

#### **CALENDAR**

Action is taken on the following:

**S.B. 1367** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT BERTIE, COLUMBUS, AND GREENE COUNTIES,

August 19, 2002

AND THE TOWN OF WINDSOR MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Baddour, Baker, Barbee, Barefoot, Bell, Blust, Bonner, Bowie, Brubaker, Buchanan, Capps, Carpenter, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, McLawhorn, Michaux, Miller, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Rogers, Russell, Saunders, Setzer, Sherrill, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 95.

Voting in the negative: Representative Shubert.

Excused absences: Representatives Arnold, Blue, Clary, Dockham, Haire, Hiatt, Luebke, McAllister, McCombs, Nesbitt, Sexton, Thompson, Warwick, and Wright - 14.

**H.B. 1736**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A RETIRED LEGISLATOR SPECIAL LICENSE PLATE.

On motion of Representative Sherrill and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of August 20.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1541** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELINEATE THE NOLICHUCKY RIVER BASIN FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT RELATED TO THE REVIEW AND REVISION OF THE APPLICABLE BASINWIDE WATER QUALITY MANAGEMENT PLAN, 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 sent to the Senate by Special Message.

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Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1777** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF CERTAIN ADMINISTRATIVE RULES GOVERNING SANITATION OF HOSPITALS, NURSING HOMES, REST HOMES, AND OTHER INSTITUTIONS; TO PROVIDE FOR A FIELD TEST OF THOSE RULES; TO AUTHORIZE THE COMMISSION FOR HEALTH SERVICES TO ADOPT TEMPORARY AND PERMANENT RULES TO AMEND THOSE RULES; AND TO AUTHORIZE THE MEDICAL CARE COMMISSION TO ADOPT TEMPORARY AND PERMANENT RULES TO AMEND A RELATED RULE, passes its second reading, by electronic vote (91-5).

Representative Gibson objects to the third reading. The bill remains on the Calendar.

On motion of Representative Culpepper, seconded by Representative Allen, the House adjourns at 7:52 p.m. to reconvene August 20 at 2:00 p.m.

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## **TWO HUNDRED TWENTY-EIGHTH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, August 20, 2002

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, House Chaplain:

"Patient God:

"You created us for the sole purpose of worshiping You. How You must get frustrated with us due to our inconsistency in taking time to spend with Thee day to day. Ironically, we beseech Thee daily to help guide us on matters of public policy, yet we often fail to find the time to actually spend listening to Your voice and discerning Your will. Forgive us, for we can be a selfish people who often rely upon our own will and ways. Turn our priorities upside down so that You come first and we come last. Thus, in searching and knowing Thee, we would be more faithful in our vocations and to You, O God, our Lord and our Redeemer. Amen."

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Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 19 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue, Dockham, Hiatt, and Warwick 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. 1394**, AN ACT PROVIDING THAT THE CITY OF CHARLOTTE MAY BY RESOLUTION DEEM THE CREATION OF A SELF-FUNDED RISK PROGRAM AS THE PURCHASE OF INSURANCE FOR THE PURPOSE OF WAIVING GOVERNMENTAL IMMUNITY. (S.L. 2002-79)

**H.B. 1600**, AN ACT AFFECTING THE REGULATION OF ABANDONMENT OF JUNKED MOTOR VEHICLES IN THE CITY OF ALBEMARLE. (S.L. 2002-80)

**H.B. 1661**, AN ACT TO ALLOW THE COUNTY OF LEE TO CONVEY THE GOLDEN POULTRY/GOLD KIST WATER PLANT AND RIVER INTAKE FACILITY AT PRIVATE SALE. (S.L. 2002-81)

**H.B. 1686**, AN ACT AUTHORIZING THE VILLAGE OF WHISPERING PINES TO REGULATE THE OPERATION OF ELECTRIC GOLF CARTS WITHIN THE VILLAGE AND TO AUTHORIZE THE MOORE COUNTY BOARD OF COMMISSIONERS TO REGULATE THE OPERATION OF ELECTRIC GOLF CARTS WITHIN THE SEVEN LAKES COMMUNITY IN MOORE COUNTY. (S.L. 2002-82)

**H.B. 1691**, AN ACT AUTHORIZING THE TROY REDEVELOPMENT COMMISSION TO CONVEY PROPERTY TO A NONPROFIT ORGANIZATION FOR THE PURPOSE OF PROVIDING AFFORDABLE HOUSING IN A REDEVELOPMENT AREA. (S.L. 2002-83)

**H.B. 1697**, AN ACT TO PERMIT THE WARREN FIELD AIRPORT COMMISSION TO LEASE PROPERTY FOR MORE THAN TEN YEARS. (S.L. 2002-84)

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**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. 1312** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF FAYETTEVILLE TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND HAVE THE OPTION OF DEMOLISHING THOSE BUILDINGS PURSUANT TO G.S. 160A-432, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the 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. 1336** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO ESTABLISH A SMALL BUSINESS ENTERPRISE PROGRAM, with a favorable report.

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

By Representative Hill, Chair, for the Committee on Agriculture:

**S.B. 1161** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PRESENT-USE VALUE STATUTES AND TO CREATE A PROPERTY TAX SUBCOMMITTEE OF THE REVENUE LAWS STUDY COMMITTEE, 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 Hackney, Chair, for the Committee on Judiciary I:

**S.B. 662**, A BILL TO BE ENTITLED AN ACT AMENDING AN ACT AUTHORIZING ORANGE COUNTY TO REGULATE OPEN BURNING, with a favorable report.

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

**S.B. 1392** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE REQUIRED STORAGE PERIOD FOR UNCLAIMED PROPERTY HELD BY LAW ENFORCEMENT IN MECKLENBURG COUNTY, 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 Decker, Barbee, Esposito, Gillespie, Harrington, Pope, Preston, Walend, and G. Wilson:

**H.J.R. 1783**, A JOINT RESOLUTION AUTHORIZING THE 2001 GENERAL ASSEMBLY, REGULAR SESSION 2002, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA CENTER FOR MISSING PERSONS TO ACCEPT AND EXPEND PRIVATE DONATIONS FOR THE NORTH CAROLINA CHILD ALERT NOTIFICATION SYSTEM – NCCAN (AMBER ALERT), TO ESTABLISH CRITERIA TO TRIGGER AN "AMBER ALERT", TO COORDINATE THE PUBLIC AND PRIVATE SECTORS, AND TO PROVIDE FOR THE USE OF DEPARTMENT OF TRANSPORTATION CHANGEABLE MESSAGE SIGNS TO DISPLAY INFORMATION REGARDING MISSING CHILDREN, 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. 1248** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A PENSION ASSURANCE FUND TO PROTECT THE RETIREMENT SAVINGS AND INVESTMENTS OF THE CITIZENS OF NORTH CAROLINA, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 1260** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT UNITS OF LOCAL GOVERNMENT TO EVALUATE

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THEIR EFFORTS TO CONSERVE WATER, TO DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT RULES GOVERNING WATER CONSERVATION AND WATER REUSE, TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO EVALUATE WATER CONSERVATION AND WATER EFFICIENCY PROGRAMS IN THE STATE, AND TO DIRECT THE UTILITIES COMMISSION TO STUDY METHODS TO FUND AND PROMOTE THE DEVELOPMENT OF GREEN POWER IN NORTH CAROLINA, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 1268**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF MONROE TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES, is read the first time and referred to the Committee on Local Government I.

**S.B. 1443** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL TEACHERS, 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. 1779**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HOWARD B. CHAPIN, FORMER MEMBER OF THE GENERAL ASSEMBLY, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (108-0), 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 (109-0).

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1736**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A RETIRED LEGISLATOR SPECIAL LICENSE PLATE.

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Representative Thompson offers Amendment No. 1, which is ruled to be material. The amendment is adopted, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, Michaux, Miller, Miner, Mitchell, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Teague, Thompson, Tolson, Tucker, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, Willingham, C. Wilson, Womble, Wright, and Yongue - 102.

Voting in the negative: Representatives Baker, Barbee, Coates, Fox, Hensley, McAllister, Morgan, Rayfield, Sutton, Underhill, Weatherly, and G. Wilson - 12.

Excused absences: Representatives Blue, Dockham, Hiatt, and Warwick - 4.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1211** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE BOONE'S CAVE STATE NATURAL AREA AND A PORTION OF BALDHEAD ISLAND STATE NATURAL AREA FROM THE STATE NATURE AND HISTORIC PRESERVE, TO REMOVE THESE PROPERTIES FROM THE STATE PARKS SYSTEM, TO AUTHORIZE THE TRANSFER OF THESE PROPERTIES FOR LIMITED PURPOSES, AND TO ALLOW CERTAIN PUBLIC ENTITIES TO USE THE FIRE TOWER AT MOUNT JEFFERSON STATE NATURAL AREA FOR PUBLIC COMMUNICATION PURPOSES, passes its second reading, by the following three-fifths vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black; Representatives Adams, 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,

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Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, 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, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, 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, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Blue, Dockham, Hiatt, and Warwick - 4.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1253** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN ANIMAL WASTE MANAGEMENT SYSTEMS SHALL NOT QUALIFY FOR SPECIAL PROPERTY CLASSIFICATION AND EXCLUSION FROM THE TAX BASE PURSUANT TO G.S. 105-275(8) AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY ISSUES RELATED TO THE TAX EXCLUSION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW 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, Arnold, Baddour, 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, Decker, Dedmon, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, 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, Sexton, Shubert, Smith, Teague, Thompson, Tolson, Tucker, Underhill,

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Wainwright, Walend, Walker, Warren, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Wright, and Yongue - 102.

Voting in the negative: Representatives Baker, Barbee, Creech, Davis, Hilton, Johnson, Kiser, Setzer, Sherrill, Starnes, Sutton, and Warner - 12.

Excused absences: Representatives Blue, Dockham, Hiatt, and Warwick - 4.

**S.B. 1407** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONTRACT RIGHT REGARDING THE TIMING OF PAYMENTS UNDER CONTRACTS REQUIRING REIMBURSEMENT OF FEDERAL FUEL EXCISE TAXES AND TO MAKE VARIOUS MOTOR FUEL EXCISE TAX CHANGES, 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, Daughtry, Davis, Decker, Dedmon, 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, 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, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Blue, Dockham, Hiatt, and Warwick - 4.

**H.B. 1777** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF CERTAIN ADMINISTRATIVE RULES GOVERNING SANITATION OF HOSPITALS, NURSING HOMES, REST HOMES, AND OTHER INSTITUTIONS; TO PROVIDE FOR A FIELD TEST OF THOSE RULES; TO AUTHORIZE THE COMMISSION FOR HEALTH SERVICES TO ADOPT TEMPORARY AND PERMANENT RULES TO AMEND THOSE RULES; AND TO AUTHORIZE

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THE MEDICAL CARE COMMISSION TO ADOPT TEMPORARY AND PERMANENT RULES TO AMEND A RELATED RULE, passes its third reading, by electronic vote (104-9), and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1218**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF TAX LAWS BY CRIMINALIZING OR INCREASING THE PENALTY FOR CERTAIN FORMS OF TAX FRAUD AND BY ALLOWING THE DEPARTMENT OF REVENUE TO DISCLOSE CERTAIN INFORMATION TO LAW ENFORCEMENT AGENCIES, passes its second reading, by electronic vote (113-0).

Representative Allred 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. 1224** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO ALLOW THE OFFICE OF ADMINISTRATIVE HEARINGS TO USE THE INTERNET FOR AGENCY PUBLICATIONS AND TO CONFORM THE ADMINISTRATIVE PROCEDURE ACT TO PROVISIONS OF CHAPTER 12 OF THE GENERAL STATUTES RELATING TO RULES WHICH ESTABLISH OR INCREASE FEES, 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.

On motion of Representative Culpepper, seconded by Representative Howard, the House adjourns at 3:38 p.m. to reconvene August 21 at 2:00 p.m.

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## TWO HUNDRED TWENTY-NINTH DAY

HOUSE OF REPRESENTATIVES  
Wednesday, August 21, 2002

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

August 21, 2002

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"O Eternal God:

"In Whose appointment our life stands, and Who committed our work to us, we commit our cares to You. We thank You that we are Your children, and that You have assured us that, while we are intent upon Your will, You will heed our wants. Fill us with that compassion for others' troubles which comes from forgetfulness of our own; with the charity of those who know their own unworthiness; and with the glad hope of the children of eternity. And to You, the Beginning and the End, Lord of the living, Refuge of the dying, be thanks and praise forever. Amen."

(James Martineau, England, 19<sup>th</sup> CENT., ALT.)

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 20 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue, Church, M. Crawford, Hiatt, Hurley, and Luebke for today.

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

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Cole and J. Crawford, Chairs, for the Appropriations Subcommittee on Transportation:

**H.B. 1696** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE HIGHWAY PATROL TO ASSESS AND COLLECT FEES FOR PROVIDING ESCORTS FOR OVERSIZED AND HAZARDOUS SHIPMENTS ONLY WHEN REQUESTED BY THE SHIPPER OR WHEN REQUIRED BY LAW, reported to the Standing Committee on Appropriations, with a favorable recommendation as to proposed committee substitute bill, which changes the title, unfavorable as to original bill.

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By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**S.B. 1275** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A PLAN TO IMPROVE THE STATE'S TRACKING OF DROPOUT DATA, TO EXAMINE THE ACCOUNTABILITY FORMULA TO REWARD HIGH SCHOOLS FOR REDUCING THEIR DROPOUT RATE, TO IDENTIFY CURRENT STATE TECHNICAL HIGH SCHOOLS AND CAREER CENTERS AND TO COOPERATE WITH THE STATE BOARD OF COMMUNITY COLLEGES TO ENCOURAGE CONCURRENT ENROLLMENT, TO STUDY THE RELATIONSHIP BETWEEN ACADEMIC RIGOR AND REDUCING THE DROPOUT RATE, TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO PLACE EXCELLENT, EXPERIENCED TEACHERS IN GRADES SEVEN THROUGH NINE, TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY WHETHER RAISING THE COMPULSORY ATTENDANCE AGE TO EIGHTEEN WILL REDUCE THE DROPOUT RATE, TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT A POLICY TO REQUIRE KINDERGARTEN THROUGH EIGHTH GRADE TEACHERS TO TAKE THREE RENEWAL CREDITS IN READING METHODS COURSES, TO DIRECT THE UNC BOARD OF GOVERNORS TO STUDY WHETHER TO REQUIRE AT LEAST TWO READING METHODS COURSES FOR ALL ELEMENTARY EDUCATION MAJORS AND AT LEAST ONE READING METHODS COURSE FOR ALL MIDDLE GRADES EDUCATION MAJORS, TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE FISCAL AND INSTRUCTIONAL ACCOUNTABILITY OF LOCAL SCHOOL ADMINISTRATIVE UNITS, AND TO DIRECT THE STATE BOARD OF EDUCATION TO TAKE OVER ALL POWERS AND DUTIES RELATED TO A SCHOOL WHEN THAT SCHOOL AND ITS LOCAL BOARD OF EDUCATION FAIL TO IMPLEMENT RECOMMENDATIONS OF AN ASSISTANCE TEAM ASSIGNED TO THAT SCHOOL, with a favorable report as to the House committee substitute bill, unfavorable as to the 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:

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**S.B. 1161** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PRESENT-USE VALUE STATUTES AND TO CREATE A PROPERTY TAX SUBCOMMITTEE OF THE REVENUE LAWS STUDY COMMITTEE, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the 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 Wright, Chair, for the Committee on Health:

**S.B. 911**, A BILL TO BE ENTITLED AN ACT CONCERNING CONFIDENTIALITY OF COMPETITIVE HEALTH CARE INFORMATION, with a favorable report as to the House committee substitute bill, which changes the title, 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.

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

**H.R. 1780**, A HOUSE RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES AND THE PRESIDENT TO ENACT LEGISLATION TO ESTABLISH A FEDERAL/STATE PARTNERSHIP TO USE LOCAL COUNTY VETERANS SERVICE OFFICERS TO ASSIST THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS IN ELIMINATING THE VETERANS CLAIMS PROCESSING BACKLOG, with recommendation that it be adopted.

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

**H.J.R. 1783**, A JOINT RESOLUTION AUTHORIZING THE 2001 GENERAL ASSEMBLY, REGULAR SESSION 2002, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA CENTER FOR MISSING PERSONS TO ACCEPT AND EXPEND PRIVATE DONATIONS FOR THE NORTH CAROLINA CHILD ALERT NOTIFICATION SYSTEM – NCCAN (AMBER ALERT), TO ESTABLISH CRITERIA TO TRIGGER AN "AMBER ALERT", TO COORDINATE THE PUBLIC AND PRIVATE SECTORS, AND TO

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PROVIDE FOR THE USE OF DEPARTMENT OF TRANSPORTATION CHANGEABLE MESSAGE SIGNS TO DISPLAY INFORMATION REGARDING MISSING CHILDREN, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of August 22.

**S.J.R. 1469** (Committee Substitute), A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILLIAM JOSEPH GASTON ON THE 225TH ANNIVERSARY OF HIS BIRTH, with a favorable report.

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

Representative Culpepper moves, seconded by Representative Allen, that the House adjourn, subject to the receipt of Committee Reports, to reconvene August 22 at 10:05 a.m.

The motion carries.

No reports being received, the House stands adjourned at 6:20 p.m.

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## TWO HUNDRED THIRTIETH DAY

HOUSE OF REPRESENTATIVES  
Thursday, August 22, 2002

The House meets at 10:05 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Most Gracious God:

"We confess to You that what we cannot see and what we cannot experience, personally, often places a burden on our ability to understand what is taking place around us. We are not all privy to every important matter or meeting. We long for some sense of description or interpretation to help clear up our concerns and any lingering confusions we may have. We confess to You that what really is taking place through these emotions is our lack of control...our sense of being left out. None of us want to feel

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this way. Remind us in these times, dear God, that our system does, indeed, work. Perhaps it doesn't always work like a machine without a squeaky wheel, but it works; and the process of transforming an idea into a bill, and a bill into a law finally gets accomplished with the help of both sides of the aisle. Show us how we need each other. Give us a renewed respect for this institution in which we now find ourselves standing. Help us to see our positions of leadership not as an end in itself, but rather as a means through which we can exact positive change for the people of our State whom we have been sent here to serve as faithfully as possible. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue, Ellis, Goodwin, Haire, Harrington, and Teague for today. Representatives Adams, Brubaker, and Gray are excused for a portion of the session.

### **ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

**S.B. 1224**, AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO ALLOW THE OFFICE OF ADMINISTRATIVE HEARINGS TO USE THE INTERNET FOR AGENCY PUBLICATIONS AND TO CONFORM THE ADMINISTRATIVE PROCEDURE ACT TO PROVISIONS OF CHAPTER 12 OF THE GENERAL STATUTES RELATING TO RULES WHICH ESTABLISH OR INCREASE FEES.

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

**S.B. 1367**, AN ACT TO PROVIDE THAT BERTIE, COLUMBUS, AND GREENE COUNTIES, AND THE TOWN OF WINDSOR MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES.

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

The following reports from standing committees are presented:

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By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**S.B. 1054** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REFORM THE METHOD OF ELECTING SUPREME COURT JUSTICES AND COURT OF APPEALS JUDGES AND TO ESTABLISH A FAIR ELECTIONS FUND THAT PROVIDES CANDIDATES FOR THESE OFFICES WITH AN ALTERNATIVE MEANS OF FINANCING THEIR CAMPAIGNS, 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 Easterling, Oldham, Redwine, and Thompson, Chairs, for the Committee on Appropriations:

**H.B. 1734** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RAISE THE INVESTMENT THRESHOLD FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO ESTABLISH TIERED RATES FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO REQUIRE A TAXPAYER AND ITS RELATED ENTITIES TO SATISFY ANY OUTSTANDING STATE TAX ASSESSMENTS BEFORE RECEIVING A BILL LEE ACT CREDIT; TO MODIFY THE WAGE STANDARD FOR THE CREDIT FOR WORKER TRAINING; TO MODIFY THE WAGE STANDARD FOR ENTERPRISE TIER ONE AND TWO COUNTIES; TO MODIFY THE WAGE STANDARD FOR TAXPAYERS WITH A TAX YEAR OTHER THAN A CALENDAR YEAR; TO TREAT CERTAIN PARCELS OF LAND PARTIALLY LOCATED IN A DEVELOPMENT ZONE AS IF THE ENTIRE PARCEL WERE LOCATED WITHIN THE DEVELOPMENT ZONE; TO ENACT A JOB DEVELOPMENT INVESTMENT GRANT PROGRAM TO PROVIDE ECONOMIC STIMULUS, TO CREATE JOBS, AND TO AID IN THE DEVELOPMENT OF BUSINESS AND INDUSTRIAL PROJECTS AND EXPANSIONS IN NORTH CAROLINA; TO MODIFY THE INDUSTRIAL DEVELOPMENT FUND TO ALLOW FOR EXPENDITURES RELATED TO TELECOMMUNICATIONS AND BROADBAND LINES AND EQUIPMENT AND TO ALLOW FOR EXPENDITURES FROM THE UTILITY ACCOUNT IN ENTERPRISE TIER THREE AREAS; AND TO MAKE A TECHNICAL CORRECTION REGARDING THE AUTHORITY OF A

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LOCAL GOVERNMENT TO LEVY A PROPERTY TAX FOR ECONOMIC DEVELOPMENT, 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.

#### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **H.B. 1734** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO RAISE THE INVESTMENT THRESHOLD FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO ESTABLISH TIERED RATES FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO REQUIRE A TAXPAYER AND ITS RELATED ENTITIES TO SATISFY ANY OUTSTANDING STATE TAX ASSESSMENTS BEFORE RECEIVING A BILL LEE ACT CREDIT; TO MODIFY THE WAGE STANDARD FOR THE CREDIT FOR WORKER TRAINING; TO MODIFY THE WAGE STANDARD FOR ENTERPRISE TIER ONE AND TWO COUNTIES; TO MODIFY THE WAGE STANDARD FOR TAXPAYERS WITH A TAX YEAR OTHER THAN A CALENDAR YEAR; TO TREAT CERTAIN PARCELS OF LAND PARTIALLY LOCATED IN A DEVELOPMENT ZONE AS IF THE ENTIRE PARCEL WERE LOCATED WITHIN THE DEVELOPMENT ZONE; TO ENACT A JOB DEVELOPMENT INVESTMENT GRANT PROGRAM TO PROVIDE ECONOMIC STIMULUS, TO CREATE JOBS, AND TO AID IN THE DEVELOPMENT OF BUSINESS AND INDUSTRIAL PROJECTS AND EXPANSIONS IN NORTH CAROLINA; TO MODIFY THE INDUSTRIAL DEVELOPMENT FUND TO ALLOW FOR EXPENDITURES RELATED TO TELECOMMUNICATIONS AND BROADBAND LINES AND EQUIPMENT AND TO ALLOW FOR EXPENDITURES FROM THE UTILITY ACCOUNT IN ENTERPRISE TIER THREE AREAS; AND TO MAKE A TECHNICAL CORRECTION REGARDING THE AUTHORITY OF A LOCAL GOVERNMENT TO LEVY A PROPERTY TAX FOR ECONOMIC DEVELOPMENT, is placed on the Calendar for immediate consideration.

Representative Gibson requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

Representative Saunders offers Amendment No. 1 which fails of adoption, for lack of a majority, by electronic vote (54-54).

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Representative Nesbitt offers Amendment No. 2.

On motion of the Speaker, Amendment No. 2 is temporarily displaced.

The bill passes its second reading, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Speaker Black; Representatives Alexander, Allen, Allred, Arnold, Baddour, Barbee, Barefoot, Bell, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Decker, Dedmon, Dockham, Earle, Easterling, Edwards, Fox, Gillespie, Gulley, Hackney, Hall, Hiatt, Hill, Holliman, Hunter, Hurley, Jarrell, Jeffus, Johnson, Justus, Lucas, McAllister, McComas, McLawhorn, McMahan, Miner, Morris, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Willingham, G. Wilson, Womble, Wright, and Yongue - 79.

Voting in the negative: Representatives Adams, Baker, Barnhart, Blust, Carpenter, M. Crawford, Creech, Daughtry, Davis, Eddins, Esposito, Grady, Hensley, Hilton, Howard, Insko, Kiser, Luebke, McCombs, Michaux, Miller, Mitchell, Morgan, Nesbitt, Pope, Setzer, Shubert, Weiss, and West - 29.

Excused absences: Representatives Blue, Ellis, Goodwin, Gray, Haire, Harrington, and Teague - 7.

Excused vote: Representative Gibson.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Redwine and without objection, **H.B. 1040** (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE TEMPORARY EXTENDED UNEMPLOYMENT BENEFITS SECOND TIER BENEFIT QUALIFICATION FOR NORTH CAROLINA, is withdrawn from the Calendar and placed on the Calendar of August 27.

#### **CALENDAR**

Action is taken on the following:

Pursuant to Rule 36(b), the following resolution appears on today's Calendar.

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**H.J.R. 1783**, A JOINT RESOLUTION AUTHORIZING THE 2001 GENERAL ASSEMBLY, REGULAR SESSION 2002, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA CENTER FOR MISSING PERSONS TO ACCEPT AND EXPEND PRIVATE DONATIONS FOR THE NORTH CAROLINA CHILD ALERT NOTIFICATION SYSTEM – NCCAN (AMBER ALERT), TO ESTABLISH CRITERIA TO TRIGGER AN "AMBER ALERT", TO COORDINATE THE PUBLIC AND PRIVATE SECTORS, AND TO PROVIDE FOR THE USE OF DEPARTMENT OF TRANSPORTATION CHANGEABLE MESSAGE SIGNS TO DISPLAY INFORMATION REGARDING MISSING CHILDREN, is moved up on today's Calendar.

The resolution 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 by Special Message.

**S.B. 1211** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE BOONE'S CAVE STATE NATURAL AREA AND A PORTION OF BALDHEAD ISLAND STATE NATURAL AREA FROM THE STATE NATURE AND HISTORIC PRESERVE, TO REMOVE THESE PROPERTIES FROM THE STATE PARKS SYSTEM, TO AUTHORIZE THE TRANSFER OF THESE PROPERTIES FOR LIMITED PURPOSES, AND TO ALLOW CERTAIN PUBLIC ENTITIES TO USE THE FIRE TOWER AT MOUNT JEFFERSON STATE NATURAL AREA FOR PUBLIC COMMUNICATION PURPOSES, is moved up on today's Calendar.

On motion of the Chair, the bill is postponed until August 27.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1534**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO GRANT THE DOMESTIC VIOLENCE COMMISSION AUTHORITY TO ADOPT RULES TO APPROVE ABUSER TREATMENT PROGRAMS, is moved up on today's Calendar.

On motion of Representative Sherrill, the House concurs in the Senate amendment, by electronic vote (110-0), and the bill is ordered enrolled and presented to the Governor.

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**RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1402** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADDRESS CONFIDENTIALITY PROGRAM FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL OFFENSE, AND STALKING, 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, seconded by Representative Miller, the House adjourns at 12:32 p.m. to reconvene Monday, August 26, 2002, at 6:00 p.m.

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**TWO HUNDRED THIRTY-FIRST DAY**

HOUSE OF REPRESENTATIVES  
Monday, August 26, 2002

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William H. Allen, IV, First United Methodist Church, Fuquay-Varina, North Carolina:

"Almighty and merciful God, we are grateful for this day and we give You thanks for the opportunity to be here this evening.

"Lord, we ask that Your presence might be made manifest in this session tonight. May Your Spirit guide and lead us in the work we will accomplish.

"We ask for the wisdom to make decisions that are in the best interest of the people of this State and pleasing to You.

"May all we do and say glorify You, in whose name we pray. 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 August 22 has been

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examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Hiatt, Preston, and Thompson for today. Representatives Cole and Haire are excused for a portion of the session.

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 1367**, AN ACT TO PROVIDE THAT BERTIE, COLUMBUS, AND GREENE COUNTIES, AND THE TOWN OF WINDSOR MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS CORRECTIONAL FACILITIES. (S.L. 2002-85)

**H.B. 1492**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CONDEMN LAND FOR SECONDARY ROAD PAVING OR MAINTENANCE PROJECTS WHEN THE OWNERS OF THE MAJORITY OF THE ROAD FRONTAGE ADJACENT TO THE PROJECT AGREE TO PROVIDE THE NECESSARY RIGHT-OF-WAY FOR THE PROJECT, AND TO DESIGNATE INTER-STATE HIGHWAY 95 AS THE PURPLE HEART MEMORIAL HIGHWAY. (S.L. 2002-86)

**S.B. 1416**, AN ACT TO IMPROVE THE LOW-INCOME HOUSING TAX CREDIT BY MAKING IT SIMPLER AND LESS COSTLY WHILE PROVIDING THE SAME LEVEL OF INCENTIVES FOR THE CONSTRUCTION OF LOW-INCOME HOUSING AND TO MODIFY THE FORMULA FOR CALCULATING NORTH CAROLINA ESTATE TAX ON ESTATES WITH PROPERTY IN MORE THAN ONE STATE. (S.L. 2002-87)

**H.B. 1099**, AN ACT TO PERMIT THE WAIVER OF THE RIGHT OF EQUITY OF REDEMPTION BY FINANCIAL INSTITUTIONS IN CERTAIN SECURITIZED FINANCIAL ASSETS AND TO STUDY ITS APPLICABILITY TO OTHER BUSINESS ENTITIES. (S.L. 2002-88)

**H.B. 1545**, AN ACT TO AUTHORIZE THE ADDITION OF ELK KNOB STATE NATURAL AREA AND BEECH CREEK BOG STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 2002-89)

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**H.B. 1575**, AN ACT TO CLARIFY CERTAIN STATUTES RELATED TO LAND-USE RESTRICTIONS AND RECORDATION OF THOSE RESTRICTIONS IN CONNECTION WITH THE CLEANUP OF RELEASES FROM PETROLEUM UNDERGROUND STORAGE TANKS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 2002-90)

#### **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:

**S.B. 1146** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATION BY VARIOUS MUNICIPALITIES, with a favorable report as to the House committee substitute bill, unfavorable as to the 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.

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

On motion of the Chair and without objection, the following is introduced and read the first time:

By Representatives Weiss, Miner, and Gibson:

**H.R. 1784**, A HOUSE RESOLUTION HONORING THE CAROLINA COURAGE WOMEN'S SOCCER TEAM.

On motion of the Chair and without objection, the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (108-0), and is ordered printed.

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### INTRODUCTION OF PAGES

Pages for the week of August 26 are introduced to the membership. They are: Grayson L. Cave of Wake; Julie Katherine Dickens of Wake; Joshua Freeman of Granville; Justin C. Jetton of Wake; Kathryn E. Jetton of Wake; and Gary Quiller of Wake.

### CALENDAR

Action is taken on the following:

**H.B. 1734** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO RAISE THE INVESTMENT THRESHOLD FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO ESTABLISH TIERED RATES FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO REQUIRE A TAXPAYER AND ITS RELATED ENTITIES TO SATISFY ANY OUTSTANDING STATE TAX ASSESSMENTS BEFORE RECEIVING A BILL LEE ACT CREDIT; TO MODIFY THE WAGE STANDARD FOR THE CREDIT FOR WORKER TRAINING; TO MODIFY THE WAGE STANDARD FOR ENTERPRISE TIER ONE AND TWO COUNTIES; TO MODIFY THE WAGE STANDARD FOR TAXPAYERS WITH A TAX YEAR OTHER THAN A CALENDAR YEAR; TO TREAT CERTAIN PARCELS OF LAND PARTIALLY LOCATED IN A DEVELOPMENT ZONE AS IF THE ENTIRE PARCEL WERE LOCATED WITHIN THE DEVELOPMENT ZONE; TO ENACT A JOB DEVELOPMENT INVESTMENT GRANT PROGRAM TO PROVIDE ECONOMIC STIMULUS, TO CREATE JOBS, AND TO AID IN THE DEVELOPMENT OF BUSINESS AND INDUSTRIAL PROJECTS AND EXPANSIONS IN NORTH CAROLINA; TO MODIFY THE INDUSTRIAL DEVELOPMENT FUND TO ALLOW FOR EXPENDITURES RELATED TO TELECOMMUNICATIONS AND BROADBAND LINES AND EQUIPMENT AND TO ALLOW FOR EXPENDITURES FROM THE UTILITY ACCOUNT IN ENTERPRISE TIER THREE AREAS; AND TO MAKE A TECHNICAL CORRECTION REGARDING THE AUTHORITY OF A LOCAL GOVERNMENT TO LEVY A PROPERTY TAX FOR ECONOMIC DEVELOPMENT, is moved up on today's Calendar.

Pursuant to Rule 24.1A(c), the request that Representative Gibson be excused from voting on August 22 is continued.

Representative Nesbitt withdraws Amendment No. 2, which was temporarily displaced on August 22.

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Representative Owens offers Amendment No. 3 which is adopted by electronic vote (107-3).

Representative Allred offers Amendment No. 4 which is adopted by electronic vote (108-3).

On motion of the Chair, debate stops and the House recesses at 6:59 p.m.

### RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

### CALENDAR (continued)

**H.B. 1734** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO RAISE THE INVESTMENT THRESHOLD FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO ESTABLISH TIERED RATES FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO REQUIRE A TAXPAYER AND ITS RELATED ENTITIES TO SATISFY ANY OUTSTANDING STATE TAX ASSESSMENTS BEFORE RECEIVING A BILL LEE ACT CREDIT; TO MODIFY THE WAGE STANDARD FOR THE CREDIT FOR WORKER TRAINING; TO MODIFY THE WAGE STANDARD FOR ENTERPRISE TIER ONE AND TWO COUNTIES; TO MODIFY THE WAGE STANDARD FOR TAXPAYERS WITH A TAX YEAR OTHER THAN A CALENDAR YEAR; TO TREAT CERTAIN PARCELS OF LAND PARTIALLY LOCATED IN A DEVELOPMENT ZONE AS IF THE ENTIRE PARCEL WERE LOCATED WITHIN THE DEVELOPMENT ZONE; TO ENACT A JOB DEVELOPMENT INVESTMENT GRANT PROGRAM TO PROVIDE ECONOMIC STIMULUS, TO CREATE JOBS, AND TO AID IN THE DEVELOPMENT OF BUSINESS AND INDUSTRIAL PROJECTS AND EXPANSIONS IN NORTH CAROLINA; TO MODIFY THE INDUSTRIAL DEVELOPMENT FUND TO ALLOW FOR EXPENDITURES RELATED TO TELECOMMUNICATIONS AND BROADBAND LINES AND EQUIPMENT AND TO ALLOW FOR EXPENDITURES FROM THE UTILITY ACCOUNT IN ENTERPRISE TIER THREE AREAS; AND TO MAKE A TECHNICAL CORRECTION REGARDING THE AUTHORITY OF A LOCAL GOVERNMENT TO LEVY A PROPERTY TAX FOR ECONOMIC DEVELOPMENT, is before the Body.

Representative Weiss offers Amendment No. 5 which fails of adoption by electronic vote (52-58).

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Representative Nesbitt offers Amendment No. 6.

Representative Sherrill offers perfecting Amendment No. 7 which fails of adoption by electronic vote (45-68).

Amendment No. 6 is adopted by electronic vote (63-51).

Representative Nesbitt offers Amendment No. 8 which is adopted by electronic vote (110-3).

Representative Rayfield offers Amendment No. 9 which is adopted by electronic vote (110-2).

Representative Insko offers Amendment No. 10 which is adopted by electronic vote (112-0).

Representative Baker offers Amendment No. 11 which fails of adoption by electronic vote (50-63).

Representative Hensley offers Amendment No. 12 which fails of adoption by electronic vote (53-61).

Representative Creech offers an amendment. The Speaker rules that the amendment is not germane to the title of the bill.

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: Speaker Black; Representatives Alexander, Allen, Arnold, Baddour, Barbee, Barefoot, Bell, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Decker, Dedmon, Dockham, Earle, Easterling, Edwards, Fox, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hill, Holliman, Hurley, Jarrell, Jeffus, Johnson, Justus, Lucas, McAllister, McComas, McLawhorn, McMahan, Miner, Morris, Nye, Oldham, Owens, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, West, Willingham, C. Wilson, Wright, and Yongue - 81.

Voting in the negative: Representatives Adams, Allred, Baker, Barnhart, Blue, Blust, Capps, Carpenter, Creech, Daughtry, Davis, Eddins,

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Ellis, Esposito, Hensley, Hilton, Holmes, Howard, Insko, Kiser, Luebke, McCombs, Michaux, Miller, Mitchell, Morgan, Nesbitt, Pope, Rayfield, Setzer, Shubert, Weiss, G. Wilson, and Womble - 34.

Excused absences: Representatives Hiatt, Preston, and Thompson - 3.

Excused vote: Representative Gibson.

On motion of Representative Culpepper, seconded by Representative Allen, the House adjourns at 9:56 p.m. to reconvene August 27 at 2:00 p.m.

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## **TWO HUNDRED THIRTY-SECOND DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, August 27, 2002

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 William H. Allen, IV, First United Methodist Church, Fuquay-Varina, North Carolina:

"O God our Heavenly Father, we thank You for this blessing of rain that has recently fallen on our land. Use it, Lord, to refresh and renew our parched fields and streams. Likewise, O God, use it to renew our often-dry faith in You. Strengthen us this day for Your kingdom work.

"Lord, as we gather in this place we ask Your blessings upon each Representative here today, that Your Spirit would guide and direct them to make decisions that are pleasing to You and that are consistent with their commitment to represent the people of this State. Give them wisdom and insight that comes only from You, Lord.

"May You continue to bless each of us as Your children that we might reach out to those less fortunate than we, as we seek to do Your will in all we do and say.

"In Your name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 26 has been

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examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue, Harrington, Hiatt, Holliman, Preston, Thompson, Tucker, and Warwick for today.

### ENROLLED BILLS

The following bill is duly ratified and presented to the Governor:

**H.B. 1534**, AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO GRANT THE DOMESTIC VIOLENCE COMMISSION AUTHORITY TO ADOPT RULES TO APPROVE ABUSER TREATMENT PROGRAMS.

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Gibson, McComas, and Warwick, Chairs, for the Committee on Environment and Natural Resources:

**H.B. 1564**, A BILL TO BE ENTITLED AN ACT TO AMEND THE INACTIVE HAZARDOUS SITES RESPONSE ACT OF 1987 AND PROVIDE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES WITH EXPLICIT AUTHORITY TO ASSESS A PENALTY FOR A VIOLATION INVOLVING A VOLUNTARY REMEDIAL ACTION UNDER THE INACTIVE HAZARDOUS SITES PROGRAM CONDUCTED BY A PRIVATE ENVIRONMENTAL CONSULTING OR ENGINEERING FIRM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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. 1572**, A BILL TO BE ENTITLED AN ACT TO REPEAL, AMEND, AND CODIFY VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

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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. 1402** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADDRESS CONFIDENTIALITY PROGRAM FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL OFFENSE, AND STALKING, 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:

**S.B. 712** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE EIGHT-YEAR TERMS FOR DISTRICT COURT JUDGES, 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. 1638**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE CRIMINAL RECORD CHECKS TO THE PRIVATE PROTECTIVE SERVICES BOARD AND TO CHARGE A FEE FOR CONDUCTING THE CHECK, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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 Easterling, Oldham, Redwine, and Thompson, Chairs, for the Committee on Appropriations:

**H.B. 1726**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS

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FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, 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.

### 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. 1649**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXPIRATION DATE OF A LOCAL ACT ALLOWING THE CITY OF CHARLOTTE TO CONTRACT WITH PRIVATE PARTIES FOR THE DEVELOPMENT, CONSTRUCTION, AND OCCUPANCY OF CHARLOTTE/DOUGLAS INTERNATIONAL AIRPORT SPECIAL USER PROJECTS WITHOUT COMPLYING WITH ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES.

On motion of Representative Saunders, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (104-0), and the bill is ordered enrolled.

**S.B. 1253** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN ANIMAL WASTE MANAGEMENT SYSTEMS SHALL NOT QUALIFY FOR SPECIAL PROPERTY CLASSIFICATION AND EXCLUSION FROM THE TAX BASE PURSUANT TO G.S. 105-275(8) AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY ISSUES RELATED TO THE TAX EXCLUSION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW 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, 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, Culp, Culpepper, Cunningham, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Hensley, Hill, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, Michaux,

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Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Rayfield, Redwine, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 104.

Voting in the negative: Representatives Davis, Ellis, and Hilton - 3.

Excused absences: Representatives Blue, Harrington, Hiatt, Holliman, Preston, Thompson, Tucker, and Warwick - 8.

**S.B. 1407** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONTRACT RIGHT REGARDING THE TIMING OF PAYMENTS UNDER CONTRACTS REQUIRING REIMBURSEMENT OF FEDERAL FUEL EXCISE TAXES AND TO MAKE VARIOUS MOTOR FUEL EXCISE TAX CHANGES, 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, 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, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Hensley, Hill, Hilton, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Rayfield, Redwine, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Blue, Harrington, Hiatt, Holliman, Preston, Thompson, Tucker, and Warwick - 8.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1218**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF TAX LAWS BY CRIMINALIZING OR INCREASING THE PENALTY FOR CERTAIN FORMS OF TAX FRAUD AND BY ALLOWING THE DEPARTMENT OF REVENUE TO DISCLOSE CERTAIN

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INFORMATION TO LAW ENFORCEMENT AGENCIES, is moved up on today's Calendar.

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.

**H.B. 1766** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE HONORARY LISTON B. RAMSEY MOUNTED HORSE/CAISSON PATROL UNIT, passes its second reading, by electronic vote (99-10), 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.

**S.B. 1154**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE LIST OF SECTIONS OF THE NORTH CAROLINA CONDOMINIUM ACT THAT APPLY TO CONDOMINIUMS CREATED ON OR BEFORE OCTOBER 1, 1986, AND TO CODIFY AN APPLICABILITY PROVISION RELATING TO THE NORTH CAROLINA PLANNED COMMUNITY ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (107-2), and there being no objection is read a third time.

Representative Cunningham states that his voting equipment malfunctioned and he requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (108-1).

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. 1170** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING ADDITIONAL METHODS FOR BIDDING ON PUBLIC PROCUREMENT CONTRACTS, AND AMENDING THE LAW REGARDING BRAND NAME SPECIFICATION IN THE COMPETITIVE BIDDING PROCESS FOR PUBLIC CONTRACTS, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

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The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1232** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND WITH AT LEAST TEN YEARS OF SERVICE TO CONTINUE AS MEMBERS AFTER THE TAKEOVER OF A VOLUNTEER DEPARTMENT BY A CITY OR COUNTY; AND TO EXEMPT VOLUNTEER FIREFIGHTERS, EMERGENCY MEDICAL SERVICES PERSONNEL AND RESCUE SQUAD WORKERS FROM OVERTIME AND MINIMUM WAGE LAWS, 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 for concurrence in the House committee substitute bill by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1262** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ENTER INTO MUTUAL AID AGREEMENTS WITH LAW ENFORCEMENT AGENCIES ON BEHALF OF ITS SPECIAL PEACE OFFICERS WHO HAVE BEEN DESIGNATED FOR THE PURPOSE OF ENFORCING THE LAW GOVERNING THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

On motion of Representative Gibson and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of August 28.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1238** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE PURCHASE OF WITHDRAWN SERVICE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, TO CORRECT THE CALCULATION OF BENEFITS FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM WHO PURCHASE WITHDRAWN SERVICE, AND TO INCREASE APPROPRIATIONS TO THE RETIREMENT SYSTEMS

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DIVISION, 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 the House committee substitute bill by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1441** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN ACTIVITIES OF THE UNIVERSITY OF NORTH CAROLINA, INCLUDING THE NORTH CAROLINA ARBORETUM, FROM THE UMSTEAD ACT, 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 for concurrence in the House committee substitute bill by Special Message.

#### **WITHDRAWAL OF BILLS FROM CALENDAR**

On motion of Representative Hackney and without objection, **S.B. 662**, A BILL TO BE ENTITLED AN ACT AMENDING AN ACT AUTHORIZING ORANGE COUNTY TO REGULATE OPEN BURNING, is withdrawn from the Calendar and placed on the Calendar of September 4.

On motion of Representative Hurley and without objection, **S.B. 1312** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF DURHAM AND FAYETTEVILLE AND THE TOWN OF SPRING LAKE TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND HAVE THE OPTION OF DEMOLISHING THOSE BUILDINGS PURSUANT TO G.S. 160A-432 AND TO GRANT AUTHORITY TO THE CITY OF WHITEVILLE TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN LARGER COUNTIES, is withdrawn from the Calendar and placed on the Calendar of August 28.

#### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1336** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO ESTABLISH A SMALL BUSINESS ENTERPRISE PROGRAM, passes

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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 enrolled.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1392** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE REQUIRED STORAGE PERIOD FOR UNCLAIMED PROPERTY HELD BY LAW ENFORCEMENT IN MECKLENBURG 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.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Gibson and without objection, **S.B. 1211** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE BOONE'S CAVE STATE NATURAL AREA AND A PORTION OF BALDHEAD ISLAND STATE NATURAL AREA FROM THE STATE NATURE AND HISTORIC PRESERVE, TO REMOVE THESE PROPERTIES FROM THE STATE PARKS SYSTEM, TO AUTHORIZE THE TRANSFER OF THESE PROPERTIES FOR LIMITED PURPOSES, AND TO ALLOW CERTAIN PUBLIC ENTITIES TO USE THE FIRE TOWER AT MOUNT JEFFERSON STATE NATURAL AREA FOR PUBLIC COMMUNICATION PURPOSES, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

#### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1040** (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE TEMPORARY EXTENDED UNEMPLOYMENT BENEFITS SECOND TIER BENEFIT QUALIFICATION FOR NORTH CAROLINA.

Representative Redwine offers Amendment No. 1 which is adopted by electronic vote (109-0).

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

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The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

**S.B. 1037** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANY PROSPECTIVE APPLICANT FOR AN AIR QUALITY PERMIT FOR A NEW FACILITY MAY COMMENCE CONSTRUCTION PRIOR TO OBTAINING THE AIR QUALITY PERMIT TO OPERATE THAT FACILITY IF THE PROSPECTIVE APPLICANT SUBMITS A NOTICE OF THE CONSTRUCTION AND THAT ANY CURRENT HOLDER OF AN AIR QUALITY PERMIT MAY COMPLETE NEW CONSTRUCTION AT AN EXISTING PERMITTED FACILITY PRIOR TO OBTAINING THE AIR QUALITY PERMIT TO OPERATE THAT FACILITY IF THE PROSPECTIVE APPLICANT SUBMITS A NOTICE OF THE CONSTRUCTION, 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, Blust, Bonner, Bowie, 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, Hall, Hill, Hilton, 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, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Underhill, Wainwright, Walend, Walker, Warren, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 104.

Voting in the negative: Representatives Baker, Hensley, and Warner - 3.

Excused absences: Representatives Blue, Harrington, Hiatt, Holliman, Preston, Thompson, Tucker, and Warwick - 8.

### **RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 1329** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PAY THE NONBETTERMENT RELOCATION COST FOR MOVING A COUNTY-OWNED GAS LINE LOCATED ON A DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY IF THE GAS LINE MUST BE

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MOVED DUE TO A DEPARTMENT OF TRANSPORTATION CONSTRUCTION PROJECT, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Appropriations.

Representative Culpepper moves, seconded by Representative Jarrell, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Messages from the Senate, and the ratification of bills to reconvene August 28 at 2:00 p.m.

The motion carries.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 1154**, AN ACT TO EXPAND THE LIST OF SECTIONS OF THE NORTH CAROLINA CONDOMINIUM ACT THAT APPLY TO CONDOMINIUMS CREATED ON OR BEFORE OCTOBER 1, 1986, AND TO CODIFY AN APPLICABILITY PROVISION RELATING TO THE NORTH CAROLINA PLANNED COMMUNITY ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

**S.B. 1218**, AN ACT TO IMPROVE THE ENFORCEMENT OF TAX LAWS BY CRIMINALIZING OR INCREASING THE PENALTY FOR CERTAIN FORMS OF TAX FRAUD AND BY ALLOWING THE DEPARTMENT OF REVENUE TO DISCLOSE CERTAIN INFORMATION TO LAW ENFORCEMENT AGENCIES.

**S.B. 1253**, AN ACT TO PROVIDE THAT CERTAIN ANIMAL WASTE MANAGEMENT SYSTEMS SHALL NOT QUALIFY FOR SPECIAL PROPERTY CLASSIFICATION AND EXCLUSION FROM THE TAX BASE PURSUANT TO G.S. 105-275(8) AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY ISSUES RELATED TO THE TAX EXCLUSION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

**S.B. 1407**, AN ACT TO ESTABLISH A CONTRACT RIGHT REGARDING THE TIMING OF PAYMENTS UNDER CONTRACTS REQUIRING REIMBURSEMENT OF FEDERAL FUEL EXCISE TAXES AND TO MAKE VARIOUS MOTOR FUEL EXCISE TAX CHANGES.

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

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**S.B. 1336**, AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO ESTABLISH A SMALL BUSINESS ENTERPRISE PROGRAM.

**S.B. 1392**, AN ACT TO REDUCE THE REQUIRED STORAGE PERIOD FOR UNCLAIMED PROPERTY HELD BY LAW ENFORCEMENT IN MECKLENBURG COUNTY.

**H.B. 1649**, AN ACT TO EXTEND THE EXPIRATION DATE OF A LOCAL ACT ALLOWING THE CITY OF CHARLOTTE TO CONTRACT WITH PRIVATE PARTIES FOR THE DEVELOPMENT, CONSTRUCTION, AND OCCUPANCY OF CHARLOTTE/DOUGLAS INTERNATIONAL AIRPORT SPECIAL USER PROJECTS AND TO AUTHORIZE JOHNSTON COUNTY TO CONSTRUCT WATER TREATMENT PLANT EXPANSION PROJECTS WITHOUT COMPLYING WITH ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES.

There being no further business, the House stands adjourned at 6:00 p.m.

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## **TWO HUNDRED THIRTY-THIRD DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, August 28, 2002

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, House Chaplain:

"Gracious God:

"You are far too big for our human minds to grasp. The universe and all that is within it came into being with but a word from Your mouth. We hustle to and fro, back and forth, with such a sense of importance. We take ourselves so seriously. And, we often think of ourselves much more highly than we ought. Open our eyes and hearts and let us catch but a glimpse of creation. Let us see just how small we are. So, what are we that You are mindful of us? By grace, because of mercy, out of Your great love, we belong to You. Dear God, we thank You. Amen."

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Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 27 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue, Holliman, Luebke, and McCombs for today. Representatives Brubaker and Weiss are excused for a portion of the session.

### ENROLLED BILLS

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

**S.B. 1195**, AN ACT TO AUTHORIZE THE TOWNS IN AVERY COUNTY TO LEVY AN ADDITIONAL 3% OCCUPANCY TAX.

**H.B. 1627**, AN ACT TO PERMIT THE REMOVAL OF FILED DD FORM 214 AND OTHER DISCHARGE PAPERS OR FOR THE REDACTING OF THE FORM OR FORMS WHEN A COPY IS REQUESTED BY PERSONS OTHER THAN THE FILER OR A MEMBER OF HIS FAMILY IN CRAVEN, NASH, AND PAMLICO COUNTIES.

**H.B. 1620**, AN ACT TO AUTHORIZE THE TOWN OF JONESVILLE TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

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

**H.J.R. 1783**, A JOINT RESOLUTION AUTHORIZING THE 2001 GENERAL ASSEMBLY, REGULAR SESSION 2002, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA CENTER FOR MISSING PERSONS TO ACCEPT AND EXPEND PRIVATE DONATIONS FOR THE NORTH CAROLINA CHILD ALERT NOTIFICATION SYSTEM NCCAN (AMBER ALERT), TO ESTABLISH CRITERIA TO TRIGGER AN "AMBER ALERT", TO COORDINATE THE PUBLIC AND PRIVATE SECTORS, AND TO PROVIDE FOR THE USE OF DEPARTMENT OF TRANSPORTATION CHANGEABLE MESSAGE SIGNS TO DISPLAY INFORMATION REGARDING MISSING CHILDREN. (RESOLUTION 2002-12)

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The following bills are duly ratified and presented to the Governor:

**S.B. 1170**, AN ACT AUTHORIZING ADDITIONAL METHODS FOR BIDDING ON PUBLIC PROCUREMENT CONTRACTS, AND AMENDING THE LAW REGARDING BRAND NAME SPECIFICATION IN THE COMPETITIVE BIDDING PROCESS FOR PUBLIC CONTRACTS.

**S.B. 1232**, AN ACT TO ALLOW MEMBERS OF THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND WITH AT LEAST TEN YEARS OF SERVICE TO CONTINUE AS MEMBERS AFTER THE TAKEOVER OF A VOLUNTEER DEPARTMENT BY A CITY OR COUNTY; AND TO EXEMPT VOLUNTEER FIREFIGHTERS, EMERGENCY MEDICAL SERVICES PERSONNEL AND RESCUE SQUAD WORKERS FROM OVERTIME AND MINIMUM WAGE LAWS.

**S.B. 1441**, AN ACT TO EXEMPT CERTAIN ACTIVITIES OF THE UNIVERSITY OF NORTH CAROLINA, INCLUDING THE NORTH CAROLINA ARBORETUM, FROM THE UMSTEAD ACT.

**H.B. 1724**, AN ACT TO CLARIFY THE STATUS OF TEACHERS PARTICIPATING IN FOREIGN EXCHANGE PROGRAMS FOR PURPOSES OF RETIREMENT AND TENURE.

#### **CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 1336**, AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO ESTABLISH A SMALL BUSINESS ENTERPRISE PROGRAM. (S.L. 2002-91)

**S.B. 1392**, AN ACT TO REDUCE THE REQUIRED STORAGE PERIOD FOR UNCLAIMED PROPERTY HELD BY LAW ENFORCEMENT IN MECKLENBURG COUNTY. (S.L. 2002-92)

**H.B. 1649**, AN ACT TO EXTEND THE EXPIRATION DATE OF A LOCAL ACT ALLOWING THE CITY OF CHARLOTTE TO CONTRACT WITH PRIVATE PARTIES FOR THE DEVELOPMENT, CONSTRUCTION, AND OCCUPANCY OF CHARLOTTE/DOUGLAS INTERNATIONAL AIRPORT SPECIAL USER PROJECTS AND TO AUTHORIZE JOHNSTON

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COUNTY TO CONSTRUCT WATER TREATMENT PLANT EXPANSION PROJECTS WITHOUT COMPLYING WITH ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES. (S.L. 2002-93)

**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. 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, with an indefinite postponement report.

The bill is placed on the Unfavorable Calendar.

**H.B. 548**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE CIVIL ACTIONS OF ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION, with an indefinite postponement report.

The bill is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 1665**, A BILL TO BE ENTITLED AN ACT TO AMEND TAX LAWS RELATED TO INTERSTATE AIR COURIERS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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. 1726**, 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, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

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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. 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, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the 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. 1146** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATION BY VARIOUS MUNICIPALITIES, 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:

**S.B. 1113** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND S.L. 2002-12 TO SEPTEMBER 30, 2002, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of the Chair, the House recesses at 2:17 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 committees are presented:

By Representatives Easterling, Oldham, Redwine, and Thompson, Chairs, for the Committee on Appropriations:

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**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, with a favorable report as to the House committee substitute bill, as amended, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill, as amended, is placed on the Calendar. 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:

**S.B. 1113** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND S.L. 2002-12 TO SEPTEMBER 30, 2002, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the 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.

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

Without objection, the following is introduced, read the first time and referred to committee:

By Representatives Decker and Redwine (Primary Sponsors); Adams, Alexander, Allen, Baddour, Barefoot, Bell, Bonner, Boyd-McIntyre, Church, Coates, Cole, Cox, J. Crawford, Culpepper, Cunningham, Dedmon, Earle, Easterling, Edwards, Fox, Goodwin, Haire, Hall, Hensley, Hill, Hunter, Hurley, Jarrell, Justus, Lucas, McAllister, McLawhorn, Miller, Nesbitt, Nye, Owens, Rogers, Saunders, Smith, Sutton, Tolson, Tucker, Underhill, Wainwright, Warren, Warwick, Weiss, Willingham, Womble, Wright, and Yongue:

**H.B. 1785**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA CENTER FOR MISSING PERSONS TO ACCEPT AND EXPEND PRIVATE DONATIONS FOR THE NORTH CAROLINA CHILD ALERT NOTIFICATION SYSTEM - NC CAN (AMBER ALERT), TO ESTABLISH CRITERIA TO TRIGGER AN "AMBER

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ALERT", TO COORDINATE THE PUBLIC AND PRIVATE SECTORS, AND TO PROVIDE FOR THE USE OF DEPARTMENT OF TRANSPORTATION CHANGEABLE MESSAGE SIGNS TO DISPLAY INFORMATION REGARDING MISSING CHILDREN, is referred to the Committee on Judiciary I.

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

The following Special Message is received from the Senate:

Senate Committee Substitute for **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, is returned for concurrence in the 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.

#### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and Senate Committee Substitute for **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, is placed on the Calendar for immediate consideration.

On motion of Representative Baker, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (103-7), and the bill is ordered enrolled and presented to the Governor by Special Message.

#### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **S.B. 901** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A ONE-TIME TRANSFER OF STATE FUNDS TO SUPPORT EXCESS PROGRAM ENROLLMENT IN THE NC HEALTH CHOICE PROGRAM, is placed on the Calendar for immediate consideration.

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On motion of Representative Nye, Committee Amendment No. 1 is adopted by electronic vote (107-0).

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 for concurrence in the House committee substitute bill by Special Message.

#### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **S.B. 1113** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND S.L. 2002-12 TO SEPTEMBER 30, 2002, AND TO PROVIDE THAT NO MEMBER OF THE GENERAL ASSEMBLY SHALL RECEIVE PER DIEM OR TRAVEL ALLOWANCE ON ACCOUNT OF THE 2001 REGULAR SESSION OR 2002 EXTRA SESSION OF THE GENERAL ASSEMBLY BETWEEN OCTOBER 1, 2002, AND DECEMBER 31, 2002, is placed on the Calendar for immediate consideration.

The bill passes its second reading, by electronic vote (75-37), and there being no objection is read a third time.

Representative Justus requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (74-38).

A division having been called, the bill passes its third reading, by electronic vote (73-39), and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

#### **ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

**H.B. 190**, AN ACT TO ALLOW THE HOLDER OF A VITICULTURE/ENOLOGY COURSE AUTHORIZATION TO MANUFACTURE, POSSESS, AND SELL WINE FOR CERTAIN LIMITED PURPOSES AS A PART OF A COMMUNITY COLLEGE'S OR COLLEGE'S VITICULTURE/ENOLOGY PROGRAM.

#### **CALENDAR**

Action is taken on the following:

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**H.B. 1736**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A RETIRED LEGISLATOR SPECIAL LICENSE PLATE, is moved up on today's Calendar.

Representative Hensley offers Amendment No. 2 which is adopted by electronic vote (105-4).

Representatives Esposito and Jeffus request and are granted permission to be recorded as voting "aye". Representative Russell requests and is granted permission to change her vote from "no" to "aye". The adjusted vote total is (108-3).

Representative Ellis moves that Rule 31(d) be suspended in order that he might offer an amendment that would change the title.

The motion to suspend the rules fails of a two-thirds majority by electronic vote (57-55).

Representative Ellis moves that the bill be withdrawn from the Calendar and be re-referred to the Committee on Finance. The motion fails by electronic vote (50-61).

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, Barefoot, Bell, Bonner, Boyd-McIntyre, Buchanan, Church, Clary, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Davis, Dedmon, Earle, Easterling, Edwards, Gibson, Gillespie, Gray, Gulley, Hall, Harrington, Hill, Hunter, Hurley, Jeffus, Johnson, Justus, Lucas, McAllister, McComas, McLawhorn, McMahan, Miller, Miner, Morgan, Morris, Nesbitt, Oldham, Owens, Redwine, Saunders, Sexton, Sherrill, Smith, Thompson, Wainwright, Warren, Warwick, Willingham, Womble, Wright, and Yongue - 60.

Voting in the negative: Representatives Allred, Baker, Barbee, Barnhart, Blust, Capps, Carpenter, Coates, M. Crawford, Creech, Daughtry, Decker, Dockham, Eddins, Ellis, Esposito, Fox, Goodwin, Grady, Hackney, Haire, Hensley, Hilton, Holmes, Howard, Insko, Jarrell, Kiser, Michaux, Mitchell, Nye, Pope, Preston, Rayfield, Rogers, Russell, Setzer, Shubert, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Walend, Walker, Warner, Weatherly, West, and G. Wilson - 50.

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Excused absences: Representatives Blue, Brubaker, Hiatt, Holliman, Luebke, McCombs, and Weiss - 7.

Representative Jarrell requests and is granted permission to change her vote from "no" to "aye". The adjusted vote total is (61-49).

Pursuant to Rule 36(b), the following resolution appears on today's Calendar.

**H.R. 1780**, A HOUSE RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES AND THE PRESIDENT TO ENACT LEGISLATION TO ESTABLISH A FEDERAL/STATE PARTNERSHIP TO USE LOCAL COUNTY VETERANS SERVICE OFFICERS TO ASSIST THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS IN ELIMINATING THE VETERANS CLAIMS PROCESSING BACKLOG.

The resolution is adopted, by electronic vote (111-0), and ordered printed.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1312** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF DURHAM AND FAYETTEVILLE AND THE TOWN OF SPRING LAKE TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND HAVE THE OPTION OF DEMOLISHING THOSE BUILDINGS PURSUANT TO G.S. 160A-432 AND TO GRANT AUTHORITY TO THE CITY OF WHITEVILLE TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN LARGER COUNTIES.

Representative Warner offers Amendment No. 1 which is adopted by electronic vote (106-1). This amendment changes the title.

Representative Goodwin offers Amendment No. 2.

REPRESENTATIVE HACKNEY, PRESIDENT PRO TEMPORE, PRESIDING.

Amendment No. 2 is adopted by electronic vote (106-1).

Representatives Brubaker and Sherrill request and are granted permission to be recorded as voting "aye". The adjusted vote total is (108-1).

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The bill, as amended, passes its second reading, by electronic vote (105-5). The caption having been amended, the bill remains on the Calendar.

**S.B. 1037** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANY PROSPECTIVE APPLICANT FOR AN AIR QUALITY PERMIT FOR A NEW FACILITY MAY COMMENCE CONSTRUCTION PRIOR TO OBTAINING THE AIR QUALITY PERMIT TO OPERATE THAT FACILITY IF THE PROSPECTIVE APPLICANT SUBMITS A NOTICE OF THE CONSTRUCTION AND THAT ANY CURRENT HOLDER OF AN AIR QUALITY PERMIT MAY COMPLETE NEW CONSTRUCTION AT AN EXISTING PERMITTED FACILITY PRIOR TO OBTAINING THE AIR QUALITY PERMIT TO OPERATE THAT FACILITY IF THE PROSPECTIVE APPLICANT SUBMITS A NOTICE OF THE CONSTRUCTION, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baddour, 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, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, McAllister, McComas, 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, Warren, Warwick, Weatherly, West, Willingham, Womble, and Yongue - 103.

Voting in the negative: Representatives Allred, Baker, Setzer, Warner, and G. Wilson - 5.

Excused absences: Representatives Blue, Hiatt, Holliman, Luebke, McCombs, and Weiss - 6.

Representative Allen requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (104-5).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

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**S.B. 1161** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PRESENT-USE VALUE STATUTES, TO CREATE A PROPERTY TAX SUBCOMMITTEE OF THE REVENUE LAWS STUDY COMMITTEE, TO CLARIFY THE SALES AND USE TAX EXEMPTION REGARDING CERTAIN AGRICULTURAL SUBSTANCES, AND TO MAKE VARIOUS ADMINISTRATIVE CHANGES IN THE 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, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, 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, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holmes, Howard, Hunter, Hurley, Jarrell, Jeffus, Johnson, Lucas, McAllister, McComas, 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, Warren, Warwick, Weatherly, West, Willingham, G. Wilson, Womble, Wright, and Yongue - 103.

Voting in the negative: Representatives Arnold, Blust, Creech, Davis, Ellis, Insko, Justus, Kiser, and Warner - 9.

Excused absences: Representatives Blue, Hiatt, Holliman, Luebke, McCombs, and Weiss - 6.

SPEAKER BLACK PRESIDING.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 911** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT AND DISSEMINATE GUIDELINES FOR THE DEVELOPMENT AND IMPLEMENTATION OF INDIVIDUAL DIABETES CARE PLANS AND TO REQUIRE LOCAL BOARDS OF EDUCATION TO IMPLEMENT THESE GUIDELINES, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

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The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1262** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ENTER INTO MUTUAL AID AGREEMENTS WITH LAW ENFORCEMENT AGENCIES ON BEHALF OF ITS SPECIAL PEACE OFFICERS WHO HAVE BEEN DESIGNATED FOR THE PURPOSE OF ENFORCING THE LAW GOVERNING THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, 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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1275** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A PLAN TO IMPROVE THE STATE'S TRACKING OF DROP-OUT DATA, TO EXAMINE THE ACCOUNTABILITY FORMULA TO REWARD HIGH SCHOOLS FOR REDUCING THEIR DROPOUT RATE, TO IDENTIFY CURRENT STATE TECHNICAL HIGH SCHOOLS AND CAREER CENTERS AND TO COOPERATE WITH THE STATE BOARD OF COMMUNITY COLLEGES TO ENCOURAGE CONCURRENT ENROLLMENT, TO STUDY THE RELATIONSHIP BETWEEN ACADEMIC RIGOR AND REDUCING THE DROPOUT RATE, TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO PLACE EXCELLENT, EXPERIENCED TEACHERS IN GRADES SEVEN THROUGH NINE, TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY WHETHER RAISING THE COMPULSORY ATTENDANCE AGE TO EIGHTEEN WILL REDUCE THE DROPOUT RATE, TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT A POLICY TO REQUIRE KINDERGARTEN THROUGH EIGHTH GRADE TEACHERS TO TAKE THREE RENEWAL CREDITS IN READING METHODS COURSES, TO DIRECT THE UNC BOARD OF GOVERNORS TO STUDY WHETHER TO REQUIRE AT LEAST TWO READING METHODS COURSES FOR ALL ELEMENTARY EDUCATION MAJORS AND AT LEAST ONE READING METHODS COURSE FOR ALL MIDDLE GRADES EDUCATION MAJORS, TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY

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THE FISCAL AND INSTRUCTIONAL ACCOUNTABILITY OF LOCAL SCHOOL ADMINISTRATIVE UNITS, AND TO DIRECT THE STATE BOARD OF EDUCATION TO TAKE OVER ALL POWERS AND DUTIES RELATED TO A SCHOOL WHEN THAT SCHOOL AND ITS LOCAL BOARD OF EDUCATION FAIL TO IMPLEMENT RECOMMENDATIONS OF AN ASSISTANCE TEAM ASSIGNED TO THAT SCHOOL.

On motion of Representative Rogers, the bill is withdrawn from the Calendar and placed on the Calendar of August 29.

#### **SUBCOMMITTEE REFERRAL**

Representatives Easterling, Oldham, Redwine and Thompson, Chairs, for the Standing Committee on Appropriations, refer **S.B. 1329** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PAY THE NONBETTERMENT RELOCATION COST FOR MOVING A COUNTY-OWNED GAS LINE LOCATED ON A DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY IF THE GAS LINE MUST BE MOVED DUE TO A DEPARTMENT OF TRANSPORTATION CONSTRUCTION PROJECT, to the Appropriations Subcommittee on Transportation.

On motion of Representative Culpepper, seconded by Representative Miller, the House adjourns at 5:06 p.m. to reconvene August 29 at 10:05 a.m.

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## **TWO HUNDRED THIRTY-FOURTH DAY**

HOUSE OF REPRESENTATIVES  
Thursday, August 29, 2002

The House meets at 10:05 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Patient God:

"We often hear the cries of the scoffers over the voices of those who offer us kind words. We have a tendency to cave in to the critics rather than stand with the supporters. The work we do is not easy. Every decision

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cannot be made in one or two meetings. Help us to be strong in our convictions. Remind us to remember what we are about and to be good stewards of our time. Grant unto us the wisdom and courage to be able to withstand the words of those who would rush us and possibly force us to act before we are ready and thus, not make good decisions. We thank You for being patient with us even when we are not patient with others, and from time to time, impatient with You as well. We are truly blessed to be governed by a Sovereign Creator who understands our human fault and frailties. Teach us that the words, 'patience is a virtue', are not a cliché but a real experience of knowing and experiencing Your grace. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 28 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Barefoot, Blue, Clary, Hiatt, Holliman, and McAllister for today.

### GUEST

Miss Misty Clymer, Miss North Carolina, is escorted to the Well of the House by Representatives Barbee, Eddins, Ellis, Capps, Hensley, Johnson, Miner, Pope, Weiss, and Barnhart where she makes brief remarks.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 1262**, AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ENTER INTO MUTUAL AID AGREEMENTS WITH LAW ENFORCEMENT AGENCIES ON BEHALF OF ITS SPECIAL PEACE OFFICERS WHO HAVE BEEN DESIGNATED FOR THE PURPOSE OF ENFORCING THE LAW GOVERNING THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

**S.B. 901**, AN ACT TO ALLOW A ONE-TIME TRANSFER OF STATE FUNDS TO SUPPORT EXCESS PROGRAM ENROLLMENT IN THE NC HEALTH CHOICE PROGRAM.

**S.B. 911**, AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT AND DISSEMINATE GUIDELINES FOR THE DEVELOPMENT AND IMPLEMENTATION OF INDIVIDUAL DIABETES

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CARE PLANS AND TO REQUIRE LOCAL BOARDS OF EDUCATION TO IMPLEMENT THESE GUIDELINES.

**S.B. 1113**, AN ACT TO EXTEND S.L. 2002-12 TO SEPTEMBER 30, 2002, AND TO PROVIDE THAT NO MEMBER OF THE GENERAL ASSEMBLY SHALL RECEIVE PER DIEM OR TRAVEL ALLOWANCE ON ACCOUNT OF THE 2001 REGULAR SESSION OR 2002 EXTRA SESSION OF THE GENERAL ASSEMBLY BETWEEN OCTOBER 1, 2002, AND DECEMBER 31, 2002.

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

The following Special Message is received from the Senate:

**H.B. 1540** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE AN AMENDMENT TO THE ADMINISTRATIVE RULE "USE STANDARDS FOR OCEAN HAZARD AREAS" ADOPTED BY THE COASTAL RESOURCES COMMISSION, is returned for concurrence in one Senate amendment.

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

Upon concurrence, the Senate amendment changes the title.

#### **MESSAGES FROM THE SENATE**

The following are received from the Senate:

Senate Committee Substitute for **H.B. 1745**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE 300 PLATE REQUIREMENT FROM SPECIAL LICENSE PLATES FOR WORLD WAR II AND KOREAN CONFLICT VETERANS' PLATES, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Finance.

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. 1140** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE DEFINITION OF A CONVENTION CENTER IN

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THE STATE'S ABC LAW, 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.B. 1736**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A RETIRED LEGISLATOR SPECIAL LICENSE PLATE.

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. 1402** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADDRESS CONFIDENTIALITY PROGRAM FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL OFFENSE, AND STALKING, 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.

### WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Hill and without objection, **S.B. 1161** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PRESENT-USE VALUE STATUTES, TO CREATE A PROPERTY TAX SUBCOMMITTEE OF THE REVENUE LAWS STUDY COMMITTEE, TO CLARIFY THE SALES AND USE TAX EXEMPTION REGARDING CERTAIN AGRICULTURAL SUBSTANCES, AND TO MAKE VARIOUS ADMINISTRATIVE CHANGES IN THE TAX LAWS, is withdrawn from the Calendar and placed on the Calendar of September 14.

### CALENDAR (continued)

**S.B. 1312** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF DURHAM AND FAYETTEVILLE AND THE TOWNS OF HOPE MILLS AND SPRING LAKE TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND HAVE THE OPTION OF DEMOLISHING THOSE BUILDINGS PURSUANT TO G.S. 160A-432 AND TO GRANT AUTHORITY TO THE CITY OF WHITEVILLE TO ADDRESS

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ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN LARGER COUNTIES, AND PROVIDING FOR A TIME TO TAKE OFFICE IN 2002 FOR THE RICHMOND COUNTY BOARD OF EDUCATION, passes its third reading, by electronic vote (105-5), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

**S.B. 1275** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A PLAN TO IMPROVE THE STATE'S TRACKING OF DROPOUT DATA, TO EXAMINE THE ACCOUNTABILITY FORMULA TO REWARD HIGH SCHOOLS FOR REDUCING THEIR DROPOUT RATE, TO IDENTIFY CURRENT STATE TECHNICAL HIGH SCHOOLS AND CAREER CENTERS AND TO COOPERATE WITH THE STATE BOARD OF COMMUNITY COLLEGES TO ENCOURAGE CONCURRENT ENROLLMENT, TO STUDY THE RELATIONSHIP BETWEEN ACADEMIC RIGOR AND REDUCING THE DROPOUT RATE, TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO PLACE EXCELLENT, EXPERIENCED TEACHERS IN GRADES SEVEN THROUGH NINE, TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY WHETHER RAISING THE COMPULSORY ATTENDANCE AGE TO EIGHTEEN WILL REDUCE THE DROPOUT RATE, TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT A POLICY TO REQUIRE KINDERGARTEN THROUGH EIGHTH GRADE TEACHERS TO TAKE THREE RENEWAL CREDITS IN READING METHODS COURSES, TO DIRECT THE UNC BOARD OF GOVERNORS TO STUDY WHETHER TO REQUIRE AT LEAST TWO READING METHODS COURSES FOR ALL ELEMENTARY EDUCATION MAJORS AND AT LEAST ONE READING METHODS COURSE FOR ALL MIDDLE GRADES EDUCATION MAJORS, TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE FISCAL AND INSTRUCTIONAL ACCOUNTABILITY OF LOCAL SCHOOL ADMINISTRATIVE UNITS, AND TO DIRECT THE STATE BOARD OF EDUCATION TO TAKE OVER ALL POWERS AND DUTIES RELATED TO A SCHOOL WHEN THAT SCHOOL AND ITS LOCAL BOARD OF EDUCATION FAIL TO IMPLEMENT RECOMMENDATIONS OF AN ASSISTANCE TEAM ASSIGNED TO THAT SCHOOL.

Representative Shubert offers Amendment No. 1 which is adopted by electronic vote (109-0).

The bill, as amended, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

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The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

**H.B. 1736**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A RETIRED LEGISLATOR SPECIAL LICENSE PLATE, which was temporarily displaced, is before the Body.

The bill 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, Baddour, Barbee, Bell, Bonner, Brubaker, Buchanan, Church, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Edwards, Grady, Gray, Gulley, Hall, Harrington, Hill, Holmes, Hunter, Hurley, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Miller, Morgan, Morris, Nesbitt, Oldham, Owens, Redwine, Russell, Saunders, Setzer, Sexton, Sherrill, Smith, Thompson, Wainwright, Walend, Walker, Warren, Warwick, Weiss, Willingham, Womble, Wright, and Yongue - 64.

Voting in the negative: Representatives Allred, Baker, Barnhart, Blust, Bowie, Capps, Carpenter, Coates, M. Crawford, Creech, Davis, Decker, Eddins, Ellis, Esposito, Fox, Goodwin, Hackney, Haire, Hensley, Hilton, Insko, Kiser, Michaux, Mitchell, Nye, Pope, Rayfield, Rogers, Shubert, Sutton, Teague, Tolson, Tucker, Underhill, Warner, Weatherly, West, and G. Wilson - 39.

Excused absences: Representatives Adams, Barefoot, Blue, Clary, Hiatt, Holliman, and McAllister - 7.

Representatives Boyd-McIntyre and Gibson request and are granted permission to be recorded as voting "aye". The adjusted vote total is (66-39).

On motion of Representative Culpepper, seconded by Representative Miller, the House adjourns at 11:18 a.m. to reconvene August 30 at 9:05 a.m.

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## **TWO HUNDRED THIRTY-FIFTH DAY**

HOUSE OF REPRESENTATIVES  
Friday, August 30, 2002

August 30, 2002

The House meets at 9:05 a.m. pursuant to adjournment and is called to order by the Speaker Pro Tempore.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Omniscient God:

"We know that it is redundant for us to ask You anything, since You already know what it is we want to say before we even utter a word. Yet, in faith and humble boldness, we ask because You invite us to ask. We have previously mentioned the upcoming elections to You. And, once again, we know that You are aware of the roads before us. There are many well-intentioned people seeking to remain or become a member of this Body. There is a lot riding on the upcoming primaries, perhaps this year more than in others. Ambitions, holistic ideals, visions of leadership, vocations, desires, pride, egos, indeed, entire careers...all of this and so much more are on the line for these and a multitude of other people. Grant unto all those who would seek to serve, in such a noble office as servant leader, the ability to conduct themselves and their campaigns in a manner that is a model of all that is decent and fair and good. Have mercy on these and all people who have been elected and appointed to serve others. May God have mercy on us all. Amen."

Representative Gibson, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 29 has been examined and found correct. Upon his motion, the Journal is approved as written.

#### **CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 1195**, AN ACT TO AUTHORIZE THE TOWNS IN AVERY COUNTY TO LEVY AN ADDITIONAL 3% OCCUPANCY TAX. (S.L. 2002-94)

**H.B. 1620**, AN ACT TO AUTHORIZE THE TOWN OF JONESVILLE TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX. (S.L. 2002-95)

**H.B. 1627**, AN ACT TO PERMIT THE REMOVAL OF FILED DD FORM 214 AND OTHER DISCHARGE PAPERS OR FOR THE REDACTING OF THE FORM OR FORMS WHEN A COPY IS REQUESTED

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BY PERSONS OTHER THAN THE FILER OR A MEMBER OF HIS FAMILY IN CRAVEN, NASH, AND PAMLICO COUNTIES. (S.L. 2002-96)

**S.B. 1224**, AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO ALLOW THE OFFICE OF ADMINISTRATIVE HEARINGS TO USE THE INTERNET FOR AGENCY PUBLICATIONS AND TO CONFORM THE ADMINISTRATIVE PROCEDURE ACT TO PROVISIONS OF CHAPTER 12 OF THE GENERAL STATUTES RELATING TO RULES WHICH ESTABLISH OR INCREASE FEES. (S.L. 2002-97)

**S.B. 1144**, AN ACT TO DEFINE AND AUTHORIZE THE USE OF NONTANDEM TWO-WHEELED PERSONAL ASSISTIVE MOBILITY DEVICES. (S.L. 2002-98)

**H.B. 1520**, AN ACT TO EXTEND THE SUNSET ON TAX CREDITS FOR QUALIFIED BUSINESS INVESTMENTS, TO AMEND THE DEFINITION OF QUALIFIED GRANTEE BUSINESS, TO EXTEND THE SUNSET ON THE STATE PORTS TAX CREDIT, AND TO CLARIFY AND AMEND THE NORTH CAROLINA STATE PORTS AUTHORITY'S FEE-SETTING AUTHORITY. (S.L. 2002-99)

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

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

By Representatives Hill, Allred, Baddour, Baker, Barefoot, Bell, Bonner, Buchanan, Carpenter, Church, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Davis, Dedmon, Earle, Eddins, Fox, Gibson, Haire, Hall, Hensley, Hilton, Howard, Hunter, Jarrell, Jeffus, Johnson, Kiser, McLawhorn, Miner, Mitchell, Nye, Owens, Redwine, Rogers, Russell, Saunders, Smith, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Warwick, Weatherly, West, Willingham, G. Wilson, Wright, and Yongue:

**H.R. 1786**, A HOUSE RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES AND THE PRESIDENT TO SUPPORT AND ENACT LEGISLATION TO ESTABLISH A TOBACCO QUOTA BUYOUT PROGRAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

August 30, 2002

By Representatives Earle, Alexander, Bell, Cunningham, Easterling, Gibson, Harrington, McMahan, Rayfield, Saunders, Shubert, Walker, and C. Wilson:

**H.R. 1787**, A HOUSE RESOLUTION RECOGNIZING PARAMOUNT'S CAROWINDS THEME PARK FOR ITS NUMEROUS ACCOMPLISHMENTS IN ITS THIRTY-YEAR HISTORY, is referred to the Committee on Rules, Calendar, and Operations of the House.

**SPECIAL MESSAGE FROM THE SENATE**

**2001 GENERAL ASSEMBLY  
SECOND SESSION 2002**

Senate Chamber  
August 29, 2002

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 No. 2 to **S.B. 1037** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANY PROSPECTIVE APPLICANT FOR AN AIR QUALITY PERMIT FOR A NEW FACILITY MAY COMMENCE CONSTRUCTION PRIOR TO OBTAINING THE AIR QUALITY PERMIT TO OPERATE THAT FACILITY IF THE PROSPECTIVE APPLICANT SUBMITS A NOTICE OF THE CONSTRUCTION AND THAT ANY CURRENT HOLDER OF AN AIR QUALITY PERMIT MAY COMPLETE NEW CONSTRUCTION AT AN EXISTING PERMITTED FACILITY PRIOR TO OBTAINING THE AIR QUALITY PERMIT TO OPERATE THAT FACILITY IF THE PROSPECTIVE APPLICANT SUBMITS A NOTICE OF THE CONSTRUCTION, and request conferees. The President *Pro Tempore* appoints:

Senator Hoyle, Chair  
Senator Plyler  
Senator Garwood  
Senator Cunningham

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*

August 30, 2002

**SPECIAL MESSAGE FROM THE SENATE**

The following Special Message is received from the Senate:

Senate Committee Substitute for **H.B. 1490** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR, is returned for concurrence in the 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 No. 2 for **H.B. 1276** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLOSE THE LEGAL LOOP-HOLE THAT EXISTS UNDER THE STATE'S INCEST LAWS AND TO EQUALIZE PUNISHMENTS FOR CRIMES COMMITTED AGAINST CHILDREN WITHOUT REGARD TO FAMILIAL STATUS, is returned for concurrence in Senate Committee Substitute Bill No. 2.

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 No. 2 for **H.B. 1508** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROMOTE READINESS FOR AND TO IMPROVE MANAGEMENT OF A PUBLIC HEALTH THREAT THAT MAY RESULT FROM AN ACT OF TERRORISM USING NUCLEAR, BIOLOGICAL, OR CHEMICAL AGENTS AND TO AMEND THE NORTH CAROLINA MEDICAL CARE COMMISSION'S RULE-MAKING AUTHORITY REGARDING STANDARDS AND CRITERIA FOR THE EDUCATION AND CREDENTIALING OF PERSONS TO ADMINISTER TREATMENT FOR ANAPHYLAXIS, is returned for concurrence in Senate Committee Substitute Bill No. 2.

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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. 1581** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AFFECTING ELECTRONIC SIGNATURES AND PLATS FILED WITH THE CABARRUS AND MECKLENBURG COUNTY REGISTERS OF DEEDS, is returned for concurrence in the 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. 1657** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE DURHAM FIREMEN'S SUPPLEMENTAL RETIREMENT SYSTEM, is returned for concurrence in the Senate committee substitute bill.

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

**S.B. 1123** (Committee Substitute), A BILL TO BE ENTITLED AN ACT MODIFYING THE FELONY AND MISDEMEANOR OFFENSES RELATED TO CONDUCTING CERTAIN UNAUTHORIZED SOUND AND VIDEO RECORDINGS, is read the first time and referred to the Committee on Judiciary III.

On motion of Representative Gibson, seconded by Representative Pope, the House adjourns at 9:10 a.m., in memory of all hard working North Carolinians, to reconvene Tuesday, September 3, 2002, at 12:05 p.m.

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## TWO HUNDRED THIRTY-SIXTH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, September 3, 2002

September 3, 2002

The House meets at 12:05 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Jim Harry, House Chaplain.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 30 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Allred, Barnhart, Blue, Haire, Hunter, McComas, Tolson, and Womble for today. Representative Warwick is excused for a portion of the session.

### **CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 901**, AN ACT TO ALLOW A ONE-TIME TRANSFER OF STATE FUNDS TO SUPPORT EXCESS PROGRAM ENROLLMENT IN THE NC HEALTH CHOICE PROGRAM. (S.L. 2002-100)

**S.B. 1113**, AN ACT TO EXTEND S.L. 2002-12 TO SEPTEMBER 30, 2002, AND TO PROVIDE THAT NO MEMBER OF THE GENERAL ASSEMBLY SHALL RECEIVE PER DIEM OR TRAVEL ALLOWANCE ON ACCOUNT OF THE 2001 REGULAR SESSION OR 2002 EXTRA SESSION OF THE GENERAL ASSEMBLY BETWEEN OCTOBER 1, 2002, AND DECEMBER 31, 2002. (S.L. 2002-101)

**H.B. 190**, AN ACT TO ALLOW THE HOLDER OF A VITI-CULTURE/ENOLOGY COURSE AUTHORIZATION TO MANUFACTURE, POSSESS, AND SELL WINE FOR CERTAIN LIMITED PURPOSES AS A PART OF A COMMUNITY COLLEGE'S OR COLLEGE'S VITI-CULTURE/ENOLOGY PROGRAM. (S.L. 2002-102)

### **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:

September 3, 2002

**H.B. 1313**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE INTERPRETER AND TRANSLITERATOR LICENSURE ACT, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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

Action is taken on the following:

Pursuant to Rule 36(b), the following resolution appears on today's Calendar.

**S.J.R. 1469** (Committee Substitute), A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILLIAM JOSEPH GASTON ON THE 225TH ANNIVERSARY OF HIS BIRTH, is moved up on today's Calendar.

The resolution 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 enrolled.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1564** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES WITH EXPLICIT AUTHORITY TO ASSESS A CIVIL PENALTY FOR A VIOLATION INVOLVING A VOLUNTARY REMEDIAL ACTION UNDER THE INACTIVE HAZARDOUS SITES PROGRAM CONDUCTED BY A PRIVATE ENVIRONMENTAL CONSULTING OR ENGINEERING FIRM AND TO EXPAND THE ENVIRONMENTAL PERMIT WAIVER AUTHORITY UNDER THE PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, 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.

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Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1572** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW 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 by Special Message.

### INTRODUCTION OF PAGES

Pages for the week of September 3 are introduced to the membership. They are: Anthony L. Burgess of Halifax; Nicole Danielle Capps of Franklin; Brian Clements of Wake; Julie Katherine Dickens of Wake; Joshua Freeman of Granville; Amanda Leigh Goetze of Wake; Triston Hooks of Wayne; Catherine Hooks of Wayne; Ashleigh Arden Kimmons of Granville; Hannah Elizabeth Lee of Wayne; Lauren Sykes Moeller of Nash; Gary Quiller of Wake; Ryan Cain Roberson of Wilson; Joel P. Sullivan of Wayne; and David G. Sullivan of Wayne.

On motion of Representative Culpepper, seconded by Representative Miller, the House adjourns at 12:50 p.m. to reconvene September 4 at 12:30 p.m.

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## TWO HUNDRED THIRTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES  
Wednesday, September 4, 2002

The House meets at 12:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Patient God:

"Throughout the history of humanity, You have had patience with Your creation. When our love and devotion for You failed, Your patience and Your

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love toward us remained steadfast. When we repented of our shortcomings, You continued to show us mercy. Then, as we are prone to do, we turn away from You time and time again. In the midst of all of our failings, we can become forgetful of Your patience with us as we show impatience toward others. In the midst of pointing out the speck in our friend's eye we fail to see the log in our own.

"Dear God, in this time of waiting and wondering, we need patience. We need to remember that some things are beyond our control. We need to remember that Your never-ending patience with us is the divine example of our need to be patient toward others. Keep us ever mindful of taking each day, indeed, each moment, one step at a time. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of September 3 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue, Hiatt, Luebke, and Warwick for today. Representative Adams 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 Warner and Bonner, Chairs, for the Committee on Education:

**S.B. 163** (Committee Substitute), 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, with a favorable report as to the House committee substitute bill, unfavorable as to the 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 Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

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**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 NECESSARY STATUTORY CHANGES, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the 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. 589** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE TO STUDY CLARIFYING AND EXPANDING THE ALLOWED USES OF THE MONEY IN EMERGENCY TELEPHONE SYSTEM FUNDS AND MAKING OTHER STATUTORY CHANGES TO ALLOW EXPANDED USAGE OF TELECOMMUNICATIONS SYSTEMS FOR PUBLIC SAFETY PURPOSES, 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 of September 5. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 1785**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA CENTER FOR MISSING PERSONS TO ACCEPT AND EXPEND PRIVATE DONATIONS FOR THE NORTH CAROLINA CHILD ALERT NOTIFICATION SYSTEM - NC CAN (AMBER ALERT), TO ESTABLISH CRITERIA TO TRIGGER AN "AMBER ALERT", TO COORDINATE THE PUBLIC AND PRIVATE SECTORS, AND TO PROVIDE FOR THE USE OF DEPARTMENT OF TRANSPORTATION CHANGEABLE MESSAGE SIGNS TO DISPLAY INFORMATION REGARDING MISSING CHILDREN, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of September 5. The original bill is placed on the Unfavorable Calendar.

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**CALENDAR**

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1540** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE AN AMENDMENT TO THE ADMINISTRATIVE RULE "USE STANDARDS FOR OCEAN HAZARD AREAS" ADOPTED BY THE COASTAL RESOURCES COMMISSION.

Pursuant to Rule 24.1A(c), the request that Representative McComas be excused from voting on August 14 is continued.

On motion of Representative Culpepper, the House concurs in the Senate amendment, which changes the title, by electronic vote (104-8), and the bill is ordered enrolled and presented to the Governor.

**BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **S.B. 94** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO LIMIT THE LENGTH OF LEGISLATIVE SESSIONS TO 180 DAYS FOR THE LONG SESSION AND 90 DAYS FOR THE SHORT SESSION, is placed on the Calendar for immediate consideration.

Representative Shubert offers an amendment. The Speaker rules the amendment out of order.

REPRESENTATIVE HACKNEY, SPEAKER PRO TEMPORE, PRESIDING.

Representative Morgan offers Amendment No. 1 which is adopted by electronic vote (106-5).

Representative Sutton offers Amendment No. 2.

On motion of the Chair, Amendment No. 2 is temporarily displaced.

SPEAKER BLACK PRESIDING.

Amendment No. 2, which was temporarily displaced, is before the Body.

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Amendment No. 2 is adopted by electronic vote (96-17).

The bill, as amended, fails to pass its second reading, by the following vote.

Those voting in the affirmative are: Representatives Allred, Arnold, Baddour, Barefoot, Barnhart, Blust, Bonner, Carpenter, Church, Clary, Coates, Cox, M. Crawford, Culp, Decker, Dedmon, Eddins, Edwards, Fox, Gibson, Gillespie, Goodwin, Harrington, Hill, Holliman, Hurley, Jeffus, McAllister, McLawhorn, McMahan, Miner, Morgan, Morris, Nye, Owens, Pope, Preston, Redwine, Rogers, Russell, Setzer, Sherrill, Smith, Sutton, Teague, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, C. Wilson, and Yongue - 54.

Voting in the negative: Representatives Adams, Alexander, Allen, Baker, Barbee, Bell, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Cole, J. Crawford, Creech, Culpepper, Cunningham, Davis, Dockham, Earle, Easterling, Ellis, Esposito, Grady, Gray, Gulley, Hackney, Haire, Hall, Hensley, Holmes, Howard, Hunter, Insko, Jarrell, Johnson, Justus, Kiser, Lucas, McComas, McCombs, Michaux, Miller, Mitchell, Nesbitt, Oldham, Rayfield, Saunders, Sexton, Shubert, Starnes, Thompson, Wainwright, Weatherly, Weiss, West, Willingham, G. Wilson, Womble, and Wright - 59.

Excused absences: Representatives Blue, Hiatt, Luebke, and Warwick - 4.

#### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1146** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATION BY VARIOUS MUNICIPALITIES, 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, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Shubert, Smith, Starnes, Sutton,

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Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 101.

Voting in the negative: Representatives Allred, Baker, Capps, M. Crawford, Creech, Gulley, Justus, and Sherrill - 8.

Excused absences: Representatives Blue, Hiatt, Luebke, and Warwick, - 4.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Hackney and without objection, **S.B. 662**, A BILL TO BE ENTITLED AN ACT AMENDING AN ACT AUTHORIZING ORANGE COUNTY TO REGULATE OPEN BURNING, is withdrawn from the Calendar and placed on the Calendar of September 11.

#### **CALENDAR (continued)**

**S.B. 1161** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PRESENT-USE VALUE STATUTES, TO CREATE A PROPERTY TAX SUBCOMMITTEE OF THE REVENUE LAWS STUDY COMMITTEE, TO CLARIFY THE SALES AND USE TAX EXEMPTION REGARDING CERTAIN AGRICULTURAL SUBSTANCES, AND TO MAKE VARIOUS ADMINISTRATIVE CHANGES IN THE TAX LAWS.

Representative Hill offers Amendment No. 1 which is adopted by electronic vote (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 the House committee substitute bill by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Boyd-McIntyre, Buchanan, Capps, Carpenter, Church, Clary, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Gray, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker,

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Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, Willingham, G. Wilson, Womble, Wright, and Yongue - 99.

Voting in the negative: Representatives Allred, Brubaker, M. Crawford, Creech, Grady, Gulley, Kiser, McAllister, Rayfield, Sherrill, and Thompson - 11.

Excused absences: Representatives Blue, Hiatt, Luebke, and Warwick - 4.

### **RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 1443** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL TEACHERS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Pensions and Retirement and, if favorable, to the Committee on Education.

### **CONFEREES APPOINTED**

The Speaker announces the following conferees on **S.B. 1037** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANY PROSPECTIVE APPLICANT FOR AN AIR QUALITY PERMIT FOR A NEW FACILITY MAY COMMENCE CONSTRUCTION PRIOR TO OBTAINING THE AIR QUALITY PERMIT TO OPERATE THAT FACILITY IF THE PROSPECTIVE APPLICANT SUBMITS A NOTICE OF THE CONSTRUCTION AND THAT ANY CURRENT HOLDER OF AN AIR QUALITY PERMIT MAY COMPLETE NEW CONSTRUCTION AT AN EXISTING PERMITTED FACILITY PRIOR TO OBTAINING THE AIR QUALITY PERMIT TO OPERATE THAT FACILITY IF THE PROSPECTIVE APPLICANT SUBMITS A NOTICE OF THE CONSTRUCTION: Representatives Gibson, McMahan, and Hackney.

The Senate is so notified by Special Message.

On motion of Representative Culpepper, seconded by Representative Owens, the House adjourns at 4:16 p.m. to reconvene September 5 at 10:05 a.m.

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## **TWO HUNDRED THIRTY-EIGHTH DAY**

HOUSE OF REPRESENTATIVES  
Thursday, September 5, 2002

September 5, 2002

The House meets at 10:05 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Most Gracious God:

"As we greet Thee on this Thursday morning, we confess to You that we struggle with our inability to juggle the multitude of tasks before us. We are stressed over our inability to be two places at one time. We struggle with our inability to carry on our re-election campaigns back home and our need to be here to complete the remaining work we have yet to accomplish. We are tired. And, many of us have become frustrated. Lord, we seek resolutions to our inner feelings. Help us not to hide them as this only serves to stir up anger within us. But, help us also, to handle ourselves with grace and dignity befitting of those who have been elected to serve others. Gracious God, keep us grounded in the indestructible truths of self-respect, respect toward others, dignity, strong moral character, and personal integrity. Remind us to lean on Thee for all of our understanding and to look to You in all things as our source of strength. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of September 4 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Blue, Clary, Coates, Hiatt, Insko, McAllister, Sutton, Underhill, and Weiss for today.

### **ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

**H.B. 1540**, AN ACT TO DISAPPROVE AN AMENDMENT TO THE ADMINISTRATIVE RULE "USE STANDARDS FOR OCEAN HAZARD AREAS" ADOPTED BY THE COASTAL RESOURCES COMMISSION AND TO AUTHORIZE COUNTIES AND CITIES TO ORDER THE REMOVAL OF A SWIMMING POOL UPON A FINDING THAT THE SWIMMING POOL IS DANGEROUS OR PREJUDICIAL TO PUBLIC HEALTH OR SAFETY.

September 5, 2002



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

**S.J.R. 1469**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILLIAM JOSEPH GASTON ON THE 225TH ANNIVERSARY OF HIS BIRTH. (RESOLUTION 2002-13)

#### **WITHDRAWAL OF BILL FROM CALENDAR**

Pursuant to Rule 36(b)(2), **S.B. 163** (House Committee Substitute), 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, is withdrawn from the Calendar pursuant to Rule 36(b) 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 Representatives Barefoot and Cox, Chairs, for the Committee on Pensions and Retirement:

**S.B. 1443** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL TEACHERS, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Education.

The House committee substitute bill is re-referred to the Committee on Education. The Senate committee substitute 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 Cox, Goodwin, and Nye:

September 5, 2002

**H.J.R. 1788**, A JOINT RESOLUTION HONORING THE VICTIMS AND HEROES OF SEPTEMBER 11, 2001, is referred to the Committee on Rules, Calendar, and Operations of the House.

### 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. 1581** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AFFECTING ELECTRONIC SIGNATURES AND PLATS FILED WITH THE CABARRUS AND MECKLENBURG COUNTY REGISTERS OF DEEDS.

On motion of Representative Saunders, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (61-44), and the bill is ordered enrolled and presented to the Governor.

### WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Gray and without objection, **H.B. 1665** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND TAX LAWS RELATED TO INTERSTATE AIR COURIERS AND TO AMEND THE WAGE STANDARD UNDER THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT TO ACCOUNT FOR THE VALUE OF HEALTH INSURANCE TO PART-TIME JOBS, is withdrawn from the Calendar and placed on the Calendar of September 10.

### CALENDAR (continued)

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1726** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, is moved up on today's Calendar.

The bill passes its second reading, by electronic vote (101-4), and there being no objection is read a third time.

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The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1785** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA CENTER FOR MISSING PERSONS TO ACCEPT AND EXPEND PRIVATE DONATIONS FOR THE NORTH CAROLINA CHILD ALERT NOTIFICATION SYSTEM - NC CAN (AMBER ALERT), TO ESTABLISH CRITERIA TO TRIGGER AN "AMBER ALERT", TO COORDINATE THE PUBLIC AND PRIVATE SECTORS, AND TO PROVIDE FOR THE USE OF DEPARTMENT OF TRANSPORTATION CHANGEABLE MESSAGE SIGNS TO DISPLAY INFORMATION REGARDING MISSING CHILDREN, is moved up on today's Calendar.

Representative Decker 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), 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.

**S.B. 1146** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATION BY VARIOUS MUNICIPALITIES, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Those voting in the affirmative are: Representatives Alexander, Allen, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, 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, Hunter, Hurley, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Shubert, Smith, Starnes, Teague, Thompson, Tolson, Tucker, Wainwright, Walend, Walker,

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Warner, Warren, Weatherly, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 102.

Voting in the negative: Representatives Allred, M. Crawford, Creech, Davis, and Sherrill - 5.

Excused absences: Representatives Adams, Blue, Clary, Coates, Hiatt, Insko, McAllister, Sutton, Underhill, and Weiss - 10.

### ENROLLED BILLS

The following bill is duly ratified and presented to the Governor:

**H.B. 1581**, AN ACT AFFECTING ELECTRONIC SIGNATURES AND ELECTRONIC RECORDS FILED WITH THE CABARRUS COUNTY AND MECKLENBURG COUNTY REGISTERS OF DEEDS AND AUTHORIZING RESIDENT OR SUPERIOR COURT JUDGES AND DISTRICT COURT JUDGES TO PERFORM MARRIAGE CEREMONIES.

### 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. 1640** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCLUDE THE TOWN OF DUCK AS A MUNICIPALITY AUTHORIZED TO REGULATE AND CONTROL SWIMMING, PERSONAL WATERCRAFT, SURFING, AND LITTERING IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWN WITHIN ITS BOUNDARIES OR WITHIN ITS EXTRA-TERRITORIAL JURISDICTION AND TO DESIGNATE THE TOWN COUNCIL OF THE TOWN OF DUCK AS THE GOVERNING BODY OF THE DUCK AREA BEAUTIFICATION DISTRICT, 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.

September 5, 2002

On motion of Representative Culpepper, seconded by Representative Miller, the House adjourns at 10:57 a.m. to reconvene Monday, September 9, 2002, at 6:05 p.m.

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## TWO HUNDRED THIRTY-NINTH DAY

HOUSE OF REPRESENTATIVES  
Monday, September 9, 2002

The House meets at 6:05 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Most Wise God:

"You know us. You know us better than we know ourselves. You know what motivates us to speak and to act. You know if we are moved by selfish ambition or for the good of others. Remind us that we do nothing behind closed doors through which your eyes cannot penetrate. Remind us that no decision we make or vote we cast is hidden from Your eyes that pierce our souls. Shore us up and bring us back to ourselves so that who we are and what we stand for are in line with each other.

"Keep us ever mindful of our responsibility to speak for our constituents, especially if they are unable to speak for themselves. Search us and know us, O God, give us contrite hearts, wills that are willing to be shaped by Thee, and minds that are open to the sound of Your voice. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of September 5 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (63-5).

Representative McLawhorn requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (64-5).

Leaves of absence are granted Representatives Arnold, Blue, Buchanan, Clary, Haire, Hiatt, McAllister, Nye, Russell, Saunders, Sherrill, Smith,

September 9, 2002

Starnes, Thompson, Tucker, Wainwright, Walend, Warren, Warwick, Weatherly, and Wright for today. Representatives Carpenter, Goodwin, and Luebke are excused for a portion of the session.

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

The following report from standing committee is presented:

By Representative Michaux, Vice Chair, for the Committee on Judiciary III:

**S.B. 1123** (Committee Substitute), A BILL TO BE ENTITLED AN ACT MODIFYING THE FELONY AND MISDEMEANOR OFFENSES RELATED TO CONDUCTING CERTAIN UNAUTHORIZED SOUND AND VIDEO RECORDINGS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the 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.

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

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

By Representatives Ellis, Capps, Davis, and Shubert:

**H.J.R. 1789**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY SINCE FOR THE 2002 REGULAR SESSION, AS OF THE SEPTEMBER 9, 2002, FIRST READING OF THIS RESOLUTION, THE GENERAL ASSEMBLY WILL HAVE BEEN IN SESSION FOR 105 CALENDAR DAYS, HAVING CONVENED ON MAY 28, 2002, AND HAVING FAILED TO PASS A BUDGET BY JUNE 30, 2002, is referred to the Committee on Rules, Calendar, and Operations of the House.

### **CALENDAR**

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

September 9, 2002

**H.B. 1657** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE DURHAM FIREMEN'S SUPPLEMENTAL RETIREMENT SYSTEM.

On motion of Representative Michaux, the House concurs in the Senate committee substitute bill, by electronic vote (74-0), and the bill is ordered enrolled.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute No. 2 for **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.

On motion of Representative Nesbitt, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (76-0), 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. 1490** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR.

On motion of Representative Gibson, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (73-5), 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 No. 2 for **H.B. 1508** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROMOTE READINESS FOR AND TO IMPROVE MANAGEMENT OF A PUBLIC HEALTH THREAT THAT MAY RESULT FROM AN ACT OF TERRORISM USING NUCLEAR, BIOLOGICAL, OR CHEMICAL AGENTS AND TO AMEND THE NORTH CAROLINA MEDICAL CARE COMMISSION'S RULE-MAKING AUTHORITY REGARDING STANDARDS AND CRITERIA FOR THE EDUCATION AND CREDENTIALING OF PERSONS TO ADMINISTER TREATMENT FOR ANAPHYLAXIS.

September 9, 2002

On motion of Representative Edwards, the House does not concur in Senate Committee Substitute Bill No. 2, by electronic vote (77-1) and conferees are requested.

The Speaker appoints Representative Edwards, Chair; Representatives Baddour and Pope as conferees on the part of the House and the Senate is so notified by Special Message.

**S.B. 589** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PERMIT THE HIGHWAY USE OF OFF-ROAD VEHICLES USED IN AGRICULTURAL QUARANTINE PROGRAMS, passes its second reading, by electronic vote (77-1), 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 the House committee substitute bill by Special Message.

**H.B. 1313** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE INTERPRETER AND TRANSLITERATOR LICENSURE ACT FOR PERSONS WHO ARE DEAF OR HARD-OF-HEARING AND TO MAKE CONFORMING CHANGES TO CHAPTER 8B AND CHAPTER 143B, 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, Blust, Bonner, Bowie, Brubaker, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dockham, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McCombs, McLawhorn, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Owens, Preston, Rogers, Setzer, Sexton, Shubert, Sutton, Teague, Tolson, Underhill, Warner, Weiss, West, G. Wilson, Womble, and Yongue - 74.

Voting in the negative: Representatives Baker, Capps, Davis, Pope, and Rayfield - 5.

Excused absences: Representatives Arnold, Blue, Buchanan, Carpenter, Clary, Haire, Hiatt, McAllister, Nye, Russell, Saunders, Sherrill, Smith, Starnes, Thompson, Tucker, Wainwright, Walend, Warren, Warwick, Weatherly, and Wright - 22.

September 9, 2002



On motion of Representative Culpepper, seconded by Representative Miller, the House adjourns at 6:51 p.m. to reconvene September 10 at 10:00 a.m.

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## **TWO HUNDRED FORTIETH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, September 10, 2002

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 Jim Harry, House Chaplain:

"Sovereign Lord:

"We acknowledge You to be the Supreme Ruler over every nation under heaven, yet we thank You for the freedoms that democracy provides us. We are grateful to live in a country where our leaders can be chosen through open and free elections. Merciful God, there are many in this Chamber whose presence here can be affected by today's elections. We ask Thee for mercy to see us through and for grace to handle the outcomes yet to be decided. As servant leaders, remind us always to be mindful of our responsibility to be grateful and hospitable to others in all that we do. Help us to remember that our part is just a small fraction in the larger scope of doing good for all of Your people. This prayer we humbly make in the name of the One who was, and is, and is to come. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of September 9 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Allen, Arnold, Baddour, Blue, Buchanan, Carpenter, Decker, Edwards, Esposito, Gibson, Haire, Hiatt, Holliman, Howard, Jarrell, Jeffus, Luebke, McAllister, McMahan, Nye, Russell, Sherrill, Smith, Starnes, Sutton, Thompson, Tucker, Wainwright, Walend, Warner, Warren, Warwick, and Weatherly for today.

September 10, 2002

**CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 911**, AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT AND DISSEMINATE GUIDELINES FOR THE DEVELOPMENT AND IMPLEMENTATION OF INDIVIDUAL DIABETES CARE PLANS AND TO REQUIRE LOCAL BOARDS OF EDUCATION TO IMPLEMENT THESE GUIDELINES. (S.L. 2002-103)

**S.B. 1253**, AN ACT TO PROVIDE THAT CERTAIN ANIMAL WASTE MANAGEMENT SYSTEMS SHALL NOT QUALIFY FOR SPECIAL PROPERTY CLASSIFICATION AND EXCLUSION FROM THE TAX BASE PURSUANT TO G.S. 105-275(8) AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY ISSUES RELATED TO THE TAX EXCLUSION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 2002-104)

**H.B. 1534**, AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO GRANT THE DOMESTIC VIOLENCE COMMISSION AUTHORITY TO ADOPT RULES TO APPROVE ABUSER TREATMENT PROGRAMS. (S.L. 2002-105)

**S.B. 1218**, AN ACT TO IMPROVE THE ENFORCEMENT OF TAX LAWS BY CRIMINALIZING OR INCREASING THE PENALTY FOR CERTAIN FORMS OF TAX FRAUD AND BY ALLOWING THE DEPARTMENT OF REVENUE TO DISCLOSE CERTAIN INFORMATION TO LAW ENFORCEMENT AGENCIES. (S.L. 2002-106)

**S.B. 1170**, AN ACT AUTHORIZING ADDITIONAL METHODS FOR BIDDING ON PUBLIC PROCUREMENT CONTRACTS, AND AMENDING THE LAW REGARDING BRAND NAME SPECIFICATION IN THE COMPETITIVE BIDDING PROCESS FOR PUBLIC CONTRACTS. (S.L. 2002-107)

**S.B. 1407**, AN ACT TO ESTABLISH A CONTRACT RIGHT REGARDING THE TIMING OF PAYMENTS UNDER CONTRACTS REQUIRING REIMBURSEMENT OF FEDERAL FUEL EXCISE TAXES AND TO MAKE VARIOUS MOTOR FUEL EXCISE TAX CHANGES. (S.L. 2002-108)

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**S.B. 1441**, AN ACT TO EXEMPT CERTAIN ACTIVITIES OF THE UNIVERSITY OF NORTH CAROLINA, INCLUDING THE NORTH CAROLINA ARBORETUM, FROM THE UMSTEAD ACT. (S.L. 2002-109)

**H.B. 1724**, AN ACT TO CLARIFY THE STATUS OF TEACHERS PARTICIPATING IN FOREIGN EXCHANGE PROGRAMS FOR PURPOSES OF RETIREMENT AND TENURE. (S.L. 2002-110)

**S.B. 1262**, AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ENTER INTO MUTUAL AID AGREEMENTS WITH LAW ENFORCEMENT AGENCIES ON BEHALF OF ITS SPECIAL PEACE OFFICERS WHO HAVE BEEN DESIGNATED FOR THE PURPOSE OF ENFORCING THE LAW GOVERNING THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 2002-111)

**S.B. 1154**, AN ACT TO EXPAND THE LIST OF SECTIONS OF THE NORTH CAROLINA CONDOMINIUM ACT THAT APPLY TO CONDOMINIUMS CREATED ON OR BEFORE OCTOBER 1, 1986, AND TO CODIFY AN APPLICABILITY PROVISION RELATING TO THE NORTH CAROLINA PLANNED COMMUNITY ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 2002-112)

**S.B. 1232**, AN ACT TO ALLOW MEMBERS OF THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND WITH AT LEAST TEN YEARS OF SERVICE TO CONTINUE AS MEMBERS AFTER THE TAKEOVER OF A VOLUNTEER DEPARTMENT BY A CITY OR COUNTY; AND TO EXEMPT VOLUNTEER FIRE-FIGHTERS, EMERGENCY MEDICAL SERVICES PERSONNEL AND RESCUE SQUAD WORKERS FROM OVERTIME AND MINIMUM WAGE LAWS. (S.L. 2002-113)

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

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

By Representatives Ellis, Capps, M. Crawford, Davis, Hilton, and Rayfield:

**H.J.R. 1790**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY SINCE FOR THE 2002 REGULAR SESSION, AS OF THE SEPTEMBER 10, 2002, FIRST

September 10, 2002

READING OF THIS RESOLUTION, THE GENERAL ASSEMBLY WILL HAVE BEEN IN SESSION FOR 106 CALENDAR DAYS, HAVING CONVENED ON MAY 28, 2002, AND HAVING FAILED TO PASS A BUDGET BY JUNE 30, 2002, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Ellis:

**H.R. 1791**, A HOUSE RESOLUTION REQUESTING THAT THE CONGRESS OF THE UNITED STATES ENACT LEGISLATION ESTABLISHING A DOMAIN EXCLUSIVELY FOR THE POSTING AND DISSEMINATION OF PORNOGRAPHIC MATERIALS, is referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, seconded by Representative Miller, the House adjourns at 10:28 a.m. to reconvene September 11 at 3:00 p.m.

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## TWO HUNDRED FORTY-FIRST DAY

HOUSE OF REPRESENTATIVES  
Wednesday, September 11, 2002

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer and remarks are offered by the Reverend Jim Harry, House Chaplain:

"Let us begin our session with a Moment of Silence and join in solidarity with our brothers and sisters all over this great land who mourn and remember the events of September 11, 2001. Let us pray.

(Moment of Silence)

"Most Merciful God:

"You created humanity in Your glorious image. You created us to honor You and worship You. You created us to honor one another and to treat one another as we would like to be treated. Yet, throughout the history of civilization, we, Your children, have brought war upon each other; and we have hurt Your heart by destroying the symphony of life You so graciously composed.

September 11, 2002

"One year ago today, our nation was shaken to the very core of its foundation as, once again, the ethics of hate and fanaticism reared its ugly head. We, who once thought we were not vulnerable, literally found ourselves picking up sticks and stones. Today, as we pause for reflection as a nation, we find ourselves more contemplative and humble in light of this horrific event. Yet, we find ourselves morally resolved to fight evil and injustice wherever they present themselves.

"Dear God, grant us the courage to face '9/11 one year later' with a renewed profundity for life...with a restored vision of who America is and ought to be...of who we are and who we ought to be. Re-create within us the moral resolve to see Your plan for creation as it was originally intended, not just to see it, but to live it out in our daily lives as we live fully into the precious gift of life of each day. Place within our hands the instruments of peace with which we can play the music of our souls under the divine direction of the Master Conductor. May our melody be pleasing to You, and, May God have mercy upon us all. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of September 10 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Arnold, Blue, Dedmon, Hiatt, Hill, Luebke, McAllister, Thompson, and Warwick for today. Representatives Baddour, Easterling, Ellis, Oldham, Redwine, Russell, and Sherrill are excused for a portion of the session.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

Pursuant to Rule 36(b)(2), **H.B. 1640** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCLUDE THE TOWN OF DUCK AS A MUNICIPALITY AUTHORIZED TO REGULATE AND CONTROL SWIMMING, PERSONAL WATERCRAFT, SURFING, AND LITTERING IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWN WITHIN ITS BOUNDARIES OR WITHIN ITS EXTRATERRITORIAL JURISDICTION; TO DESIGNATE THE TOWN COUNCIL OF THE TOWN OF DUCK AS THE GOVERNING BODY OF THE DUCK AREA BEAUTIFICATION DISTRICT; TO PERMIT THE TOWN OF MANTEO TO DECREASE THE DISTANCE WITHIN WHICH A VEHICLE MAY PARK FROM THE INTERSECTION OF CURB LINES; AND TO AMEND

September 11, 2002

THE DEFINITION OF SUBDIVISION AS IT APPLIES IN CHOWAN COUNTY, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

#### **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. 1786**, A HOUSE RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES AND THE PRESIDENT TO SUPPORT AND ENACT LEGISLATION TO ESTABLISH A TOBACCO QUOTA BUYOUT PROGRAM, with recommendation that the committee substitute resolution be adopted, unfavorable as to the original resolution.

Pursuant to Rule 36(b), the committee substitute resolution is placed on the Calendar of September 12. The original resolution is placed on the Unfavorable Calendar.

**H.R. 1787**, A HOUSE RESOLUTION RECOGNIZING PARAMOUNT'S CAROWINDS THEME PARK FOR ITS NUMEROUS ACCOMPLISHMENTS IN ITS THIRTY-YEAR HISTORY, with recommendation that it be adopted.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of September 12.

**H.J.R. 1788**, A JOINT RESOLUTION HONORING THE VICTIMS AND HEROES OF SEPTEMBER 11, 2001, with a favorable report.

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

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**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

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OF JUSTICE TO ENTER RECIPROCITY AGREEMENTS WITH ALL STATES THAT RECOGNIZE NORTH CAROLINA'S HANDGUN PERMIT AS VALID, with an indefinite postponement report.

The 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 Ellis:

**H.J.R. 1792**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY SINCE FOR THE 2002 REGULAR SESSION, AS OF THE SEPTEMBER 11, 2002, FIRST READING OF THIS RESOLUTION, THE GENERAL ASSEMBLY WILL HAVE BEEN IN SESSION FOR 107 CALENDAR DAYS, HAVING CONVENED ON MAY 28, 2002, AND HAVING FAILED TO PASS A BUDGET BY JUNE 30, 2002, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Ellis:

**H.R. 1793**, A HOUSE RESOLUTION REQUESTING THAT THE CONGRESS OF THE UNITED STATES ENACT LEGISLATION ESTABLISHING A DOMAIN EXCLUSIVELY FOR THE POSTING AND DISSEMINATION OF PORNOGRAPHIC MATERIALS, is referred to the Committee on Rules, Calendar, and Operations of the House.

### BILL PLACED ON CALENDAR

Representative Culpepper gives notice, pursuant to Rule 36(b), and **H.J.R. 1788**, A JOINT RESOLUTION HONORING THE VICTIMS AND HEROES OF SEPTEMBER 11, 2001, is placed on the Calendar for immediate consideration.

Representative Cox offers Amendment No. 1 which is adopted by electronic vote (99-0).

The resolution, as amended, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

September 11, 2002

The resolution, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

On motion of the Chair, the House recesses at 3:33 p.m.

### RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

### CALENDAR

Action is taken on the following:

**H.B. 1313** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE INTERPRETER AND TRANSLITERATOR LICENSURE ACT FOR PERSONS WHO ARE DEAF OR HARD-OF-HEARING AND TO MAKE CONFORMING CHANGES TO CHAPTER 8B AND CHAPTER 143B, 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, Baddour, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Harrington, Hensley, Hilton, Holliman, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morris, Nye, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 96.

Voting in the negative: Representatives Allred, Baker, Davis, and Pope - 4.

Excused absences: Representatives Arnold, Blue, Dedmon, Hiatt, Hill, Luebke, McAllister, Thompson, and Warwick - 9.

September 11, 2002



**RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2, **S.B. 1252** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAND CONSERVATION STATUTES OF THE STATE OF NORTH CAROLINA, 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, seconded by Representative Weiss, the House adjourns at 5:33 p.m. to reconvene September 12 at 10:05 a.m.

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**TWO HUNDRED FORTY-SECOND DAY**

HOUSE OF REPRESENTATIVES  
Thursday, September 12, 2002

The House meets at 10:05 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Gracious and Merciful God:

"As we stir in our respective seats and wonder, often aloud, when our work here will be completed, offer us Your patience as we wait. Remind us of how patient You are with us when we forget our obligations to You. Thus, in remembering our own inadequacies we might find the necessary resolve to persevere throughout this process. We do not ask for patience to wait without accountability, rather we pray for the understanding of others who may or may not move according to the calendars of own choosing. As we have previously prayed for our national leaders, so now we pray for our State leaders who, partially represented in this Chamber, must often yield to the impatience of constituents, political party, vocational, and family responsibilities. As we head down the home stretch, still our hearts and minds that we might find peace in Thee. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of September 11 has been

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examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Arnold, Hiatt, Hill, McAllister, and Warwick for today. Representative Underhill is excused for a portion of the session.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**H.B. 1276**, AN ACT TO CLOSE THE LEGAL LOOPHOLE THAT EXISTS UNDER THE STATE'S INCEST LAWS BY EQUALIZING PUNISHMENTS FOR CRIMES COMMITTED AGAINST CHILDREN WITHOUT REGARD TO FAMILIAL STATUS.

**H.B. 1490**, AN ACT TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR AND TO CLARIFY THE FRANCHISE TAX ON ELECTRIC POWER COMPANIES.

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

**H.B. 1657**, AN ACT TO AMEND THE PROVISIONS OF THE DURHAM FIREMEN'S SUPPLEMENTAL RETIREMENT SYSTEM.

### INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative Ellis:

**H.J.R. 1794**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY SINCE FOR THE 2002 REGULAR SESSION, AS OF THE SEPTEMBER 12, 2002, FIRST READING OF THIS RESOLUTION, THE GENERAL ASSEMBLY WILL HAVE BEEN IN SESSION FOR 108 CALENDAR DAYS, HAVING CONVENED ON MAY 28, 2002, AND HAVING FAILED TO PASS A BUDGET BY JUNE 30, 2002, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Ellis:

**H.R. 1795**, A HOUSE RESOLUTION REQUESTING THAT THE CONGRESS OF THE UNITED STATES ENACT LEGISLATION ESTABLISHING A DOMAIN EXCLUSIVELY FOR THE POSTING AND DISSEMINATION OF PORNOGRAPHIC MATERIALS, is referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of the Chair, the House recesses at 10:17 a.m.

**RECESS**

The House reconvenes pursuant to recess and is called to order by the Speaker.

On motion of the Chair, the House recesses at 11:07 a.m.

**RECESS**

The House reconvenes pursuant to recess and is called to order by the Speaker.

**POINT OF PERSONAL PRIVILEGE**

On motion of Representative Baddour, and without objection, the following remarks of Representative Boyd-McIntyre are spread upon the Journal.

**"WHEN WORLDS COLLIDE"**

"The terrorist took a bite out of the Apple - The Big Apple  
That truly was a big mistake.

It was long ago that someone, beguiled by that other serpent, bit into  
The forbidden fruit, known as 'The Apple'  
At that precise moment the earth shook, or so the poet says.  
And the guilty had no doubt there'd be a price to pay.  
And yes, the earth shook once more on that September Day  
When two worlds collided.

"We will look forward and go forward from that dark September day  
But we will remember on that journey  
The gaping wound at Ground Zero  
The gallant acts of each hero

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The lofty twin towers symbolizing the American Spirit  
 And even the twin towers as they came tumbling down,  
 Like the walls of ancient Jericho  
 When two worlds collided.

"Yes, America was attacked - New York a major spot.  
 New York - America's heartbeat, the city of cities, the city of dreams, of  
 commerce and the arts  
 A city that throbs with life, unrivaled by others -  
 The vibes its people feel...  
 The hustle, the bustle, the energy, the synergy,  
 Our city  
 And the visiting enemy would take that away?  
 No way!  
 Had we but connected the dots,  
 We might have locked our gates, or watched the fox more closely.  
 What of freedom and opportunity in America?  
 Lady Liberty, embodying the American spirit, has for generations talked to  
 the world for us:  
 'Give me your tired, your poor...your huddled masses, yearning to breathe  
 free'... Wait! no, no, no!  
 This is not for the terrorists.

"To the cowardly attackers, let it be known, you stole from us...a kind of  
 innocence  
 When you taught us a whole new meaning of hate  
 You made other hate crimes look like child's play.  
 You made a mockery of our hospitality that day.  
 And so, you see, you must pay; you know you must pay.  
 Always, there comes a reckoning day.

"What we saw on 9-11 was the naked face of evil, so vile and so undiluted.  
 It stared us straight in the eye.  
 The enemy bit the Apple and America bled.  
 Red spewed up to the Heavens.  
 It rained down into the bowels of the earth.  
 And on that September morn,  
 The world forgot to keep on turning,  
 And the city of dreams just kept on burning - yet, every ember igniting in us  
 the fires of courage, unity, love, resolve and unparallel patriotism.  
 That's what you get when worlds collide.

"Thousands died on Nine - One One.  
 Americans wept together, separately, creating a really rainy day

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Tears enough to fill an ocean  
To nourish the earth in other places, ah the healing begins -  
And from the rubble at its feet,  
Like the phoenix from his ashes,  
The city of dreams will rise again to be better than before.

"The attack spawned an instant patriotic mood and movement  
Thousands of flags, unfurled and swaying in the gentle breeze -  
The National Anthem ringing out from buildings and homes and open  
ranges.

All kinds of expression - from artful tattoos to colorful hairdos to star  
spangled shacks on the side of the road -  
Say to the enemy, 'Just look at us now.'

"Now, the heinous crimes, the enemy could control,  
But they could not break our indomitable spirit.  
They could not touch our soul.  
A defiant American people said it loud and said it clear.  
They would never retreat, no, not in doubt, not in fear.  
They would fight back until the thing was done.  
Red, white and blue! These colors don't run!  
When with another world they do collide,  
They don't run,  
And they don't hide."

On motion of Representative Culpepper, seconded by Representative Weiss,  
the House adjourns at 12:24 p.m. to reconvene Monday, September 16, 2002, at  
7:05 p.m.

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## **TWO HUNDRED FORTY-THIRD DAY**

HOUSE OF REPRESENTATIVES  
Monday, September 16, 2002

The House meets at 7:05 p.m. pursuant to adjournment and is called to  
order by the Speaker.

Prayer is offered by Representative Alexander.

Representative Culpepper, for the Committee on Rules, Calendar, and  
Operations of the House, reports the Journal of September 12 has been

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examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Arnold, Barefoot, Coates, Cox, Daughtry, Dockham, Goodwin, Hiatt, Saunders, Sexton, Starnes, Underhill, Walend, and Weiss 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. 1657**, AN ACT TO AMEND THE PROVISIONS OF THE DURHAM FIREMEN'S SUPPLEMENTAL RETIREMENT SYSTEM. (S.L. 2002-114)

**H.B. 1581**, AN ACT AFFECTING ELECTRONIC SIGNATURES AND ELECTRONIC RECORDS FILED WITH THE CABARRUS COUNTY AND MECKLENBURG COUNTY REGISTERS OF DEEDS AND AUTHORIZING RESIDENT OR SUPERIOR COURT JUDGES AND DISTRICT COURT JUDGES TO PERFORM MARRIAGE CEREMONIES. (S.L. 2002-115)

### CALENDAR

Action is taken on the following:

**H.R. 1786** (Committee Substitute), A HOUSE RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES AND THE PRESIDENT TO SUPPORT AND ENACT LEGISLATION TO ESTABLISH A TOBACCO QUOTA BUYOUT PROGRAM, is moved up on today's Calendar.

The resolution is adopted, by electronic vote (94-0), and ordered printed.

**H.R. 1787**, A HOUSE RESOLUTION RECOGNIZING PARAMOUNT'S CAROWINDS THEME PARK FOR ITS NUMEROUS ACCOMPLISHMENTS IN ITS THIRTY-YEAR HISTORY, is moved up on today's Calendar.

The resolution is adopted, by electronic vote (92-3), and ordered printed.

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**S.B. 662**, A BILL TO BE ENTITLED AN ACT AMENDING AN ACT AUTHORIZING ORANGE COUNTY TO REGULATE OPEN BURNING, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

### **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 Environment and Natural Resources:

**S.B. 1211** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE BOONE'S CAVE STATE NATURAL AREA AND A PORTION OF BALDHEAD ISLAND STATE NATURAL AREA FROM THE STATE NATURE AND HISTORIC PRESERVE, TO REMOVE THESE PROPERTIES FROM THE STATE PARKS SYSTEM, TO AUTHORIZE THE TRANSFER OF THESE PROPERTIES FOR LIMITED PURPOSES, AND TO ALLOW CERTAIN PUBLIC ENTITIES TO USE THE FIRE TOWER AT MOUNT JEFFERSON STATE NATURAL AREA FOR PUBLIC COMMUNICATION PURPOSES.

**S.B. 1260** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT UNITS OF LOCAL GOVERNMENT TO EVALUATE THEIR EFFORTS TO CONSERVE WATER, TO DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT RULES GOVERNING WATER CONSERVATION AND WATER REUSE, TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO EVALUATE WATER CONSERVATION AND WATER EFFICIENCY PROGRAMS IN THE STATE, AND TO DIRECT THE UTILITIES COM-MISSION TO STUDY METHODS TO FUND AND PROMOTE THE DEVELOPMENT OF GREEN POWER IN NORTH CAROLINA.

Representative Culpepper moves, seconded by Representative Miller, that the House adjourn, subject to the receipt of Conference Reports, to reconvene September 17 at 10:00 a.m.

The motion carries.

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**CONFERENCE REPORT**

Representative Redwine sends forth the Conference Report on **S.B. 1115** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2001, TO PROVIDE FOR A TEN PERCENT (10%) REDUCTION IN THE SALARY OF MEMBERS OF THE GENERAL ASSEMBLY FOR THE REMAINDER OF THE 2002-2003 FISCAL YEAR, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of September 17.

The Speaker rules the Conference Report to be material, thus constituting its first reading.

The House stands adjourned.

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**TWO HUNDRED FORTY-FOURTH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, September 17, 2002

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 Jim Harry, House Chaplain:

"Most Wise God:

"You are always near to us. Throughout history, whenever Your people have called upon You for help and guidance, You showed them the way. If ever we have needed to look to You for guidance, wisdom, and discernment, dear Lord, it is now. The hymn writer said it best this way, 'In times like these we need a Savior. In times like these we need an anchor. Be very sure. Be very sure. Your anchor holds upon the solid rock.' Merciful God, do not leave us to our own devices nor to our own decisions without first seeking the guidance and approval of heaven for the difficult decisions that face us. The eyes of the State are upon us, thus we humbly ask that You would grant us mercy to do what we honestly interpret to be

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right and good and just. If ever we have needed Thee, O God, it is now. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of September 16 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Dedmon for today. Representatives Adams and Warwick are 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:

**S.B. 662**, AN ACT AMENDING AN ACT AUTHORIZING ORANGE COUNTY TO REGULATE OPEN BURNING.

#### **WITHDRAWAL OF CONFERENCE REPORT FROM CALENDAR**

On motion of Representative Redwine and without objection, the Conference Report on **S.B. 1115** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2001, TO PROVIDE FOR A TEN PERCENT (10%) REDUCTION IN THE SALARY OF MEMBERS OF THE GENERAL ASSEMBLY FOR THE REMAINDER OF THE 2002-2003 FISCAL YEAR, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, is withdrawn from the Calendar and re-referred to the Conference Committee.

On motion of the Chair, the House recesses at 10:18 a.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 committees are presented:

September 17, 2002

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

Senate Committee Substitute for **H.B. 1745**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE 300 PLATE REQUIREMENT FROM SPECIAL LICENSE PLATES FOR WORLD WAR II AND KOREAN CONFLICT VETERANS' PLATES, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of September 18.

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

**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, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar for immediate consideration. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Representative Morgan offers an amendment. The Speaker rules that the amendment is not in order.

Representative Morgan offers Amendment No. 1 which is adopted by electronic vote (115-3).

The bill, as amended, fails to pass its second reading by electronic vote (50-69) and is placed on the Unfavorable Calendar.

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**RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 1268**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF MONROE TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES, is withdrawn from the Committee on Local Government I and re-referred to the Committee on Finance.

**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. 1751**, A BILL TO BE ENTITLED AN ACT TO CREATE A TRAVEL AND TOURISM CAPITAL INCENTIVE GRANT PROGRAM, with a favorable report as to the committee substitute bill, unfavorable as to the 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.

**WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Culpepper and without objection, **S.B. 93** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING AN ADVISORY REFERENDUM ON AN EDUCATION LOTTERY FOR NORTH CAROLINA ON NOVEMBER 5, 2002, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Culpepper moves, seconded by Representative Miller, that the House adjourn, subject to the receipt of Conference Reports, to reconvene September 18 at 10:00 a.m.

The motion carries.

No conference report being received, the House adjourns at 5:43 p.m.

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**TWO HUNDRED FORTY-FIFTH DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, September 18, 2002

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 Jim Harry, House Chaplain:

"Most Gracious God:

"Yesterday's debate was a long and tiring one. It was a battle of morality for some and a battle of common sense for others. It was, of course, the democratic process played out on the big screen. This is an emotionally tired bunch for which I offer this prayer. Nonetheless, we gather again this morning as the Peoples' Representatives, to continue our work. Grant us the grace necessary to move beyond the war of words. Enable us to work together in a spirit of open and honest debate accompanied by civility and gentleness. Let our consciences guide our continued discussions holding no grudges over previous battles of political ideology, but moving on toward the completion of our common work together, not as Democrats and Republicans, but as servants of the People entrusted by them to do our jobs well. May God have mercy upon us and upon the Great State of North Carolina. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of September 17 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Dedmon, Hiatt, Luebke, Sexton, and Walend for today. Representatives Cox, Hurley, Sherrill, and Underhill are excused for a portion of the session.

**CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 1540**, AN ACT TO DISAPPROVE AN AMENDMENT TO THE ADMINISTRATIVE RULE "USE STANDARDS FOR OCEAN HAZARD

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AREAS" ADOPTED BY THE COASTAL RESOURCES COMMISSION AND TO AUTHORIZE COUNTIES AND CITIES TO ORDER THE REMOVAL OF A SWIMMING POOL UPON A FINDING THAT THE SWIMMING POOL IS DANGEROUS OR PREJUDICIAL TO PUBLIC HEALTH OR SAFETY. (S.L. 2002-116)

**S.B. 662**, AN ACT AMENDING AN ACT AUTHORIZING ORANGE COUNTY TO REGULATE OPEN BURNING. (S.L. 2002-117)

### INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative Ellis:

**H.R. 1796**, A HOUSE RESOLUTION ENCOURAGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROTECTING OUR CHILDREN BY ESTABLISHING AN EXCLUSIVE WEB DOMAIN EXTENSION OF ".XXX" AND LIMITING THE POSTING AND DISSEMINATION OF OBSCENE OR PORNOGRAPHIC MATERIALS TO THE DESIGNATED DOMAIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Harrington:

**H.R. 1797**, A HOUSE RESOLUTION ENCOURAGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROTECTING OUR CHILDREN BY ESTABLISHING AN EXCLUSIVE WEB DOMAIN EXTENSION OF ".XXX" AND LIMITING THE POSTING AND DISSEMINATION OF OBSCENE OR PORNOGRAPHIC MATERIALS TO THE DESIGNATED DOMAIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of the Chair, the House recesses at 10:08 a.m.

### RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

Representative Culpepper moves, seconded by Representative Miller, that the House adjourn, subject to the receipt of Conference Reports, to reconvene September 19 at 12:00 Noon.

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The motion carries.

### CONFERENCE REPORT

Representative Redwine sends forth the Conference Report on **S.B. 1115** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2001, TO PROVIDE FOR A TEN PERCENT (10%) REDUCTION IN THE SALARY OF MEMBERS OF THE GENERAL ASSEMBLY FOR THE REMAINDER OF THE 2002-2003 FISCAL YEAR, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of September 19.

The Conference Report is ruled to be material, thus constituting its first reading.

The House stands adjourned.

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## TWO HUNDRED FORTY-SIXTH DAY

HOUSE OF REPRESENTATIVES  
Thursday, September 19, 2002

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 Jim Harry, House Chaplain:

"Eternal God, Lover of our souls:

"It is a part of our twenty-first century lives that we live in the fast lane...hurrying here, scurrying there. It seems as if the speed limit on life's highway is unlimited and we all do our level best to keep up with the cars in the passing lane. And, as often is the case, it is while in life's fast lane that we forget you are in the passenger's seat...always with us...always patient...always hoping to be recognized. Loving God, architect of life itself, forgive us for our attempt to speed up rather than slow down. Remind us that it is okay to pull over, to rest, and to let You drive awhile. After all, the highways of life are Your roads. You designed the interconnectedness

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of them and the final destinations of each. Thus, when it comes to deciding which road to take, You know better than we. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of September 18 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Dedmon, Sexton, and Walend for today. Representative Underhill is excused for a portion of the session.

#### **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:

**S.B. 1268**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF MONROE TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES, with a favorable report as to the House committee substitute bill, which changes the title, 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.

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

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

By Representatives Davis, Arnold, Baker, Barbee, Barnhart, Blust, Bowie, Brubaker, Capps, Carpenter, Clary, M. Crawford, Creech, Culp, Daughtry, Decker, Dockham, Ellis, Esposito, Grady, Gray, Gulley, Harrington, Hiatt, Hilton, Holmes, Howard, Johnson, Justus, Kiser, McCombs, McMahan, Morris, Pope, Preston, Rayfield, Russell, Sexton, Shubert, Starnes, Teague, Walend, Walker, West, and G. Wilson:

**H.R. 1798**, A HOUSE RESOLUTION PROVIDING THAT NO LOBBYIST BE ALLOWED TO LOBBY THE NORTH CAROLINA GENERAL ASSEMBLY MEMBERS IF THAT LOBBYIST RECEIVES

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MEMBERSHIP FEES OR FUNDS THAT ARE OBTAINED FROM ANY GOVERNMENT SOURCE THAT TAXPAYERS FUND OR FROM REVENUE THAT IS PAID IN BY THE TAXPAYERS OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Capps:

**H.R. 1799**, A HOUSE RESOLUTION ENCOURAGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROTECTING OUR CHILDREN BY ESTABLISHING AN EXCLUSIVE WEB DOMAIN EXTENSION OF ".XXX" AND LIMITING THE POSTING AND DISSEMINATION OF OBSCENE OR PORNOGRAPHIC MATERIALS TO THE DESIGNATED DOMAIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Davis:

**H.R. 1800**, A HOUSE RESOLUTION ENCOURAGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROTECTING OUR CHILDREN BY ESTABLISHING AN EXCLUSIVE WEB DOMAIN EXTENSION OF ".XXX" AND LIMITING THE POSTING AND DISSEMINATION OF OBSCENE OR PORNOGRAPHIC MATERIALS TO THE DESIGNATED DOMAIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Davis, Blust, Capps, Carpenter, Dockham, Ellis, Hilton, Justus, Kiser, Shubert, and C. Wilson:

**H.R. 1801**, A HOUSE RESOLUTION PROVIDING THAT NO MEMBER OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES SHALL DEVIATE FROM THE RULES OF THE HOUSE AS SET FORTH AND APPROVED BY VOTE OF THE MEMBERS OF THE HOUSE AT THE BEGINNING OF A LEGISLATIVE SESSION, THAT MEMBERS OF THE HOUSE OF REPRESENTATIVES CAN DEVIATE FROM THE NORTH CAROLINA HOUSE RULES ONLY WITH TWO-THIRDS MAJORITY VOTE, AND THAT ANY SUCH DEVIATION WITHOUT THE VOTE OF THE HOUSE MEMBERS SHALL CONSTITUTE OFFICIAL OPPRESSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

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### CONFERENCE REPORT

Representative Redwine moves the adoption of the following Conference Report.

#### House Committee Substitute for S. B. 1115

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. 1115, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2001, TO PROVIDE FOR A TEN PERCENT (10%) REDUCTION IN THE SALARY OF MEMBERS OF THE GENERAL ASSEMBLY FOR THE REMAINDER OF THE 2002-2003 FISCAL YEAR, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, House Committee Substitute Favorable 8/9/02 Fifth Edition Engrossed 8/12/02, submit the following report:

The House and Senate agree to the following amendment to the House Committee Substitute, Fifth Edition Engrossed 8/12/02, 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 S1115-PCCS4777-LTxf-11.

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

Date conferees approved report: September 18, 2002.

*Conferees for the  
Senate*

S/ Aaron W. Plyler, Co-chair  
S/ Howard N. Lee, Co-chair  
S/ T. LaFontine Odom, Sr. Co-chair  
S/ Walter Dalton  
S/ David Hoyle  
S/ Steve Metcalf  
S/ William R. Purcell  
S/ Tony Rand

*Conferees for the  
House of Representatives*

S/ David Redwine, Chair  
S/ Ruth M. Easterling, Chair  
S/ Warren C. Oldham, Chair  
S/ Gordon P. Allen  
S/ Philip A. Baddour, Jr.  
S/ Flossie Boyd-McIntyre  
S/ Charles F. Buchanan  
S/ E. Nelson Cole

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S/ Eric Reeves  
 S/ A. B. Swindell  
 S/ Scott Thomas  
 S/ Ed Warren  
 S/ David F. Weinstein  
 S/ Allen H. Wellons

S/ James W. Crawford, Jr.  
 S/ Bill Culpepper  
 S/ Beverly M. Earle  
 S/ Stan Fox  
 S/ Pryor A. Gibson  
 S/ Joe Hackney  
 S/ Philip Haire  
 S/ Verlo C. Insko  
 S/ Maggie Jeffus  
 S/ H. M. Michaux, Jr.  
 S/ Edd Nye  
 S/ William C. Owens, Jr.  
 S/ R. Eugene Rogers  
 S/ Ronald L. Smith  
 S/ Joe P. Tolson  
 S/ Russell E. Tucker  
 S/ William L. Wainwright  
 S/ Thomas E. Wright  
 S/ Douglas Y. Yongue

REPRESENTATIVE HACKNEY, SPEAKER PRO TEMPORE  
 PRESIDING.

Representative Shubert inquires of the Chair if the Conference Report is in violation of the House Rules. The Chair rules the Conference Report is properly before the Body.

SPEAKER BLACK PRESIDING.

Representative Shubert inquires of the Chair if the Conference Report violates Rule 42. The Speaker states that the previous ruling of the Chair was correct.

The material Conference Report, which changes the title, is adopted on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black; Representatives Adams, Alexander, Allen, Baddour, Barefoot, Bell, Blue, Bonner, Boyd-McIntyre, Buchanan, Church, Coates, Cole, Cox, J. Crawford, Culpepper, Cunningham, Earle, Easterling, Edwards, Fox, Gibson, Goodwin, Hackney, Haire, Hall, Hensley, Hill, Holliman, Hunter, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, McAllister, McLawhorn, Michaux, Miller, Nesbitt, Nye, Oldham, Owens, Redwine, Rogers, Saunders, Smith, Sutton, Tolson,

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Tucker, Underhill, Wainwright, Warner, Warren, Warwick, Weiss, Willingham, C. Wilson, Womble, Wright, and Yongue - 63.

Voting in the negative: Representatives Allred, Arnold, Baker, Barbee, Barnhart, Blust, Bowie, Capps, Carpenter, Clary, M. Crawford, Creech, Culp, Daughtry, Davis, Decker, Dockham, Eddins, Ellis, Esposito, Gillespie, Grady, Gray, Gulley, Harrington, Hiatt, Hilton, Holmes, Howard, Johnson, Justus, Kiser, McComas, McCombs, McMahan, Miner, Mitchell, Morgan, Morris, Pope, Preston, Rayfield, Russell, Setzer, Sherrill, Shubert, Starnes, Teague, Thompson, Walker, Weatherly, West, and G. Wilson - 53.

Excused absences: Representatives Brubaker, Dedmon, Sexton, and Walend - 4.

### CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1665** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND TAX LAWS RELATED TO INTERSTATE AIR COURIERS AND TO AMEND THE WAGE STANDARD UNDER THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT TO ACCOUNT FOR THE VALUE OF HEALTH INSURANCE TO PART-TIME JOBS, 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: Speaker Black; Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Bonner, Bowie, Buchanan, Carpenter, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dockham, Earle, Easterling, Edwards, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Hiatt, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sherrill, Smith, Sutton, Teague, Thompson, Tolson,

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Tucker, Underhill, Wainwright, Walker, Warner, Warren, Warwick, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 98.

Voting in the negative: Representatives Blust, Boyd-McIntyre, Capps, Clary, Creech, Davis, Eddins, Ellis, Hilton, Kiser, McComas, Pope, Shubert, Starnes, and Weiss - 15.

Excused absences: Representatives Brubaker, Dedmon, Sexton, and Walend - 4.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 1745**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE 300 PLATE REQUIREMENT FROM SPECIAL LICENSE PLATES FOR WORLD WAR II AND KOREAN CONFLICT VETERANS' PLATES, is moved up on today's Calendar.

On motion of Representative Allred, the House concurs in the material Senate committee substitute bill, which changes the title, on its second roll call 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, Blust, Boyd-McIntyre, Buchanan, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hiatt, Hill, Holliman, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Redwine, Rogers, Russell, Saunders, Setzer, Sherrill, Shubert, Smith, Starnes, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Warwick, Weiss, Willingham, C. Wilson, Womble, and Yongue - 86.

Voting in the negative: Representatives Adams, Barnhart, Blue, Bonner, Bowie, Capps, Carpenter, M. Crawford, Creech, Fox, Hackney, Haire, Hall, Hensley, Hilton, Howard, Hunter, Kiser, McAllister, Michaux, Rayfield, Sutton, West, G. Wilson, and Wright - 25.

Excused absences: Representatives Brubaker, Dedmon, Sexton, and Walend - 4.

September 19, 2002

**SPECIAL MESSAGE FROM THE SENATE****2001 GENERAL ASSEMBLY  
SECOND SESSION 2002**

Senate Chamber  
September 19, 2002

Mr. Speaker:

Pursuant to your message received on September 10, 2002, that the House of Representatives fails to concur in the Senate Committee Substitute No. 2 to **H.B. 1508** (Committee Substitute # 2), A BILL TO BE ENTITLED AN ACT TO PROMOTE READINESS FOR AND TO IMPROVE MANAGEMENT OF A PUBLIC HEALTH THREAT THAT MAY RESULT FROM AN ACT OF TERRORISM USING NUCLEAR, BIOLOGICAL, OR CHEMICAL AGENTS AND TO AMEND THE NORTH CAROLINA MEDICAL CARE COMMISSION'S RULE-MAKING AUTHORITY REGARDING STANDARDS AND CRITERIA FOR THE EDUCATION AND CREDENTIALING OF PERSONS TO ADMINISTER TREATMENT FOR ANAPHYLAXIS, and requests conferees, the President *Pro Tempore* appoints:

Senator Purcell, Chair  
Senator Wellons  
Senator Hagan  
Senator Dannelly  
Senator Forrester

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 Allen, Buchanan, Luebke, and Wainwright, Chairs,  
for the Committee on Finance:

September 19, 2002

**H.B. 1638** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE CRIMINAL RECORD CHECKS TO THE ALE DIVISION WHEN INVESTIGATING ABC PERMIT APPLICANTS, LOCAL LAW-ENFORCEMENT AGENCIES ISSUING PRECIOUS METAL DEALER PERMITS, THE PRIVATE PROTECTIVE SERVICES BOARD, THE ALARM SYSTEMS LICENSING BOARD, THE BOARD OF LAW EXAMINERS, THE MEDICAL BOARD, THE STATE BOARD OF DENTAL EXAMINERS, THE BOARD OF PHARMACY, THE BOARD OF MORTUARY SCIENCE, THE REAL ESTATE COMMISSION, THE COMMISSIONER OF LABOR WHEN INVESTIGATING PRIVATE PERSONNEL SERVICE LICENSE APPLICANTS, THE STRUCTURAL PEST CONTROL COMMITTEE, AND CITIES WHEN INVESTIGATING TAXI LICENSE APPLICANTS AND TO CHARGE A FEE FOR CONDUCTING THE CHECKS, 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.

**H.B. 1707**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS OF CAROLINA BEACH, KURE BEACH, AND WRIGHTSVILLE BEACH TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, IF APPROVED BY THE VOTERS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of September 20. The original bill is placed on the Unfavorable Calendar.

**H.B. 1720**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of September 20. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Culpepper, seconded by Representative Miller, the House adjourns, by electronic vote (82-14), at 4:05 p.m. to reconvene September 20 at 8:00 a.m.

September 19, 2002

**TWO HUNDRED FORTY-SEVENTH DAY**

HOUSE OF REPRESENTATIVES  
Friday, September 20, 2002

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, House Chaplain:

"Merciful God:

"Leadership may be prestigious. It may have the ability to raise us to lofty places in our respective hometowns and even here on Jones Street. But, despite any high esteem we may hold, it doesn't make our job any less difficult. The decisions we face and the votes we must cast aren't made easier simply because we may think of ourselves more highly than we ought. This is tough stuff we're doing here. There are no quick fixes, no pat answers. In the end, it really is not about one political philosophy over another. It is about people. Almighty God, who alone rules over heaven and earth, keep us from any political posturing that might slow the process of doing the best we can with what we have to give. We are already limited in our resources. There are already enough impediments in our way. Keep our eyes fixed on the task before us. Humble our proud hearts, and allow us to complete our work in a way that will honor and please Thee. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of September 19 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Carpenter, Clary, Dedmon, Hiatt, Miner, Sexton, Walend, and Weatherly for today. Representative Adams is excused for a portion of the session.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

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

September 20, 2002

By Representative Ellis:

**H.R. 1802**, A HOUSE RESOLUTION ENCOURAGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROTECTING OUR CHILDREN BY ESTABLISHING AN EXCLUSIVE WEB DOMAIN EXTENSION OF ".XXX" AND LIMITING THE POSTING AND DISSEMINATION OF OBSCENE OR PORNOGRAPHIC MATERIALS TO THE DESIGNATED DOMAIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

### CONFERENCE REPORT

The material Conference Report for **S.B. 1115** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2001, TO PROVIDE FOR A TEN PERCENT (10%) REDUCTION IN THE SALARY OF MEMBERS OF THE GENERAL ASSEMBLY FOR THE REMAINDER OF THE 2002-2003 FISCAL YEAR, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, which changes the title, is adopted on its third roll call reading, by the following vote, and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Session Laws.)

Those voting in the affirmative are: Speaker Black; Representatives Adams, Alexander, Allen, Baddour, Barefoot, Blue, Bonner, Boyd-McIntyre, Church, Coates, Cole, Cox, J. Crawford, Culpepper, Cunningham, Earle, Easterling, Edwards, Fox, Gibson, Goodwin, Hackney, Haire, Hall, Hensley, Hill, Holliman, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, McAllister, McLawhorn, Michaux, Miller, Nesbitt, Nye, Oldham, Owens, Preston, Redwine, Rogers, Saunders, Smith, Sutton, Tolson, Tucker, Underhill, Wainwright, Warren, Warwick, Weiss, Willingham, Womble, Wright, and Yongue - 59.

Voting in the negative: Representatives Allred, Arnold, Baker, Barbee, Blust, Bowie, Capps, M. Crawford, Creech, Culp, Daughtry, Davis, Decker, Dockham, Eddins, Ellis, Esposito, Gillespie, Grady, Gray, Gulley, Harrington, Hilton, Holmes, Howard, Johnson, Justus, Kiser, McCombs, McMahan, Mitchell, Morris, Pope, Rayfield, Russell, Sherrill, Shubert, Teague, Thompson, Walker, West, C. Wilson, and G. Wilson - 43.

Excused absences: Representatives Brubaker, Carpenter, Clary, Dedmon, Hiatt, Miner, Sexton, Walend, and Weatherly - 9.

September 20, 2002



Representatives Preston and Setzer state that their voting equipment malfunctioned and they request to be recorded as voting "no". These requests are granted. Representative Morgan requests and is granted permission to be recorded as voting "no". Representative Warner requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (59-46).

### CALENDAR

Action is taken on the following:

**H.B. 1707** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE TOURISM DEVELOPMENT FOR THE NEW HANOVER COUNTY BEACH TOWNS, TO PROVIDE FOR THE ESTABLISHMENT OF A TOURISM DEVELOPMENT AUTHORITY, TO CONFORM ADMINISTRATIVE PROVISIONS OF THE NEW HANOVER COUNTY LAW TO GENERAL LAW, AND TO PROHIBIT A CONVENTION CENTER IN NEW HANOVER COUNTY FROM ENTERING INTO A CONTRACT WITH A HOTEL REQUIRING THE HOTEL TO PAY FEES OR COMMISSIONS TO THE CONVENTION CENTER BASED ON ACCOMMODATIONS PROVIDED TO INDIVIDUALS ATTENDING CONVENTION CENTER FUNCTIONS, 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, Arnold, Baddour, Barefoot, Blue, Bonner, Bowie, Boyd-McIntyre, Church, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Earle, Easterling, Edwards, Ellis, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Hill, Holliman, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Russell, Saunders, Sherrill, Smith, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walker, Warren, Warwick, Weiss, West, Willingham, C. Wilson, Womble, Wright, and Yongue - 80.

Voting in the negative: Representatives Allred, Baker, Barbee, Blust, Capps, M. Crawford, Creech, Davis, Decker, Dockham, Eddins, Esposito, Gillespie, Harrington, Hensley, Hilton, Howard, Kiser, Pope, Rogers, Setzer, Shubert, Starnes, Warner, and G. Wilson - 25.

September 20, 2002

Excused absences: Representatives Brubaker, Carpenter, Clary, Dedmon, Hiatt, Miner, Sexton, Walend, and Weatherly - 9.

**H.B. 1720** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, 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, Arnold, Baddour, Barefoot, Bell, Blue, Bonner, Bowie, Boyd-McIntyre, Church, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Earle, Easterling, Edwards, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Hill, Holliman, Holmes, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Russell, Saunders, Sherrill, Smith, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Warwick, Weiss, West, Willingham, C. Wilson, Womble, Wright, and Yongue - 82.

Voting in the negative: Representatives Allred, Baker, Barbee, Blust, Capps, M. Crawford, Creech, Davis, Decker, Dockham, Eddins, Ellis, Esposito, Gillespie, Harrington, Hensley, Hilton, Howard, Kiser, Pope, Rogers, Setzer, Shubert, Starnes, Thompson, and G. Wilson - 26.

Excused absences: Representatives Brubaker, Carpenter, Clary, Dedmon, Hiatt, Miner, Sexton, Walend, and Weatherly - 9.

Senate Committee Substitute for **H.B. 1745**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE 300 PLATE REQUIREMENT FROM SPECIAL LICENSE PLATES FOR WORLD WAR II AND KOREAN CONFLICT VETERANS' PLATES, is moved up on today's Calendar.

On motion of Representative Allred, the House concurs in the material Senate committee substitute bill, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blust, Boyd-McIntyre,

September 20, 2002

Church, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Gillespie, Goodwin, Grady, Gray, Gulley, Hall, Harrington, Hill, Holliman, Holmes, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Redwine, Rogers, Russell, Saunders, Setzer, Sherrill, Shubert, Smith, Starnes, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Warwick, Weiss, Willingham, C. Wilson, Womble, and Yongue - 86.

Voting in the negative: Representatives Blue, Bonner, Bowie, Capps, M. Crawford, Creech, Ellis, Fox, Gibson, Hackney, Haire, Hensley, Hilton, Howard, Kiser, Michaux, Rayfield, Sutton, West, G. Wilson, and Wright - 21.

Excused absences: Representatives Adams, Brubaker, Carpenter, Clary, Dedmon, Hiatt, Miner, Sexton, Walend, and Weatherly - 10.

**H.B. 1665** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND TAX LAWS RELATED TO INTERSTATE AIR COURIERS AND TO AMEND THE WAGE STANDARD UNDER THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT TO ACCOUNT FOR THE VALUE OF HEALTH INSURANCE TO PART-TIME JOBS, is moved up on today's Calendar.

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 Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Church, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dockham, Earle, Easterling, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, 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, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sherrill, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Warwick, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 96.

September 20, 2002

Voting in the negative: Representatives Capps, M. Crawford, Creech, Davis, Eddins, Hensley, Hilton, Kiser, Pope, Shubert, and Starnes - 11.

Excused absences: Representatives Adams, Brubaker, Carpenter, Clary, Dedmon, Hiatt, Miner, Sexton, Walend, and Weatherly - 10.

Representative Boyd-McIntyre requests and is granted permission to change her vote from "aye" to "no". The adjusted vote total is (95-12).

**H.B. 1638** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE CRIMINAL RECORD CHECKS TO THE ALE DIVISION WHEN INVESTIGATING ABC PERMIT APPLICANTS, LOCAL LAW-ENFORCEMENT AGENCIES ISSUING PRECIOUS METAL DEALER PERMITS, THE PRIVATE PROTECTIVE SERVICES BOARD, THE ALARM SYSTEMS LICENSING BOARD, THE BOARD OF LAW EXAMINERS, THE MEDICAL BOARD, THE STATE BOARD OF DENTAL EXAMINERS, THE BOARD OF PHARMACY, THE BOARD OF MORTUARY SCIENCE, THE REAL ESTATE COMMISSION, THE COMMISSIONER OF LABOR WHEN INVESTIGATING PRIVATE PERSONNEL SERVICE LICENSE APPLICANTS, THE STRUCTURAL PEST CONTROL COMMITTEE, AND CITIES WHEN INVESTIGATING TAXI LICENSE APPLICANTS AND TO CHARGE A FEE FOR CONDUCTING THE CHECKS, AND TO CONFORM SEX OFFENDER LAWS TO FEDERAL REQUIREMENTS, is moved up on today's Calendar.

Representative Cunningham requests that he be excused from voting on this bill, because there may be a conflict of interest, under Rule 24.1A and this request is granted.

The bill passes its second reading by the following vote.

Those voting in the affirmative are: Representatives Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Capps, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, 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,

September 20, 2002

Russell, Saunders, Setzer, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Warwick, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Adams, Brubaker, Carpenter, Clary, Dedmon, Hiatt, Miner, Sexton, Walend, and Weatherly - 10.

Excused vote: Representative Cunningham.

Without objection, the bill is read a third time.

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 Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Capps, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, 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, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Warwick, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Adams, Brubaker, Carpenter, Clary, Dedmon, Hiatt, Miner, Sexton, Walend, and Weatherly - 10.

Excused vote: Representative Cunningham.

### CONFERENCE REPORT

Representative McMahan sends forth the Conference Report on Senate Committee Substitute for **H.B. 623**, A BILL TO BE ENTITLED AN ACT

September 20, 2002

TO ALLOW THE STATE BUILDING COMMISSION TO AUTHORIZE ALTERNATIVE CONTRACTING METHODS FOR PUBLIC CONTRACTS BY A MAJORITY VOTE OF ITS MEMBERS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of September 23.

The Speaker rules the Conference Report to be material, thus constituting its first reading.

### **RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 1455** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAWS TO PREVENT SECURITIES FRAUD, TO PROHIBIT THE STATE FROM CONTRACTING WITH BUSINESSES THAT HAVE ANY OFFICERS OR DIRECTORS WHO HAVE BEEN CONVICTED OF SECURITIES FRAUD, AND TO PROHIBIT THE STATE FROM CONTRACTING WITH VENDORS THAT ARE INCORPORATED IN A TAX HAVEN COUNTRY BUT THE UNITED STATES IS THE PRINCIPAL MARKET FOR THE PUBLIC TRADING OF THEIR CORPORATION'S STOCK, 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 Miller, that the House adjourn, subject to the receipt of Messages from the Senate, the receipt of Conference Reports, the receipt of Committee Reports, and the ratification of bills, to reconvene Monday, September 23, 2002, at 7:05 p.m.

The motion carries.

### **CONFERENCE REPORT**

Representative Bowie sends forth the Conference Report on **H.B. 644** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC TOLL ROADS AND BRIDGES IN NORTH CAROLINA AND THE CREATION OF A TURNPIKE AUTHORITY. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of September 23.

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

#### **2001 GENERAL ASSEMBLY SECOND SESSION 2002**

September 20, 2002

Senate Chamber  
September 20, 2002

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. 1115** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2001 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered the bill enrolled.

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

**SPECIAL MESSAGE FROM THE SENATE**

**2001 GENERAL ASSEMBLY  
SECOND SESSION 2002**

Senate Chamber  
September 20, 2002

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that Senator Martin of Guilford has been added as a conferee on **H.B. 1508** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROMOTE READINESS FOR AND TO IMPROVE MANAGEMENT OF A PUBLIC HEALTH THREAT THAT MAY RESULT FROM A TERRORIST INCIDENT USING NUCLEAR, BIOLOGICAL, OR CHEMICAL AGENTS AND TO AMEND THE NORTH CAROLINA MEDICAL CARE COMMISSION'S RULE-MAKING AUTHORITY REGARDING STANDARDS AND CRITERIA FOR THE EDUCATION AND CREDENTIALING OF PERSONS TO ADMINISTER TREATMENT FOR ANAPHYLAXIS, AND TO PROVIDE THAT MEDICAL REVIEW CONFIDENTIALITY APPLIES TO AMBULATORY SURGICAL CENTERS, AND TO AMEND THE NORTH CAROLINA

September 20, 2002

HAZARDOUS MATERIALS EMERGENCY ACT TO PROVIDE FOR REGIONAL RESPONSES TO TERRORIST INCIDENTS.

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

**ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 1115**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2001 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

**H.B. 1745**, AN ACT TO REMOVE THE 300 PLATE REQUIREMENT FROM SPECIAL LICENSE PLATES FOR WORLD WAR II AND KOREAN CONFLICT VETERANS' PLATES, TO MODIFY THE LOGO ON THE ROCKY MOUNTAIN ELK FOUNDATION SPECIAL LICENSE PLATE, AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL LICENSE PLATE FOR AVIATION MAINTENANCE TECHNICIANS, NORTH CAROLINA AGRIBUSINESS, AND THE STATE'S OFFICIAL VEGETABLE, THE SWEET POTATO.

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

**S.B. 1312**, AN ACT TO ALLOW THE CITIES OF DURHAM AND FAYETTEVILLE AND THE TOWNS OF HOPE MILLS AND SPRING LAKE TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND HAVE THE OPTION OF DEMOLISHING THOSE BUILDINGS PURSUANT TO G.S. 160A-432, TO GRANT AUTHORITY TO THE CITY OF WHITEVILLE TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN LARGER COUNTIES, AND PROVIDING FOR A TIME TO TAKE OFFICE IN 2002 FOR THE RICHMOND COUNTY BOARD OF EDUCATION.

**CONFERENCE REPORT**

Representative Wainwright sends forth the Conference Report on **S.B. 1292** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ACCELERATE THE ADDITIONAL LOCAL OPTION SALES TAX,

September 20, 2002



THE REPEAL OF REIMBURSEMENTS, AND THE DECREASE IN THE STATE SALES TAX RATE; TO PROVIDE NO HOLD HARMLESS PAYMENTS IN THE 2002-2003 FISCAL YEAR OTHER THAN A PAYMENT EQUAL TO THE EXCESS, IF ANY, OF A LOCAL GOVERNMENT'S REPEALED REIMBURSEMENT AMOUNT OVER THREE TIMES ITS ESTIMATED PROCEEDS FROM THE NEW TAX; TO DELAY THE INCREASE IN THE CHILD TAX CREDIT BY ONE YEAR; TO DELAY THE INCREASE IN THE STANDARD DEDUCTION FOR MARRIED PERSONS BY ONE YEAR; TO UPDATE THE REFERENCE DATE TO THE INTERNAL REVENUE CODE USED TO DEFINE AND DETERMINE CERTAIN STATE TAX PROVISIONS; TO CONFORM TO THE FEDERAL ANNUAL EXCLUSION AMOUNT FOR GIFT TAXES; TO DELAY THE EFFECT OF ACCELERATED DEPRECIATION UNDER SECTION 168 OF THE CODE AND SECTION 1400L OF THE CODE; TO DISREGARD THE PHASE-OUT OF THE STATE DEATH TAX CREDIT UNDER THE CODE; TO ALLOW THE SECRETARY OF REVENUE TO RECOUP A PORTION OF THE COSTS OF ADMINISTERING THE UNAUTHORIZED SUBSTANCES TAX FROM LOCAL SALES AND USE TAX DISTRIBUTIONS; TO SET THE INSURANCE REGULATORY FEE AND THE PUBLIC UTILITY REGULATORY FEES; TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR; TO CONFORM THE DEFINITION OF BUSINESS INCOME TO FEDERAL STANDARDS; TO PROVIDE THAT IN APPORTIONING CORPORATE INCOME TO THIS STATE FOR INCOME TAX PURPOSES, SALES OF TANGIBLE PERSONAL PROPERTY IN ANOTHER STATE OR COUNTRY WHERE THE SALES ARE NOT TAXABLE ARE NOT CONSIDERED; TO CLOSE A LOOPHOLE IN THE 2001 LEGISLATION INTENDED TO CLOSE A LOOPHOLE THAT ALLOWS CORPORATIONS TO AVOID FRANCHISE TAX LIABILITY BY TRANSFERRING ASSETS TO A LIMITED LIABILITY COMPANY; AND TO ENLARGE THE CLASS OF TAXPAYERS ELIGIBLE FOR AN ENHANCED CREDIT FOR INVESTING IN LOW-INCOME HOUSING IN A COUNTY THAT SUSTAINED SEVERE OR MODERATE DAMAGE FROM A HURRICANE IN 1999. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of September 23.

The Conference Report is ruled to be material, thus constituting its first reading.

The House stands adjourned at 11:55 a.m.

September 20, 2002

**TWO HUNDRED FORTY-EIGHTH DAY**

HOUSE OF REPRESENTATIVES  
Monday, September 23, 2002

The House meets at 7:05 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Almighty God:

"As this legislative session moves towards its end, we want to make sure that we take the time to thank You for giving us the opportunity to take part in the political process of human government. We remember well the story of Your people longing for a king and wanting so much to be like everyone else. Your divine acquiescence to let us govern ourselves has since given way to the inherent difficulties of the human condition: pride, ambition, power, and greed. Yet, in our haste to take on the awesome responsibility of self-governance, once again, You promised never to leave us to our own demise. Your eternal presence and availability has continued to guide us since the beginning of time. Thank You for putting up with us, and thank You for being patient with us. We pray that our best human efforts, perfected by Your sovereignty, can be used to benefit the people who have been entrusted into our care. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of September 20 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Dedmon, Miner and Weatherly for today. Representatives Boyd-McIntyre, Weiss and Wright are excused for a portion of the session.

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

RESOLUTION OF PITT COUNTY BOARD OF COMMISSIONERS

September 23, 2002

A RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES AND THE PRESIDENT TO SUPPORT AND ENACT LEGISLATION TO ESTABLISH A TOBACCO QUOTA BUYOUT PROGRAM.

The resolution is made available for inspection in the office of the Principal Clerk.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 589**, AN ACT TO PERMIT THE HIGHWAY USE OF OFF-ROAD VEHICLES USED IN AGRICULTURAL QUARANTINE PROGRAMS.

**S.B. 1238**, AN ACT TO ALLOW THE PURCHASE OF WITHDRAWN SERVICE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, TO CORRECT THE CALCULATION OF BENEFITS FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM WHO PURCHASE WITHDRAWN SERVICE, AND TO INCREASE APPROPRIATIONS TO THE RETIREMENT SYSTEMS DIVISION.

**S.B. 1275**, AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A PLAN TO IMPROVE THE STATE'S TRACKING OF DROPOUT DATA, TO EXAMINE THE ACCOUNTABILITY FORMULA TO REWARD HIGH SCHOOLS FOR REDUCING THEIR DROPOUT RATE, TO IDENTIFY CURRENT STATE TECHNICAL HIGH SCHOOLS AND CAREER CENTERS AND TO COOPERATE WITH THE STATE BOARD OF COMMUNITY COLLEGES TO ENCOURAGE CONCURRENT ENROLLMENT, TO STUDY THE RELATIONSHIP BETWEEN ACADEMIC RIGOR AND REDUCING THE DROPOUT RATE, TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO PLACE EXCELLENT, EXPERIENCED TEACHERS IN GRADES SEVEN THROUGH NINE, TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY WHETHER RAISING THE COMPULSORY ATTENDANCE AGE TO EIGHTEEN WILL REDUCE THE DROPOUT RATE, TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT A POLICY TO REQUIRE KINDERGARTEN THROUGH EIGHTH GRADE TEACHERS TO TAKE THREE RENEWAL CREDITS IN READING METHODS COURSES, TO DIRECT THE UNC BOARD OF GOVERNORS TO STUDY WHETHER TO REQUIRE AT LEAST TWO READING METHODS COURSES FOR ALL ELEMENTARY EDUCATION MAJORS AND AT LEAST ONE READING

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METHODS COURSE FOR ALL MIDDLE GRADES EDUCATION MAJORS, TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE FISCAL AND INSTRUCTIONAL ACCOUNTABILITY OF LOCAL SCHOOL ADMINISTRATIVE UNITS, AND TO DIRECT THE STATE BOARD OF EDUCATION TO TAKE OVER ALL POWERS AND DUTIES RELATED TO A SCHOOL WHEN THAT SCHOOL AND ITS LOCAL BOARD OF EDUCATION FAIL TO IMPLEMENT RECOMMENDATIONS OF AN ASSISTANCE TEAM ASSIGNED TO THAT SCHOOL.

### CHAPTERED BILLS

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 1312**, AN ACT TO ALLOW THE CITIES OF DURHAM AND FAYETTEVILLE AND THE TOWNS OF HOPE MILLS AND SPRING LAKE TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND HAVE THE OPTION OF DEMOLISHING THOSE BUILDINGS PURSUANT TO G.S. 160A-432, TO GRANT AUTHORITY TO THE CITY OF WHITEVILLE TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN LARGER COUNTIES, AND PROVIDING FOR A TIME TO TAKE OFFICE IN 2002 FOR THE RICHMOND COUNTY BOARD OF EDUCATION. (S.L. 2002-118)

### INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Morris, Arnold, Barbee, Blust, Bowie, Capps, M. Crawford, Creech, Culp, Daughtry, Davis, Decker, Dockham, Eddins, Ellis, Esposito, Gray, Gulley, Harrington, Hilton, Holmes, Howard, Johnson, Justus, Kiser, McCombs, McMahan, Mitchell, Pope, Preston, Rayfield, Russell, Setzer, Sherrill, Shubert, Starnes, Teague, Walker, West, C. Wilson, and G. Wilson:

**H.R. 1803**, A HOUSE RESOLUTION ENCOURAGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROTECTING OUR CHILDREN BY ESTABLISHING AN EXCLUSIVE WEB DOMAIN EXTENSION OF ".XXX" AND LIMITING THE POSTING

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AND DISSEMINATION OF OBSCENE OR PORNOGRAPHIC MATERIALS TO THE DESIGNATED DOMAIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Speaker Black; Representatives Arnold, Baddour, Capps, M. Crawford, Culpepper, Davis, Ellis, Esposito, Johnson, Justus, Mitchell, Morris, Nye, Pope, Shubert, Smith, Wainwright, Walend, and West:

**H.R. 1804**, A HOUSE RESOLUTION ENCOURAGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROTECTING OUR CHILDREN BY ESTABLISHING AN EXCLUSIVE WEB DOMAIN EXTENSION OF ".XXX" AND LIMITING THE POSTING AND DISSEMINATION OF OBSCENE OR PORNOGRAPHIC MATERIALS TO THE DESIGNATED DOMAIN.

Without objection, the resolution is placed on the Calendar for immediate consideration.

The resolution is adopted, by electronic vote (112-0), and ordered printed.

By Representative Culpepper:

**H.J.R. 1805**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF PHILIP PITTMAN GODWIN, SR., FORMER SPEAKER OF THE HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

#### **CONFERENCE REPORT**

Representative McMahan moves the adoption of the following Conference Report.

#### **Senate Committee Substitute for H.B. 623**

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 623, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE LAWS GOVERNING THE PUBLIC CONSTRUCTION LAWS TO PROVIDE FOR EFFICIENCIES AND FLEXIBILITY IN BUILDING DESIGN, CONSTRUCTION, AND PLAN REVIEW, TO PROMOTE ENERGY EFFICIENCY IN STATE-

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OWNED BUILDINGS, AND TO AMEND THE LAW GOVERNING LANDSCAPE ARCHITECTURE, Senate Judiciary I Committee Substitute Adopted 9/4/01, submit the following report:

The House and Senate agree to the following amendment to the Senate Committee Substitute, Senate Judiciary I Committee Substitute Adopted 9/4/01, 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 H623-PCCS4289-RUx-2.

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

Date conferees approved report: September 19, 2002.

*Conferees for the  
Senate*

S/ Daniel G. Clodfelter  
S/ Anthony E. Rand  
S/ Frank W. Ballance, Jr.  
S/ Patrick J. Ballantine  
S/ Aaron W. Plyler

*Conferees for the  
House of Representatives*

S/ W. Edwin McMahan  
S/ Pryor Gibson  
S/ Gordon P. Allen, Sr.  
S/ Joe Hackney  
S/ W. Pete Cunningham

On motion of Representative Nesbitt, the Conference Report is withdrawn from the Calendar, by electronic vote (81-32), and referred to the Committee on Finance.

### **CONFERENCE REPORT**

Representative Luebke moves the adoption of the following Conference Report.

#### **House Committee Substitute No. 2 for S.B. 1292**

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 1292, A BILL TO BE ENTITLED AN ACT TO ACCELERATE THE ADDITIONAL LOCAL OPTION SALES TAX, THE REPEAL OF REIMBURSEMENTS, AND THE DECREASE

September 23, 2002

IN THE STATE SALES TAX RATE; TO PROVIDE NO HOLD HARMLESS PAYMENTS IN THE 2002-2003 FISCAL YEAR OTHER THAN A PAYMENT EQUAL TO THE EXCESS, IF ANY, OF A LOCAL GOVERNMENT'S REPEALED REIMBURSEMENT AMOUNT OVER THREE TIMES ITS ESTIMATED PROCEEDS FROM THE NEW TAX; TO DELAY THE INCREASE IN THE CHILD TAX CREDIT BY ONE YEAR; TO DELAY THE INCREASE IN THE STANDARD DEDUCTION FOR MARRIED PERSONS BY ONE YEAR; TO UPDATE THE REFERENCE DATE TO THE INTERNAL REVENUE CODE USED TO DEFINE AND DETERMINE CERTAIN STATE TAX PROVISIONS; TO CONFORM TO THE FEDERAL ANNUAL EXCLUSION AMOUNT FOR GIFT TAXES; TO DELAY THE EFFECT OF ACCELERATED DEPRECIATION UNDER SECTION 168 OF THE CODE AND SECTION 1400L OF THE CODE; TO DISREGARD THE PHASE-OUT OF THE STATE DEATH TAX CREDIT UNDER THE CODE; TO ALLOW THE SECRETARY OF REVENUE TO RECOUP A PORTION OF THE COSTS OF ADMINISTERING THE UNAUTHORIZED SUBSTANCES TAX FROM LOCAL SALES AND USE TAX DISTRIBUTIONS; TO SET THE INSURANCE REGULATORY FEE AND THE PUBLIC UTILITY REGULATORY FEES; TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR; TO CONFORM THE DEFINITION OF BUSINESS INCOME TO FEDERAL STANDARDS; TO PROVIDE THAT IN APPORTIONING CORPORATE INCOME TO THIS STATE FOR INCOME TAX PURPOSES, SALES OF TANGIBLE PERSONAL PROPERTY IN ANOTHER STATE OR COUNTRY WHERE THE SALES ARE NOT TAXABLE ARE NOT CONSIDERED; TO CLOSE A LOOPHOLE IN THE 2001 LEGISLATION INTENDED TO CLOSE A LOOPHOLE THAT ALLOWS CORPORATIONS TO AVOID FRANCHISE TAX LIABILITY BY TRANSFERRING ASSETS TO A LIMITED LIABILITY COMPANY; AND TO ENLARGE THE CLASS OF TAXPAYERS ELIGIBLE FOR AN ENHANCED CREDIT FOR INVESTING IN LOW-INCOME HOUSING IN A COUNTY THAT SUSTAINED SEVERE OR MODERATE DAMAGE FROM A HURRICANE IN 1999, House Committee Substitute #2 Favorable 7/24/02, submit the following report:

The Senate and the House agree to the following amendment to the House Committee Substitute #2 Favorable 7/24/02, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute #2 Favorable 7/24/02, and substitute the attached Proposed Conference Committee Substitute S1292-PCCS8787-LYx-1.

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

Date conferees approved report: September 20, 2002.

*Conferees for the  
Senate*

S/ John H. Kerr  
S/ David W. Hoyle  
S/ Anthony E. Rand  
S/ Frank W. Ballance, Jr.  
S/ Daniel G. Clodfelter  
S/ Aaron W. Plyler  
S/ Howard N. Lee  
S/ Thomas LaFontine Odom, Sr.  
S/ Scott Thomas  
S/ Allen H. Wellons  
S/ Kay R. Hagan  
S/ Linda Garrou

*Conferees for the  
House of Representatives*

S/ Paul Luebke  
S/ William L. Wainwright  
S/ Gordon P. Allen  
S/ Philip A. Baddour, Jr.  
S/ Joe Hackney  
S/ Bill Culpepper  
S/ W. Pete Cunningham  
S/ Martha Bedell Alexander  
S/ Larry Womble  
S/ Jennifer Weiss  
S/ Alex Warner  
S/ David Redwine  
S/ Ruth M. Easterling  
S/ Warren C. Oldham

Representative Daughtry moves that the Conference Report be re-referred to the Conference Committee. The Speaker states that he does not accept the motion.

Representative Gulley inquires of the Chair if this bill does not pass, will the House continue to vote. The Speaker states that it is his prediction that we will vote it up or down today.

Representative Daughtry raises a point of order regarding the comments made by Representative Cunningham during debate. The Speaker states the Members should confine their remarks to the question before the House.

Representative Nesbitt raises a point of order regarding the comments made by Representative Cunningham during debate. The Speaker reminds the Members that decency of speech should be observed.

The material Conference Report which changes the title, is adopted on its second roll call reading, by the following vote, and the Conference Report remains on the Calendar.

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Those voting in the affirmative are: Speaker Black; Representatives Alexander, Allen, Baddour, Barefoot, Bell, Bonner, Boyd-McIntyre, Church, Coates, Cole, Cox, J. Crawford, Culpepper, Cunningham, Earle, Easterling, Edwards, Fox, Gibson, Goodwin, Gray, Gulley, Hackney, Haire, Hall, Hill, Holliman, Hunter, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, McCombs, McLawhorn, Miller, Nye, Oldham, Owens, Redwine, Rogers, Saunders, Sherrill, Smith, Sutton, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Warwick, Weiss, Willingham, Womble, Wright, and Yongue - 60.

Voting in the negative: Representatives Adams, Allred, Arnold, Baker, Barbee, Barnhart, Blue, Blust, Bowie, Brubaker, Buchanan, Capps, Carpenter, Clary, M. Crawford, Creech, Daughtry, Davis, Decker, Dockham, Eddins, Ellis, Esposito, Gillespie, Grady, Hensley, Hiatt, Hilton, Holmes, Howard, Johnson, Justus, Kiser, McAllister, McComas, McMahan, Michaux, Mitchell, Morgan, Morris, Nesbitt, Pope, Preston, Rayfield, Russell, Setzer, Sexton, Shubert, Starnes, Teague, Thompson, Walend, West, C. Wilson, and G. Wilson - 55.

Excused absences: Representatives Dedmon, Miner, and Weatherly - 3.

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

#### **2001 GENERAL ASSEMBLY SECOND SESSION 2002**

Senate Chamber  
September 23, 2002

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. 644** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC TOLL ROADS AND BRIDGES IN NORTH CAROLINA AND THE CREATION OF A TURNPIKE AUTHORITY, 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*

September 23, 2002

**SPECIAL MESSAGE FROM THE SENATE**

The following Special Message is received from the Senate:

**S.J.R. 1476**, A JOINT RESOLUTION HONORING THE MEMORY OF J.W. MARSH ON THE OCCASION OF THE TOWN OF MARSHVILLE'S ONE HUNDRED TWENTY-FIFTH ANNIVERSARY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, seconded by Representative Miller, the House adjourns at 10:00 p.m. to reconvene September 24 at 10:00 a.m.

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**TWO HUNDRED FORTY-NINTH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, September 24, 2002

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 Jim Harry, House Chaplain:

"Mighty God:

"Many of us can probably remember playing the game, 'King of the Mountain', when we were children. Whoever was on top of the mountain was an easy target to be knocked off. It is far easier for the many people looking up from many angles to see the target than it is for those on top of the mountain to have eyes in the back of their head. Political leadership is a lot like that game, I think. And, in this Chamber, both sides of the aisle have experienced their place at the top of the mountain. Decisions that affect people's lives such as economic development, the education of our children, taxes in whatever form they may present themselves...these are not easy questions to deal with. And, as we have seen, there is no one way to go that will please everyone. Thus, everyone in this Chamber becomes an easy target at the top of the mountain. This morning, I pray for my sisters and brothers who must weather the storms of public opinion as they attempt to make changes in public policy. This has been a long and difficult

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session for each of these Your children, regardless of party, and I would ask that you would honor them and bless them for all that they have done well. Be with them and their families and keep them in Your loving and merciful care. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of September 23 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Hiatt for today. Representatives Allred, Dedmon, Goodwin, Gray, Hackney, Harrington, Jeffus, Underhill, 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. 1161**, AN ACT TO AMEND THE PRESENT-USE VALUE STATUTES, TO CREATE A PROPERTY TAX SUBCOMMITTEE OF THE REVENUE LAWS STUDY COMMITTEE, TO CLARIFY THE SALES AND USE TAX EXEMPTION REGARDING CERTAIN AGRICULTURAL SUBSTANCES, AND TO MAKE VARIOUS ADMINISTRATIVE CHANGES IN THE TAX LAWS.

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

**S.B. 1146**, AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATION BY VARIOUS MUNICIPALITIES.

### MESSAGES FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute for **H.B. 1245** (Committee Substitute No. 2), 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, is returned for concurrence in the Senate committee substitute bill.

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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.

### CONFERENCE REPORT

The material Conference Report for **S.B. 1292** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ACCELERATE THE ADDITIONAL LOCAL OPTION SALES TAX, THE REPEAL OF REIMBURSEMENTS, AND THE DECREASE IN THE STATE SALES TAX RATE; TO PROVIDE NO HOLD HARMLESS PAYMENTS IN THE 2002-2003 FISCAL YEAR OTHER THAN A PAYMENT EQUAL TO THE EXCESS, IF ANY, OF A LOCAL GOVERNMENT'S REPEALED REIMBURSEMENT AMOUNT OVER THREE TIMES ITS ESTIMATED PROCEEDS FROM THE NEW TAX; TO DELAY THE INCREASE IN THE CHILD TAX CREDIT BY ONE YEAR; TO DELAY THE INCREASE IN THE STANDARD DEDUCTION FOR MARRIED PERSONS BY ONE YEAR; TO UPDATE THE REFERENCE DATE TO THE INTERNAL REVENUE CODE USED TO DEFINE AND DETERMINE CERTAIN STATE TAX PROVISIONS; TO CONFORM TO THE FEDERAL ANNUAL EXCLUSION AMOUNT FOR GIFT TAXES; TO DELAY THE EFFECT OF ACCELERATED DEPRECIATION UNDER SECTION 168 OF THE CODE AND SECTION 1400L OF THE CODE; TO DISREGARD THE PHASE-OUT OF THE STATE DEATH TAX CREDIT UNDER THE CODE; TO ALLOW THE SECRETARY OF REVENUE TO RECOUP A PORTION OF THE COSTS OF ADMINISTERING THE UNAUTHORIZED SUBSTANCES TAX FROM LOCAL SALES AND USE TAX DISTRIBUTIONS; TO SET THE INSURANCE REGULATORY FEE AND THE PUBLIC UTILITY REGULATORY FEES; TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR; TO CONFORM THE DEFINITION OF BUSINESS INCOME TO FEDERAL STANDARDS; TO PROVIDE THAT IN APPORTIONING CORPORATE INCOME TO THIS STATE FOR INCOME TAX PURPOSES, SALES OF TANGIBLE PERSONAL PROPERTY IN ANOTHER STATE OR COUNTRY WHERE THE SALES ARE NOT TAXABLE ARE NOT CONSIDERED; TO CLOSE A LOOPHOLE IN THE 2001 LEGISLATION INTENDED TO CLOSE A LOOPHOLE THAT ALLOWS CORPORATIONS TO AVOID FRANCHISE TAX LIABILITY BY TRANSFERRING ASSETS TO A LIMITED LIABILITY COMPANY; AND TO ENLARGE THE CLASS OF TAXPAYERS ELIGIBLE FOR AN ENHANCED CREDIT FOR INVESTING IN LOW-INCOME HOUSING IN A COUNTY THAT SUSTAINED SEVERE OR MODERATE DAMAGE

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FROM A HURRICANE IN 1999, which changes the title, is adopted on its third roll call reading, by the following vote, and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

Those voting in the affirmative are: Speaker Black; Representatives Alexander, Allen, Baddour, Barefoot, Bell, Bonner, Boyd-McIntyre, Church, Coates, Cole, Cox, J. Crawford, Culpepper, Cunningham, Earle, Easterling, Edwards, Fox, Gibson, Goodwin, Gulley, Hackney, Haire, Hall, Hill, Holliman, Hunter, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, McCombs, McLawhorn, Miller, Nye, Oldham, Owens, Redwine, Rogers, Saunders, Sherrill, Smith, Sutton, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Warwick, Weiss, Willingham, Womble, and Yongue - 58.

Voting in the negative: Representatives Adams, Arnold, Baker, Barbee, Barnhart, Blust, Bowie, Brubaker, Buchanan, Capps, Carpenter, Clary, M. Crawford, Creech, Culp, Daughtry, Davis, Decker, Dockham, Eddins, Ellis, Esposito, Gillespie, Grady, Hilton, Holmes, Howard, Johnson, Justus, Kiser, McAllister, McComas, McMahan, Michaux, Miner, Mitchell, Morgan, Morris, Nesbitt, Pope, Preston, Rayfield, Russell, Setzer, Sexton, Shubert, Starnes, Teague, Thompson, Walend, Weatherly, West, C. Wilson, and G. Wilson - 54.

Excused absences: Representatives Allred, Gray, Harrington, Hiatt, and Wright - 5.

### CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1054** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NONPARTISAN METHOD OF ELECTING SUPREME COURT JUSTICES AND COURT OF APPEALS JUDGES BEGINNING IN 2004; TO SET \$1,000 CONTRIBUTION LIMITS (\$2,000 FROM FAMILY MEMBERS) FOR JUDICIAL CAMPAIGNS BEGINNING IN 2004; TO ESTABLISH A PUBLIC CAMPAIGN FINANCING FUND THAT PROVIDES APPELLATE JUDICIAL CANDIDATES WHO AGREE TO CONTRIBUTION AND EXPENDITURE RESTRICTIONS WITH AN ALTERNATIVE MEANS OF FINANCING THEIR CAMPAIGNS BEGINNING IN 2004; TO SAFEGUARD CANDIDATES WHO OPT TO USE THAT SYSTEM BY PROHIBITING CERTAIN

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CONTRIBUTIONS TO THEIR OPPONENTS DURING THE TWENTY-ONE DAYS BEFORE AN ELECTION AND BY PROVIDING RESCUE MONEY WHEN THEY FACE LARGE EXPENDITURES BY OPPONENTS OR LARGE INDEPENDENT EXPENDITURES; TO PROVIDE A JUDICIAL VOTER GUIDE TO BE FINANCED BY THE FUND; TO PROVIDE THAT THE FUND SHALL BE ADMINISTERED BY THE STATE BOARD OF ELECTIONS ASSISTED BY AN ADVISORY COUNCIL; AND TO PROVIDE THAT THE FUND SHALL BE FINANCED BY METHODS INCLUDING A REVERSE \$1 CHECK-OFF ON THE NORTH CAROLINA INCOME TAX AND A \$50 CONTRIBUTION BY ATTORNEYS WHEN THEY PAY THEIR PRIVILEGE LICENSE TAX.

Representative Pope inquires of the Chair if the bill should be referred to the Committee on Appropriations pursuant to Rule 38. The Speaker rules that the bill is properly before the Body.

On motion of the Chair, the House recesses at 11:15 a.m.

### RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

### CALENDAR (continued)

**S.B. 1054** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NONPARTISAN METHOD OF ELECTING SUPREME COURT JUSTICES AND COURT OF APPEALS JUDGES BEGINNING IN 2004; TO SET \$1,000 CONTRIBUTION LIMITS (\$2,000 FROM FAMILY MEMBERS) FOR JUDICIAL CAMPAIGNS BEGINNING IN 2004; TO ESTABLISH A PUBLIC CAMPAIGN FINANCING FUND THAT PROVIDES APPELLATE JUDICIAL CANDIDATES WHO AGREE TO CONTRIBUTION AND EXPENDITURE RESTRICTIONS WITH AN ALTERNATIVE MEANS OF FINANCING THEIR CAMPAIGNS BEGINNING IN 2004; TO SAFEGUARD CANDIDATES WHO OPT TO USE THAT SYSTEM BY PROHIBITING CERTAIN CONTRIBUTIONS TO THEIR OPPONENTS DURING THE TWENTY-ONE DAYS BEFORE AN ELECTION AND BY PROVIDING RESCUE MONEY WHEN THEY FACE LARGE EXPENDITURES BY OPPONENTS OR LARGE INDEPENDENT EXPENDITURES; TO PROVIDE A JUDICIAL VOTER GUIDE TO BE FINANCED BY THE FUND; TO PROVIDE THAT THE FUND SHALL BE ADMINISTERED BY THE STATE BOARD OF ELECTIONS ASSISTED BY AN ADVISORY COUNCIL; AND TO

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PROVIDE THAT THE FUND SHALL BE FINANCED BY METHODS INCLUDING A REVERSE \$1 CHECK-OFF ON THE NORTH CAROLINA INCOME TAX AND A \$50 CONTRIBUTION BY ATTORNEYS WHEN THEY PAY THEIR PRIVILEGE LICENSE TAX, is before the Body.

Representative Hensley offers Amendment No. 1 which is adopted by electronic vote (97-2).

Representative Morris offers Amendment No. 2 which is adopted by electronic vote (106-0).

Representative Blue requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (107-0).

Representative Culpepper offers Amendment No. 3 which is adopted by electronic vote (108-1).

Representative Justus offers Amendment No. 4.

Representative Culpepper inquires of the Chair if the amendment requires a suspension of the rules since it is not germane to the title. The Speaker rules that a motion to suspend the rules is in order.

On motion of Representative Justus, the bill, as amended, is ordered engrossed and re-referred to the Committee on Election Law and Campaign Finance Reform, by electronic vote (60-58).

On motion of the Chair, the House recesses at 1:26 p.m.

### RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

### CALENDAR (continued)

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 104** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE DEFERRED DEPOSIT TRANSACTIONS AND TO PROVIDE ADDITIONAL CONSUMER DISCLOSURES AND PROTECTIONS.

Representative Wainwright offers Amendment No. 1.

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On motion of the Chair, Amendment No. 1 is temporarily displaced.

Representative Earle offers Amendment No. 2 which is adopted by electronic vote (102-4).

Representative Miller offers Amendment No. 3 which is adopted by electronic vote (111-0).

Representative Culpepper offers Amendment No. 4 which is adopted by electronic vote (108-0).

Amendment No. 1, which was temporarily displaced, is before the Body.

Representative Wainwright offers Amendment No. 5, perfecting Amendment No. 1. The perfecting amendment fails of adoption by electronic vote (38-74).

Representative Baddour offers Amendment No. 6, perfecting Amendment No. 1. The perfecting amendment is adopted by electronic vote (55-53).

Representative McComas requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (56-52).

Amendment No. 1 is before the Body.

On motion of Representative Wainwright, Amendment No. 1 is temporarily displaced.

Representative Michaux offers Amendment No. 7.

On motion of the Chair, the bill, with Amendment No. 7 pending, is temporarily displaced.

#### **CONFERENCE REPORT**

Representative Cole moves the adoption of the following Conference Report.

#### **Senate Committee Substitute for H.B. 644**

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

September 24, 2002



The conferees appointed to resolve the differences between the Senate and the House of Representatives on House 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. Senate Finance Committee Substitute Adopted 7/2/02, Seventh Edition Engrossed 7/9/02, submit the following report:

The House and the Senate agree to the following amendment to the Senate Finance Committee Substitute adopted 7/2/02, Seventh Edition Engrossed 7/9/02, and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Finance Committee Substitute adopted 7/2/02, Seventh Edition Engrossed 7/9/02, and substitute the attached Proposed Conference Committee Substitute H644-PCCSU-1 [v. 9].

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

Date conferees approved report: September 19, 2002.

*Conferees for the  
Senate*

S/ Wib Gulley, Chair  
S/ David Hoyle

*Conferees for the  
House of Representatives*

S/ James W. Crawford, Jr., Chair  
S/ Joanne W. Bowie  
S/ Charles F. Buchanan  
S/ Debbie Clary  
S/ E. Nelson Cole  
S/ Drew P. Saunders

The Conference Report, as presented, is adopted, by electronic vote (74-33), 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.

**CALENDAR (continued)**

**H.B. 1707** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE TOURISM DEVELOPMENT FOR THE NEW HANOVER COUNTY BEACH TOWNS, TO PROVIDE FOR THE ESTABLISHMENT OF A TOURISM DEVELOPMENT AUTHORITY, TO CONFORM

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ADMINISTRATIVE PROVISIONS OF THE NEW HANOVER COUNTY LAW TO GENERAL LAW, AND TO PROHIBIT A CONVENTION CENTER IN NEW HANOVER COUNTY FROM ENTERING INTO A CONTRACT WITH A HOTEL REQUIRING THE HOTEL TO PAY FEES OR COMMISSIONS TO THE CONVENTION CENTER BASED ON ACCOMMODATIONS PROVIDED TO INDIVIDUALS ATTENDING CONVENTION CENTER FUNCTIONS, 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, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Bonner, Bowie, Brubaker, Buchanan, Carpenter, Church, Clary, Coates, Cole, Culp, Cunningham, Daughtry, Dockham, Earle, Edwards, Esposito, Fox, Gibson, Grady, Gray, Gulley, Haire, Hall, Harrington, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Russell, Saunders, Sexton, Sherrill, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 87.

Voting in the negative: Representatives Allred, Baker, Blust, Capps, M. Crawford, Creech, Davis, Decker, Eddins, Ellis, Gillespie, Hensley, Hilton, Kiser, Pope, Shubert, and Starnes - 17.

Excused absences: Representatives Cox, Dedmon, Goodwin, Hackney, Hiatt, and Underhill - 6.

**H.B. 1720** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, 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, Arnold, Barefoot, Barnhart, Bell, Blue, Bonner, Bowie, Buchanan, Carpenter, Church, Clary, Coates, Cole, Culpepper, Cunningham, Daughtry, Dockham, Earle, Edwards, Fox, Gibson, Grady, Gray, Gulley, Haire, Hall, Hensley, Hill, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt,

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Nye, Oldham, Owens, Preston, Redwine, Russell, Saunders, Sexton, Sherrill, Smith, Sutton, Teague, Tolson, Tucker, Walend, Walker, Warner, Warren, Warwick, Weiss, West, Willingham, C. Wilson, Womble, Wright, and Yongue - 78.

Voting in the negative: Representatives Allred, Baker, Barbee, Blust, Brubaker, Capps, M. Crawford, Creech, Culp, Davis, Decker, Eddins, Ellis, Esposito, Gillespie, Harrington, Hilton, Kiser, Pope, Rayfield, Setzer, Shubert, Starnes, and G. Wilson - 24.

Excused absences: Representatives Cox, Dedmon, Goodwin, Hackney, Hiatt, and Underhill - 6.

Representative Baddour requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (79-24).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1268** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF MONROE TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES, TO ALLOW THE TOWN OF NORWOOD TO COLLECT UTILITY BILLS AS IF THEY WERE TAXES DUE IT, AND TO ANNEX NONCONTIGUOUS TERRITORY TO THE TOWN OF MOUNT GILEAD, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Alexander, Allen, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Brubaker, Buchanan, Carpenter, Church, Clary, Coates, Cole, Culp, Culpepper, Cunningham, Daughtry, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Grady, Gray, Gulley, Haire, Hall, Harrington, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Russell, Saunders, Setzer, Sexton, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Wright - 94.

Voting in the negative: Representatives Allred, Baker, Capps, M. Crawford, Creech, Davis, Decker, Hensley, Kiser, Sherrill, and Starnes - 11.

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Excused absences: Representatives Cox, Dedmon, Goodwin, Hackney, Hiatt, and Underhill - 6.

On motion of Representative Culpepper, seconded by Representative Miller, the House adjourns at 5:13 p.m. to reconvene September 25 at 2:00 p.m.

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## **TWO HUNDRED FIFTIETH DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, September 25, 2002

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, House Chaplain:

"Eternal God:

"Speak to us once again the solemn message of our waywardness. We have strayed from Your ways like lost sheep; and it is only because of Your forgiveness and mercy that we can find peace in our lives. Let us find the strength and assurance of our faith in the never-ending saga of the human experience that just as water continues to run until it finds its own level so our souls are restless until they find their way back to Your loving hands. Shore up within our hearts the moral fortitude to live and act...indeed, to always decide to vote according to Your good and eternal will and not that of our own opinion. Forgive us our sins as we forgive those who have sinned against us and lean our hearts toward Thee. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of September 24 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Dedmon, Gray, Hackney, Hiatt, Luebke, and Tucker for today. Representatives Cox and Goodwin are excused for a portion of the session.

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**ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**H.B. 644**, AN ACT TO AUTHORIZE PUBLIC TOLL ROADS AND BRIDGES IN NORTH CAROLINA AND THE CREATION OF A TURNPIKE AUTHORITY.

**S.B. 1292**, AN ACT TO ACCELERATE THE ADDITIONAL ONE-HALF CENT LOCAL OPTION SALES AND USE TAX AND TO MAKE CONFORMING AND TECHNICAL CHANGES.

**H.B. 1519**, AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO REFUSE TO ISSUE A CERTIFICATE OF TITLE FOR, AND TO REFUSE OR CANCEL THE REGISTRATION OF, A MOTOR VEHICLE OWNED BY A MOTOR CARRIER THAT IS DETERMINED TO BE AN IMMINENT HAZARD; TO CLARIFY THE DEFINITION OF INTERSTATE AND INTRASTATE MOTOR CARRIER; TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DETERMINE THE SAFETY FITNESS OF INTRASTATE MOTOR CARRIERS; AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PROHIBIT THE INTRASTATE OPERATIONS OF A MOTOR CARRIER THAT IS DETERMINED TO BE AN IMMINENT HAZARD.

**H.B. 1564**, AN ACT TO PROVIDE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES WITH EXPLICIT AUTHORITY TO ASSESS A CIVIL PENALTY FOR A VIOLATION INVOLVING A VOLUNTARY REMEDIAL ACTION UNDER THE INACTIVE HAZARDOUS SITES PROGRAM CONDUCTED BY A PRIVATE ENVIRONMENTAL CONSULTING OR ENGINEERING FIRM AND TO EXPAND THE ENVIRONMENTAL PERMIT WAIVER AUTHORITY UNDER THE PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

**CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 1276**, AN ACT TO CLOSE THE LEGAL LOOPHOLE THAT EXISTS UNDER THE STATE'S INCEST LAWS BY EQUALIZING PUNISHMENTS FOR CRIMES COMMITTED AGAINST CHILDREN WITHOUT REGARD TO FAMILIAL STATUS. (S.L. 2002-119)

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**H.B. 1490**, AN ACT TO PROVIDE THAT LOCAL REVENUES MAY NOT BE WITHHELD OR IMPOUNDED BY THE GOVERNOR AND TO CLARIFY THE FRANCHISE TAX ON ELECTRIC POWER COMPANIES. (S.L. 2002-120)

**S.B. 1146**, AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATION BY VARIOUS MUNICIPALITIES. (S.L. 2002-121)

**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. 1054** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NONPARTISAN METHOD OF ELECTING SUPREME COURT JUSTICES AND COURT OF APPEALS JUDGES BEGINNING IN 2004; TO SET \$1,000 CONTRIBUTION LIMITS (\$2,000 FROM FAMILY MEMBERS) FOR JUDICIAL CAMPAIGNS BEGINNING IN 2004; TO ESTABLISH A PUBLIC CAMPAIGN FINANCING FUND THAT PROVIDES APPELLATE JUDICIAL CANDIDATES WHO AGREE TO CONTRIBUTION AND EXPENDITURE RESTRICTIONS WITH AN ALTERNATIVE MEANS OF FINANCING THEIR CAMPAIGNS BEGINNING IN 2004; TO SAFEGUARD CANDIDATES WHO OPT TO USE THAT SYSTEM BY PROHIBITING CERTAIN CONTRIBUTIONS TO THEIR OPPONENTS DURING THE TWENTY-ONE DAYS BEFORE AN ELECTION AND BY PROVIDING RESCUE MONEY WHEN THEY FACE LARGE EXPENDITURES BY OPPONENTS OR LARGE INDEPENDENT EXPENDITURES; TO PROVIDE A JUDICIAL VOTER GUIDE TO BE FINANCED BY THE FUND; TO PROVIDE THAT THE FUND SHALL BE ADMINISTERED BY THE STATE BOARD OF ELECTIONS ASSISTED BY AN ADVISORY COUNCIL; AND TO PROVIDE THAT THE FUND SHALL BE FINANCED BY METHODS INCLUDING A REVERSE \$1 CHECK-OFF ON THE NORTH CAROLINA INCOME TAX AND A \$50 CONTRIBUTION BY ATTORNEYS WHEN THEY PAY THEIR PRIVILEGE LICENSE TAX, 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.

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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 Bonner and Warner, Chairs, for the Committee on Education:

**S.B. 1443** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL TEACHERS, 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 of September 26. House Committee Substitute Bill No. 1 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 Ellis:

**H.R. 1806**, A HOUSE RESOLUTION CALLING ON THE SPEAKER TO ALLOW FLOOR DEBATE AND ACTION ON SENATE BILL 1008, BAN VIDEO POKER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Davis, Capps, Clary, Kiser, Morris, and Shubert:

**H.R. 1807**, A HOUSE RESOLUTION EXPRESSING SUPPORT FOR LEGISLATION THAT WOULD AUTHORIZE A REFERENDUM TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR THE RECALL OF ANY ELECTED OFFICIAL BY THE QUALIFIED VOTERS WITHIN THAT ELECTED OFFICIAL'S DISTRICT ON THE GROUNDS THAT THE ELECTED OFFICIAL DID NOT ADHERE TO PLEDGES MADE DURING THE CAMPAIGN PROCESS, is referred to the Committee on Rules, Calendar, and Operations of the House.

### SPECIAL MESSAGE FROM THE SENATE

#### 2001 GENERAL ASSEMBLY SECOND SESSION 2002

September 25, 2002

Senate Chamber  
September 25, 2002

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. 1292** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ACCELERATE THE ADDITIONAL ONE-HALF CENT LOCAL OPTION SALES AND USE TAX AND TO MAKE CONFORMING AND TECHNICAL CHANGES.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered the bill enrolled.

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

#### **SPECIAL MESSAGES FROM THE SENATE**

The following Special Messages are received from the Senate:

Senate Committee Substitute No. 2 for **H.B. 1100**, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF COUNTERFEITING NEGOTIABLE INSTRUMENTS, is returned for concurrence in Senate Committee Substitute Bill No. 2 and referred to the Committee on Judiciary II.

Upon concurrence, Senate Committee Substitute No. 2 changes the title.

**H.B. 1572** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of September 26.

Senate Committee Substitute for **H.B. 1619**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 707 OF THE 1963 SESSION LAWS RELATED TO CURRENT EXPENSE EXPENDITURES FROM LOCAL

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FUNDS FOR THE SCOTLAND COUNTY SCHOOLS, is returned for concurrence in the 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. 1670** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH, SET, OR MODIFY VARIOUS FEES, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Finance.

Upon concurrence, the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 1777** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF CERTAIN ADMINISTRATIVE RULES GOVERNING SANITATION OF HOSPITALS, NURSING HOMES, REST HOMES, AND OTHER INSTITUTIONS; TO PROVIDE FOR A FIELD TEST OF THOSE RULES; TO AUTHORIZE THE COMMISSION FOR HEALTH SERVICES TO ADOPT TEMPORARY AND PERMANENT RULES TO AMEND THOSE RULES; AND TO AUTHORIZE THE MEDICAL CARE COMMISSION TO ADOPT TEMPORARY AND PERMANENT RULES TO AMEND A RELATED RULE, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of September 26.

Upon concurrence, the Senate committee substitute bill changes the title.

#### **BILLS PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and places **S.B. 1054** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NONPARTISAN METHOD OF ELECTING SUPREME COURT JUSTICES AND COURT OF APPEALS JUDGES BEGINNING IN 2004; TO SET \$1,000 CONTRIBUTION LIMITS (\$2,000 FROM FAMILY MEMBERS) FOR JUDICIAL CAMPAIGNS

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BEGINNING IN 2004; TO ESTABLISH A PUBLIC CAMPAIGN FINANCING FUND THAT PROVIDES APPELLATE JUDICIAL CANDIDATES WHO AGREE TO CONTRIBUTION AND EXPENDITURE RESTRICTIONS WITH AN ALTERNATIVE MEANS OF FINANCING THEIR CAMPAIGNS BEGINNING IN 2004; TO SAFEGUARD CANDIDATES WHO OPT TO USE THAT SYSTEM BY PROHIBITING CERTAIN CONTRIBUTIONS TO THEIR OPPONENTS DURING THE TWENTY-ONE DAYS BEFORE AN ELECTION AND BY PROVIDING RESCUE MONEY WHEN THEY FACE LARGE EXPENDITURES BY OPPONENTS OR LARGE INDEPENDENT EXPENDITURES; TO PROVIDE A JUDICIAL VOTER GUIDE TO BE FINANCED BY THE FUND; TO PROVIDE THAT THE FUND SHALL BE ADMINISTERED BY THE STATE BOARD OF ELECTIONS ASSISTED BY AN ADVISORY COUNCIL; AND TO PROVIDE THAT THE FUND SHALL BE FINANCED BY METHODS INCLUDING A POSITIVE \$3 CHECK-OFF ON THE NORTH CAROLINA INCOME TAX AND A \$50 CONTRIBUTION BY ATTORNEYS WHEN THEY PAY THEIR PRIVILEGE LICENSE TAX, on today's Calendar for immediate consideration.

Representative Decker offers Amendment No. 1 which is adopted by electronic vote (109-1).

Representative Preston states that her voting equipment malfunctioned and she requests to change her vote from "no" to "aye". Representative Allen requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (111-0).

The bill, as amended, passes its second reading, by electronic vote (57-55).

Representative Justus objects to the third reading. The bill remains on the Calendar.

Representative Culpepper gives notice, pursuant to Rule 36(b), and places Senate Committee Substitute for **H.B. 1619**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 707 OF THE 1963 SESSION LAWS RELATED TO CURRENT EXPENSE EXPENDITURES FROM LOCAL FUNDS FOR THE SCOTLAND COUNTY SCHOOLS, on today's Calendar for immediate consideration.

Representative Pope inquires of the Chair if the Senate committee substitute bill is in order because it is not germane to the original House bill. The Speaker rules that the bill is properly before the Body.

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On motion of Representative Morgan, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (100-11), and the bill is ordered enrolled.

### CALENDAR

Action is taken on the following:

**S.B. 104** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE DEFERRED DEPOSIT TRANSACTIONS AND TO PROVIDE ADDITIONAL CONSUMER DISCLOSURES AND PROTECTIONS, with pending Amendment No. 7, is moved up on today's Calendar.

Amendment No. 7 fails of adoption by electronic vote (59-50).

Representative Weiss offers Amendment No 8, which is ruled to be material.

The Speaker stops debate and attends to the following business.

### ENROLLED BILLS

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

**H.B. 1619**, AN ACT TO REQUIRE THE AFFIRMATIVE VOTE OF FOUR MEMBERS OF THE BOARD OF COMMISSIONERS OF MOORE COUNTY TO TAKE ANY ACTION BEFORE NEW MEMBERS TAKE OFFICE.

### CALENDAR (continued)

**S.B. 104** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE DEFERRED DEPOSIT TRANSACTIONS AND TO PROVIDE ADDITIONAL CONSUMER DISCLOSURES AND PROTECTIONS, is before the Body with Amendment No. 8 pending.

Amendment No. 8 is adopted, by the following vote, and 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, Brubaker, Buchanan, Capps, Carpenter, Church, Clary,

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Coates, Cole, J. Crawford, M. Crawford, Creech, Culpepper, Cunningham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gibson, Grady, Gulley, Haire, Hall, Harrington, Hensley, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Shubert, Smith, Sutton, Teague, Tolson, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 94.

Voting in the negative: Representatives Culp, Daughtry, Davis, Decker, Ellis, Gillespie, Hill, Morris, Pope, Sherrill, Starnes, and Thompson - 12.

Excused absences: Representatives Cox, Dedmon, Gray, Hackney, Hiatt, Luebke, and Tucker - 7.

**S.B. 1268** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF MONROE TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES, TO ALLOW THE TOWN OF NORWOOD TO COLLECT UTILITY BILLS AS IF THEY WERE TAXES DUE IT, AND TO ANNEX NONCONTIGUOUS TERRITORY TO THE TOWN OF MOUNT GILEAD, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Brubaker, Buchanan, Carpenter, Church, Clary, Coates, Cole, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Earle, Easterling, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Grady, Gulley, Haire, Hall, Harrington, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, 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, Shubert, Smith, Sutton, Teague, Tolson, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 95.

Voting in the negative: Representatives Baker, Capps, M. Crawford, Davis, Eddins, Hensley, Kiser, Sherrill, and Starnes - 9.

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Excused absences: Representatives Cox, Dedmon, Gray, Hackney, Hiatt, Luebke, and Tucker - 7.

Representative Allred requests and is granted permission to be recorded as voting "no". The adjusted vote total is (95-10).

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

The following reports from standing committees are presented:

By Representatives Gibson, McComas, and Warwick, Chairs, for the Committee on Environment and Natural Resources:

**H.B. 1537**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE PILOT PROGRAM FOR INSPECTION OF ANIMAL WASTE MANAGEMENT SYSTEMS BY THE DIVISION OF SOIL AND WATER CONSERVATION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of September 26. The original bill is placed on the Unfavorable Calendar.

**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, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of September 26. The original bill is placed on the Unfavorable Calendar.

**S.B. 1211** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE BOONE'S CAVE STATE NATURAL AREA AND A PORTION OF BALDHEAD ISLAND STATE NATURAL AREA FROM

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THE STATE NATURE AND HISTORIC PRESERVE, TO REMOVE THESE PROPERTIES FROM THE STATE PARKS SYSTEM, TO AUTHORIZE THE TRANSFER OF THESE PROPERTIES FOR LIMITED PURPOSES, AND TO ALLOW CERTAIN PUBLIC ENTITIES TO USE THE FIRE TOWER AT MOUNT JEFFERSON STATE NATURAL AREA FOR PUBLIC COMMUNICATION PURPOSES, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of September 26. The Senate committee substitute bill is placed on the Unfavorable Calendar.

**S.B. 1252** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAND CONSERVATION STATUTES OF THE STATE OF NORTH CAROLINA, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of September 26. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Representative Culpepper moves, seconded by Representative Miller, that the House adjourn, subject to the receipt of Committee Reports, to reconvene September 26 at 10:05 a.m.

The motion carries.

#### **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. 1640** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO INCLUDE THE TOWN OF DUCK AS A MUNICIPALITY AUTHORIZED TO REGULATE AND CONTROL SWIMMING, PERSONAL WATERCRAFT, SURFING, AND LITTERING IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWN WITHIN ITS BOUNDARIES OR

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WITHIN ITS EXTRATERRITORIAL JURISDICTION; TO DESIGNATE THE TOWN COUNCIL OF THE TOWN OF DUCK AS THE GOVERNING BODY OF THE DUCK AREA BEAUTIFICATION DISTRICT; TO PERMIT THE TOWN OF MANTEO TO DECREASE THE DISTANCE WITHIN WHICH A VEHICLE MAY PARK FROM THE INTERSECTION OF CURB LINES; AND TO AMEND THE DEFINITION OF SUBDIVISION AS IT APPLIES IN CHOWAN COUNTY, with a favorable report as to Committee Substitute Bill No. 3, which changes the title, unfavorable as to Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), Committee Substitute Bill No. 3 is placed on the Calendar of September 26. Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

The House stands adjourned at 6:15 p.m.

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## **TWO HUNDRED FIFTY-FIRST DAY**

HOUSE OF REPRESENTATIVES  
Thursday, September 26, 2002

The House meets at 10:05 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"God of Heaven and earth:

"It often seems that You are distant from us. We've come to believe that You sit somewhere far off in Your celestial home, and if we're lucky, You'll be listening to our respective laundry lists of needs, wants, and aspirations. But, this is not the God You have revealed Yourself to be. You are not a genie who grants us wishes, especially those things we think we may want. No, you are God of the people; and you earnestly long to be in close relationship with Your children. As we go throughout our day, indeed, our days, remind us of the proximity of Your Spirit...that You are just a breath away...merely a whisper from our lips and You are here to help and to hold, to humble and to heal. Remind us that when we feel distant

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from Thee, it is not You who has moved; rather it is we who have gone astray. Lead us gently home, O God, until our soul finds rest in Thee. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of September 25 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Boyd-McIntyre, Dedmon, Goodwin, Hackney, McAllister, Miner, Pope, and Thompson for today. Representatives Brubaker and Haire 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. 1619**, AN ACT TO REQUIRE THE AFFIRMATIVE VOTE OF FOUR MEMBERS OF THE BOARD OF COMMISSIONERS OF MOORE COUNTY TO TAKE ANY ACTION BEFORE NEW MEMBERS TAKE OFFICE. (S.L. 2002-122)

### **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. 1641**, A BILL TO BE ENTITLED AN ACT TO ADOPT THE PROVISIONS OF THE REVISED INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS AND TO APPROPRIATE FUNDS FOR NORTH CAROLINA'S ASSESSMENT AS A MEMBER OF THAT COMPACT, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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.

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

**H.B. 1568** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, 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.

**H.J.R. 1805**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF PHILIP PITTMAN GODWIN, SR., FORMER SPEAKER OF THE HOUSE OF REPRESENTATIVES, with a favorable report.

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

**S.B. 347** (House 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 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. House Committee Substitute Bill No. 1 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 Davis, Baker, Barbee, Barnhart, Blust, Brubaker, Capps, Carpenter, Church, M. Crawford, Creech, Culp, Dockham, Eddins, Ellis, Esposito, Gillespie, Gray, Hilton, Holmes, Howard, Hunter, Johnson, Kiser, Lucas, McComas, McCombs, McMahan, Michaux, Morris, Pope, Preston, Rayfield, Russell, Setzer, Sexton, Shubert, Starnes, Teague, Walker, Weatherly, West, C. Wilson, and G. Wilson:

**H.R. 1808**, A HOUSE RESOLUTION CALLING ON THE SPEAKER TO ALLOW FLOOR DEBATE AND ACTION ON SENATE BILL 1008,

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

By Representatives Capps and Davis:

**H.R. 1809**, A HOUSE RESOLUTION CALLING ON THE SPEAKER TO ALLOW FLOOR DEBATE AND ACTION ON SENATE BILL 1008, BAN VIDEO POKER, is referred to the Committee on Rules, Calendar, and Operations of the House.

### CALENDAR

Action is taken on the following:

**S.B. 1054** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NONPARTISAN METHOD OF ELECTING SUPREME COURT JUSTICES AND COURT OF APPEALS JUDGES BEGINNING IN 2004; TO SET \$1,000 CONTRIBUTION LIMITS (\$2,000 FROM FAMILY MEMBERS) FOR JUDICIAL CAMPAIGNS BEGINNING IN 2004; TO ESTABLISH A PUBLIC CAMPAIGN FINANCING FUND THAT PROVIDES APPELLATE JUDICIAL CANDIDATES WHO AGREE TO CONTRIBUTION AND EXPENDITURE RESTRICTIONS WITH AN ALTERNATIVE MEANS OF FINANCING THEIR CAMPAIGNS BEGINNING IN 2004; TO SAFEGUARD CANDIDATES WHO OPT TO USE THAT SYSTEM BY PROHIBITING CERTAIN CONTRIBUTIONS TO THEIR OPPONENTS DURING THE TWENTY-ONE DAYS BEFORE AN ELECTION AND BY PROVIDING RESCUE MONEY WHEN THEY FACE LARGE EXPENDITURES BY OPPONENTS OR LARGE INDEPENDENT EXPENDITURES; TO PROVIDE A JUDICIAL VOTER GUIDE TO BE FINANCED BY THE FUND; TO PROVIDE THAT THE FUND SHALL BE ADMINISTERED BY THE STATE BOARD OF ELECTIONS ASSISTED BY AN ADVISORY COUNCIL; AND TO PROVIDE THAT THE FUND SHALL BE FINANCED BY METHODS INCLUDING A POSITIVE \$3 CHECK-OFF ON THE NORTH CAROLINA INCOME TAX AND A \$50 CONTRIBUTION BY ATTORNEYS WHEN THEY PAY THEIR PRIVILEGE LICENSE TAX, is moved up on today's Calendar.

The bill, as amended, passes its third reading, by electronic vote (57-54), and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 3 by Special Message.

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**H.B. 1572** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is moved up on today's Calendar.

On motion of Representative Gibson, the bill is temporarily displaced.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 1245** (Committee Substitute No. 2), 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.

On motion of Representative Baddour, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (108-0), and the bill is ordered enrolled and presented to the Governor.

**H.B. 1572** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, which was temporarily displaced, is before the Body.

On motion of Representative Gibson, the House concurs in the Senate committee substitute bill, by electronic vote (107-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 1777** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF CERTAIN ADMINISTRATIVE RULES GOVERNING SANITATION OF HOSPITALS, NURSING HOMES, REST HOMES, AND OTHER INSTITUTIONS; TO PROVIDE FOR A FIELD TEST OF THOSE RULES; TO AUTHORIZE THE COMMISSION FOR HEALTH SERVICES TO ADOPT TEMPORARY AND PERMANENT RULES TO AMEND THOSE RULES; AND TO AUTHORIZE THE MEDICAL CARE COMMISSION TO ADOPT TEMPORARY AND PERMANENT RULES TO AMEND A RELATED RULE.

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On motion of Representative Gibson, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (103-4), and the bill is ordered enrolled and presented to the Governor.

**H.B. 1640** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO INCLUDE THE TOWN OF DUCK AS A MUNICIPALITY AUTHORIZED TO REGULATE AND CONTROL SWIMMING, PERSONAL WATERCRAFT, SURFING, AND LITTERING IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWN WITHIN ITS BOUNDARIES OR WITHIN ITS EXTRATERRITORIAL JURISDICTION; TO DESIGNATE THE TOWN COUNCIL OF THE TOWN OF DUCK AS THE GOVERNING BODY OF THE DUCK AREA BEAUTIFICATION DISTRICT; TO PERMIT THE TOWN OF MANTEO TO DECREASE THE DISTANCE WITHIN WHICH A VEHICLE MAY PARK FROM THE INTERSECTION OF CURB LINES; TO AMEND THE DEFINITION OF SUBDIVISION AS IT APPLIES IN CHOWAN COUNTY; AND TO ALTER THE COMPOSITION OF THE DARE COUNTY TOURISM BOARD, 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, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gibson, Grady, Gray, Gulley, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McComas, McCombs, McLawhorn, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, G. Wilson, Womble, Wright, and Yongue - 98.

Voting in the negative: Representatives Creech, Davis, Decker, Ellis, Gillespie, Hilton, Kiser, Starnes, and C. Wilson - 9.

Excused absences: Representatives Adams, Boyd-McIntyre, Dedmon, Goodwin, Hackney, McAllister, Miner, Pope, and Thompson - 9.

Representative Cox requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (99-9).

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**S.B. 1211** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE BOONE'S CAVE STATE NATURAL AREA FROM THE STATE NATURE AND HISTORIC PRESERVE AND THE STATE PARKS SYSTEM, TO AUTHORIZE THE TRANSFER OF THIS PROPERTY TO DAVIDSON COUNTY FOR MANAGEMENT AS A PARK, AND TO ALLOW CERTAIN PUBLIC ENTITIES TO USE THE FIRE TOWER AT MOUNT JEFFERSON STATE NATURAL AREA FOR PUBLIC COMMUNICATIONS PURPOSES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by the following vote, with a three-fifths majority.

Those voting in the affirmative are: Representatives Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Grady, Gray, Gulley, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, 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, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Adams, Boyd-McIntyre, Dedmon, Goodwin, Hackney, McAllister, Miner, Pope, and Thompson - 9.

Representative Nesbitt objects to the third reading. The bill remains on the Calendar.

**H.B. 1537** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS TO: (1) EXTEND THE PILOT PROGRAM FOR INSPECTION OF ANIMAL WASTE MANAGEMENT SYSTEMS AND TO AMEND THE REPORTING REQUIREMENT FOR THE PILOT PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION; (2) PROVIDE THAT MEMBERS OF THE SOIL AND WATER CONSERVATION COMMISSION MAY HOLD CONCURRENT OFFICES CONSISTENT WITH THE PROVISIONS OF THE CONSTITUTION OF NORTH

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CAROLINA; (3) AUTHORIZE THE SOIL AND WATER CONSERVATION COMMISSION TO APPROVE GRANTS FOR SMALL WATERSHED PROJECTS RELATED TO DAM REHABILITATION AND IMPROVEMENT; (4) PROVIDE THAT MEMBERS OF THE ENVIRONMENTAL REVIEW COMMISSION WHO ARE NOT REELECTED TO THE GENERAL ASSEMBLY MAY COMPLETE THEIR TERM OF SERVICE ON THE COMMISSION; (5) PROVIDE THAT THE EASTERN BAND OF CHEROKEE INDIANS IN NORTH CAROLINA MAY RECEIVE FUNDS FROM THE CLEAN WATER REVOLVING LOAN AND GRANT FUND; (6) AUTHORIZE THE STATE INFRASTRUCTURE COUNCIL TO MEET IN THE LEGISLATIVE BUILDING AND LEGISLATIVE OFFICE BUILDING IN CERTAIN CIRCUMSTANCES; AND (7) AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRANSFER FUNDS FROM THE GENERAL WATER SUPPLY REVOLVING LOAN AND GRANT ACCOUNT TO THE EMERGENCY WATER SUPPLY REVOLVING LOAN ACCOUNT IN ORDER TO ASSIST WATER SUPPLY SYSTEMS EXPERIENCING A DROUGHT EMERGENCY, passes its second reading, by electronic vote (101-4), 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.

#### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**H.B. 1245**, 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 AND TO MAKE STATEWIDE A LOCAL ACT TO PERMIT THE REMOVAL OF FILED DD FORM 214 AND OTHER DISCHARGE PAPERS OR FOR THE REDACTING OF THE FORM OR FORMS WHEN A COPY IS REQUESTED BY PERSONS OTHER THAN THE FILER OR A MEMBER OF HIS FAMILY, WHICH CURRENTLY APPLIES ONLY IN CRAVEN, NASH, AND PAMLICO COUNTIES.

**H.B. 1572**, AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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**H.B. 1777**, AN ACT TO DELAY THE EFFECTIVE DATE OF CERTAIN ADMINISTRATIVE RULES GOVERNING SANITATION OF HOSPITALS, NURSING HOMES, REST HOMES, AND OTHER INSTITUTIONS; TO PROVIDE FOR A FIELD TEST OF THOSE RULES; TO AUTHORIZE THE COMMISSION FOR HEALTH SERVICES TO ADOPT TEMPORARY AND PERMANENT RULES TO AMEND THOSE RULES; TO AUTHORIZE THE MEDICAL CARE COMMISSION TO ADOPT TEMPORARY AND PERMANENT RULES GOVERNING LICENSING OF FAMILY CARE HOMES AND HOMES FOR THE AGED AND INFIRM; AND TO REQUIRE THE SECRETARY OF HEALTH AND HUMAN SERVICES AND THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO DEVELOP A PROCESS FOR EXPEDITING REVIEW OF REQUESTS FOR WAIVERS FROM RULES PERTAINING TO MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

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

The following Special Message is received from the Senate:

**S.J.R. 1456** (Committee Substitute), A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF FRANCES DAWSON BASDEN FOR HER SERVICE TO PENDER COUNTY.

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 OBJECTION TO THIRD READING**

Representative Nesbitt withdraws his objection to the third reading of **S.B. 1211** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE BOONE'S CAVE STATE NATURAL AREA FROM THE STATE NATURE AND HISTORIC PRESERVE AND THE STATE PARKS SYSTEM, TO AUTHORIZE THE TRANSFER OF THIS PROPERTY TO DAVIDSON COUNTY FOR MANAGEMENT AS A PARK, AND TO ALLOW CERTAIN PUBLIC ENTITIES TO USE THE FIRE

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TOWER AT MOUNT JEFFERSON STATE NATURAL AREA FOR PUBLIC COMMUNICATIONS PURPOSES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The bill passes its third roll call reading, by the following vote, with a three-fifths majority.

Those voting in the affirmative are: Representatives Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, 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, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Grady, Gray, Gulley, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, Michaux, Miller, 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, Willingham, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Adams, Boyd-McIntyre, Dedmon, Goodwin, Hackney, McAllister, Miner, Pope, and Thompson - 9.

The bill is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

**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:

Senate Committee Substitute for **H.B. 1670** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH, SET, OR MODIFY VARIOUS FEES, with recommendation that the House concur.

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

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**H.B. 1679**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE INCORPORATION OF THE VILLAGE OF OSSIPEE AND THE SIMULTANEOUS DISSOLUTION OF THE OSSIPEE SANITARY DISTRICT, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the 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:

**S.B. 163** (House Committee Substitute), 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, 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. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

#### **CALENDAR (continued)**

**S.B. 1443** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL TEACHERS AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATED TO EMPLOYEE BENEFITS FOR SCHOOL EMPLOYEES, COMMUNITY COLLEGE EMPLOYEES, AND STATE EMPLOYEES IN JOB-SHARING AND PART-TIME POSITIONS.

Representative Yongue offers Amendment No. 1 which is adopted by electronic vote (107-0).

On motion of Representative Sherrill, the bill is temporarily displaced.

**S.B. 204** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ROANOKE RIVER BASIN BI-STATE

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COMMISSION AND ROANOKE RIVER BASIN ADVISORY COMMITTEE, 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 for concurrence in the House committee substitute bill by Special Message.

**S.B. 1252** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAND CONSERVATION STATUTES OF THE STATE OF NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by electronic vote (102-3), 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 the House committee substitute bill by Special Message.

**S.B. 1443** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL TEACHERS AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATED TO EMPLOYEE BENEFITS FOR SCHOOL EMPLOYEES, COMMUNITY COLLEGE EMPLOYEES, AND STATE EMPLOYEES IN JOB-SHARING AND PART-TIME POSITIONS, which was temporarily displaced, is before the Body.

Representative Sherrill offers Amendment No. 2 which is adopted by electronic vote (107-0).

The bill, as amended, passes its second reading, by electronic vote (108-0), and remains on the Calendar.

#### **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:

Senate Committee Substitute for **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 recommendation that the House adopt the Conference Report.

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The Conference Report is placed on the Calendar of September 30.

Representative Culpepper moves, seconded by Representative Miller, that the House adjourn, subject to the receipt of Messages from the Senate, to reconvene Monday, September 30, 2002, at 7:05 p.m.

The motion carries.

### **SPECIAL MESSAGES FROM THE SENATE**

The following Special Messages are received from the Senate:

Senate Committee Substitute for **H.B. 1668**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SOUTHPORT OCCUPANCY TAX, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of September 30.

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.

**H.B. 1402** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADDRESS CONFIDENTIALITY PROGRAM FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL OFFENSE, AND STALKING, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of September 30.

The House stands adjourned at 3:00 p.m.

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## **TWO-HUNDRED FIFTY-SECOND DAY**

HOUSE OF REPRESENTATIVES  
Monday, September 30, 2002

The House meets at 7:05 p.m. pursuant to adjournment and is called to order by the Speaker.

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The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Eternal God:

"Time is precarious. It speeds up when we want it to slow down, and it moves slowly when we want it to speed up. Long past minutes and hours and on into weeks and months, we marvel at how the same unit of time can seem both long and short. For example, we understand that this session has been a marathon session, yet are amazed that it is already the eve of October. We are no different than the ancients who worked and toyed with the idea of time until they completed their methods of determining its course. I wonder if they knew that what they were doing would not fully be understood or appreciated until after they had completed their own gift of time on earth.

"Eternal God, for whom time has no bearing at all, help us not to define our success or failure by how long we have been here, but by the qualitative tools of evaluation with which we can take inventory of our legislation and our own lives. Keep true in us the need to be good stewards of the time that has been given to us to work, to play, and to rest knowing that in the end, we will not be judged by how long we have spent doing this or that, but by the choices we have made while we were here. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of September 26 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Alexander, Clary, Goodwin, Hiatt, Hilton, Miner, Pope, Russell, Starnes, Thompson, and Wainwright for today.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**H.B. 1501**, AN ACT CONCERNING UNLAWFUL ACCESS OR DAMAGE TO A GOVERNMENT COMPUTER OR CAUSING DENIAL OF SERVICE AFFECTING A GOVERNMENT COMPUTER.

**H.B. 1665**, AN ACT TO AMEND TAX LAWS RELATED TO INTERSTATE AIR COURIERS AND TO AMEND THE WAGE STANDARD UNDER THE WILLIAM S. LEE QUALITY JOBS AND

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BUSINESS EXPANSION ACT TO ACCOUNT FOR THE VALUE OF HEALTH INSURANCE TO PART-TIME JOBS.

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

**S.B. 1114**, AN ACT TO REMOVE FROM THE CHARTER OF THE TOWN OF BADIN A PROVISION ON THE AD VALOREM TAX RATE AND TO SET OUT THE BOUNDARIES OF THE TOWN OF NORMAN.

**H.B. 1685**, AN ACT TO ANNEX TERRITORY AND DEANNEX TERRITORY TO THE CORPORATE LIMITS OF THE TOWN OF FOUR OAKS.

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

**S.J.R. 1456**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF FRANCES DAWSON BASDEN FOR HER SERVICE TO PENDER COUNTY. (RESOLUTION 2002-14)

#### **CHAPTERED BILLS**

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 1292**, AN ACT TO ACCELERATE THE ADDITIONAL ONE-HALF CENT LOCAL OPTION SALES AND USE TAX AND TO MAKE CONFORMING AND TECHNICAL CHANGES. (S.L. 2002-123)

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

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

By Representative Ellis:

**H.R. 1810**, A HOUSE RESOLUTION CALLING ON THE SPEAKER TO ALLOW FLOOR DEBATE AND ACTION ON SENATE BILL 1008, BAN VIDEO POKER, is referred to the Committee on Rules, Calendar, and Operations of the House.

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**SPECIAL MESSAGES FROM THE SENATE**

The following Special Messages are received from the Senate:

Senate Committee Substitute for **H.B. 1105**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO INSURANCE LAWS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of October 1.

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. 1281** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO CLARIFY TORT CLAIM AND DUTY TO DEFEND EMPLOYEES LIABILITY OF OCCUPATIONAL LICENSING BOARDS; TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING THE REAL ESTATE COMMISSION; TO AUTHORIZE THE BOARD OF LANDSCAPE ARCHITECTS TO RETAIN PRIVATE COUNSEL; AND TO REQUIRE PROFESSIONAL EMPLOYER ORGANIZATIONS TO REGISTER WITH THE DEPARTMENT OF INSURANCE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 1282** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CODIFY RULES FOR SHARING OF JUVENILE INFORMATION BETWEEN AGENCIES, is read the first time and 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 Representatives Allen, Buchanan, and Luebke, Chairs, for the Committee on Finance:

**S.B. 832** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CONTRACT FINANCING AND SURETY

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BONDS FOR SMALL BUSINESSES THAT CONTRACT WITH GOVERNMENTAL AGENCIES, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of October 1. The Senate committee substitute bill is placed on the Unfavorable Calendar.

### CALENDAR

Action is taken on the following:

**H.B. 1679** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF OSS�PEE, 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, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gibson, Gillespie, 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, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Teague, Tolson, Tucker, Underhill, Walend, Walker, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 102.

Voting in the negative: Representatives Davis and Sutton - 2.

Excused absences: Representatives Alexander, Clary, Goodwin, Hiatt, Hilton, Miner, Pope, Russell, Starnes, Thompson, and Wainwright - 11.

**H.B. 1402** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADDRESS CONFIDENTIALITY PROGRAM FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL OFFENSE, AND STALKING.

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On motion of Representative Hackney and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of October 1.

Senate Committee Substitute for **H.B. 1668**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SOUTHPORT OCCUPANCY TAX.

On motion of Representative Redwine, the House concurs in the material Senate committee substitute bill, on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allen, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Esposito, Fox, Gibson, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Johnson, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Preston, Redwine, Rogers, Saunders, Sexton, Sherrill, Smith, Sutton, Teague, Tolson, Tucker, Underhill, Walend, Walker, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 89.

Voting in the negative: Representatives Allred, Baker, Capps, M. Crawford, Creech, Davis, Decker, Eddins, Gillespie, Rayfield, Setzer, and Shubert - 12.

Excused absences: Representatives Alexander, Clary, Goodwin, Hiatt, Hilton, Miner, Pope, Russell, Starnes, Thompson, and Wainwright - 11.

**H.B. 1640** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO INCLUDE THE TOWN OF DUCK AS A MUNICIPALITY AUTHORIZED TO REGULATE AND CONTROL SWIMMING, PERSONAL WATERCRAFT, SURFING, AND LITTERING IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWN WITHIN ITS BOUNDARIES OR WITHIN ITS EXTRATERRITORIAL JURISDICTION; TO DESIGNATE THE TOWN COUNCIL OF THE TOWN OF DUCK AS THE GOVERNING BODY OF THE DUCK AREA BEAUTIFICATION DISTRICT; TO PERMIT THE TOWN OF MANTEO TO DECREASE THE DISTANCE WITHIN WHICH A VEHICLE MAY PARK FROM THE INTERSECTION OF CURB LINES; TO AMEND THE DEFINITION OF SUBDIVISION AS IT APPLIES IN CHOWAN COUNTY; AND TO

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ALTER THE COMPOSITION OF THE DARE COUNTY TOURISM BOARD, 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, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, 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, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Tolson, Tucker, Underhill, Walend, Walker, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 100.

Voting in the negative: Representatives Capps, M. Crawford, Creech, Davis, and Gillespie - 5.

Excused absences: Representatives Alexander, Clary, Goodwin, Hiatt, Hilton, Miner, Pope, Russell, Starnes, Thompson, and Wainwright - 11.

Representative Culpepper moves, seconded by Representative Miller, that the House adjourn, subject to the receipt of Messages from the Senate, the receipt of Committee Reports, and the referral of bills to Committee, to reconvene October 1 at 2:00 p.m.

The motion carries.

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

The following reports from permanent subcommittees are presented:

Representatives Cole and J. Crawford, Chairs, for the Appropriations Subcommittee on Transportation, refer the following bills to the Committee on Appropriations with no action taken:

**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

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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. 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. 1273**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO OBTAIN PROOF OF ADDRESS ON APPLICATIONS.

Representatives Fox and Owens, Chairs, for the Appropriations Subcommittee on Natural and Economic Resources, refer the following bills to the Committee on Appropriations with no action taken:

**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;

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**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;

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**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 SERVICE;

**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. 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;

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**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 Culpepper and Haire, Chairs, for the Appropriations Subcommittee on Justice and Public Safety, refer the following bills to the Committee on Appropriations with no action taken:

**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

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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;

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**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; and

**H.B. 1378**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN ADDITIONAL MAGISTRATE IN CHOWAN COUNTY.

Representatives Jeffus and Sherrill, Chairs, for the Appropriations Subcommittee on General Government, refer the following bills to the Committee on Appropriations with no action taken:

**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;

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**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. 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. 1382** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA ADVISORY COMMISSION ON MILITARY AFFAIRS; and

**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.

Representative Wright, Chair, for the Appropriations Subcommittee on Capital, refers the following bills to the Committee on Appropriations with no action taken:

**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. 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. 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;

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**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. 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. 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;

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**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. 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;

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**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. 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. 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. 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. 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;

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**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.

Representatives Earle and Nye, Chairs, for the Appropriations Subcommittee on Health and Human Services, refer the following bills to the Committee on Appropriations with no action taken:

**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;

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**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;

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**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

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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;

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**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;

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**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; and

**H.B. 1406**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A PUBLIC HEALTH IMPROVEMENT DEMONSTRATION PROJECT IN TIER ONE COUNTIES.

Representatives Rogers, Yongue and Boyd-McIntyre, Chairs, for the Appropriations Subcommittee on Education, refer the following bills to the Committee on Appropriations with no action taken:

**H.B. 54**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE SUPPLEMENTAL FUNDING FOR LOW-WEALTH SCHOOL SYSTEMS;

**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;

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**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. 835**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PLANT OPERATION SECTION OF THE DEPARTMENT OF PUBLIC INSTRUCTION;

**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;

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**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. 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. 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. 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;

**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; and

**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.

#### **SPECIAL MESSAGES FROM THE SENATE**

The following Special Messages are received from the Senate:

**H.B. 1518** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE INFORMAL BID LIMIT FOR DEPARTMENT OF TRANSPORTATION PROJECTS, TO MODIFY THE CURRENT AUTHORIZATION OF THE DEPARTMENT OF TRANSPORTATION TO AWARD DESIGN-BUILD CONTRACTS, AND CONCERNING CONTRACT REQUIREMENTS FOR IRON USED IN DOT PROJECTS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the bill is placed on the Calendar of October 1.

**H.B. 1638** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE CRIMINAL RECORD CHECKS TO THE ALE DIVISION

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WHEN INVESTIGATING ABC PERMIT APPLICANTS, LOCAL LAW-ENFORCEMENT AGENCIES ISSUING PRECIOUS METAL DEALER PERMITS, THE PRIVATE PROTECTIVE SERVICES BOARD, THE ALARM SYSTEMS LICENSING BOARD, THE BOARD OF LAW EXAMINERS, THE MEDICAL BOARD, THE STATE BOARD OF DENTAL EXAMINERS, THE BOARD OF PHARMACY, THE BOARD OF MORTUARY SCIENCE, THE REAL ESTATE COMMISSION, THE COMMISSIONER OF LABOR WHEN INVESTIGATING PRIVATE PERSONNEL SERVICE LICENSE APPLICANTS, THE STRUCTURAL PEST CONTROL COMMITTEE, AND CITIES WHEN INVESTIGATING TAXI LICENSE APPLICANTS AND TO CHARGE A FEE FOR CONDUCTING THE CHECKS, AND TO CONFORM SEX OFFENDER LAWS TO FEDERAL REQUIREMENTS, is returned for concurrence in two Senate amendments.

Pursuant to Rule 36(b), the bill is placed on the Calendar of October 1.

**S.B. 1326**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF LEXINGTON TO IMPOSE TERM LIMITS ON THE MEMBERS OF THE CITY'S UTILITIES COMMISSION, is read the first time and referred to the Committee on Local Government I.

Senate Committee Substitute No. 2 for **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 returned for concurrence in Senate Committee Substitute Bill No. 2 and referred to the Committee on Appropriations.

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.

The House stands adjourned at 9:50 p.m.

September 30, 2002



**TWO HUNDRED FIFTY-THIRD DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, October 1, 2002

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, House Chaplain:

"Gracious God:

"In the angst of these waning days, let us not be too hasty with our decisions. Let us not sacrifice good policy for a quick escape. Do not let us leave behind whatever remaining hard work we have for another Body yet to be assembled. This has been a difficult session, and everyone has had to work with the same limitations and deficits. Undoubtedly, next year's General Assembly will face many of the same, if not more, difficulties. But, as we prepare for our departure, grant us the grace necessary to be bold and leave this House in as good an order as we possibly can so that those who will be joining us and those who will be following behind us will know that this Body has lived fully into its responsibilities. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of September 30 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Alexander, Barefoot, Blue, Goodwin, Grady, Hiatt, Hilton, Miner, Pope, Thompson, Wainwright, and Wright for today. Representatives Arnold, Brubaker, Cox, Howard, Smith, and Underhill are excused for a portion of the session.

**ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 204, AN ACT TO ESTABLISH THE ROANOKE RIVER BASIN BI-STATE COMMISSION AND ROANOKE RIVER BASIN ADVISORY COMMITTEE.**

October 1, 2002

**S.B. 1252**, AN ACT TO AMEND THE LAND CONSERVATION STATUTES OF THE STATE OF NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

**H.B. 1040**, AN ACT RELATING TO THE TEMPORARY EXTENDED UNEMPLOYMENT BENEFITS SECOND TIER BENEFIT QUALIFICATION FOR NORTH CAROLINA.

**H.B. 1523**, AN ACT TO AMEND VARIOUS PROPERTY TAX LAWS.

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

**S.B. 1268**, AN ACT TO ALLOW THE CITY OF MONROE TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES, TO ALLOW THE TOWN OF NORWOOD TO COLLECT UTILITY BILLS AS IF THEY WERE TAXES DUE IT, AND TO ANNEX NONCONTIGUOUS TERRITORY TO THE TOWN OF MOUNT GILEAD.

**H.B. 1502**, AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE SANDERS FOREST AND BENT TREE PLANTATION COMMUNITIES IN BRUNSWICK COUNTY.

#### **CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 1114**, AN ACT TO REMOVE FROM THE CHARTER OF THE TOWN OF BADIN A PROVISION ON THE AD VALOREM TAX RATE AND TO SET OUT THE BOUNDARIES OF THE TOWN OF NORMAN. (S.L. 2002-124)

**H.B. 1685**, AN ACT TO ANNEX TERRITORY AND DEANNEX TERRITORY TO THE CORPORATE LIMITS OF THE TOWN OF FOUR OAKS. (S.L. 2002-125)

**S.B. 1115**, AN ACT TO MODIFY THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2001 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE. (S.L. 2002-126)

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**REPORTS OF STANDING COMMITTEES AND PERMANENT  
SUBCOMMITTEES**

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Barefoot and Cox, Chairs, for the Committee on Pensions and Retirement:

**S.B. 1219** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DISSOLUTION OF THE GASTONIA POLICEMEN'S SUPPLEMENTARY PENSION FUND, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the 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 Earle and Nye, Chairs, for the Appropriations Subcommittee on Health and Human Services:

The following bill is reported to the Standing Committee on Appropriations with no action taken.

**H.B. 1407**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH THE PRESCRIPTION DRUG ACCESS PROGRAM.

By Representatives Allen, Luebke, and Buchanan, Chairs, for the Committee on Finance:

**H.B. 1753**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE BILL LEE ACT TAX CREDITS FOR INVESTING IN MACHINERY AND EQUIPMENT AND FOR JOB CREATION, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of October 2. The original bill is placed on the Unfavorable Calendar.

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By Representatives Rogers, Yongue, and Boyd-McIntyre, Chairs, for the Appropriations Subcommittee on Education:

The following bill is reported to the Standing Committee on Appropriations with no action taken:

**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.

By Representatives Tolson and Tucker, Chairs, for the Appropriations Subcommittee on Information Technology.

The following bills are reported to the Standing Committee on Appropriations, with no action taken.

**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; and

**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.

By Representative Baddour, Chair, for the Committee on Judiciary II:

Senate Committee Substitute No. 2 for **H.B. 1100**, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF COUNTERFEITING NEGOTIABLE INSTRUMENTS, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of October 2.

**S.B. 887**, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL AUTHORITY FOR MAGISTRATES WHO ARE LICENSED

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TO PRACTICE LAW, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of October 2. 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 Ellis:

**H.R. 1811**, A HOUSE RESOLUTION CALLING ON THE SPEAKER TO ALLOW FLOOR DEBATE AND ACTION ON SENATE BILL 1008, BAN VIDEO POKER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Davis, Barbee, Brubaker, Capps, Carpenter, M. Crawford, Culp, Ellis, Gillespie, Harrington, Kiser, Setzer, Sexton, Shubert, C. Wilson, and G. Wilson:

**H.R. 1812**, A HOUSE RESOLUTION CALLING FOR COMPLIANCE BY THE OFFICE OF STATE BUDGET AND MANAGEMENT WITH 1998 LEGISLATION CONCERNING ACCOUNTING FOR FEDERAL FUNDS, AND CALLING FOR AN END TO THE AUTOMATIC APPROPRIATION OF RECEIPTS AND FEDERAL FUNDS, SO THERE WILL BE PROPER SCRUTINY BY THE GENERAL ASSEMBLY OF THE EXPENDITURE OF THOSE FUNDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

### SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

**H.B. 1313** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE INTERPRETER AND TRANSLITERATOR LICENSURE ACT FOR PERSONS WHO ARE DEAF OR HARD-OF-HEARING AND TO MAKE CONFORMING CHANGES TO CHAPTER 8B AND CHAPTER 143B, is returned for concurrence in the Senate committee substitute bill.

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Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of October 2.

The Speaker rules the Senate committee substitute bill to be material, thus constituting its first reading.

Senate Committee Substitute for **H.B. 1187** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURE OF THE SPONSOR OR INITIATOR OF A PERSUASIVE POLL, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Rules, Calendar, and Operations of the House.

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.

Senate Committee Substitute for **H.B. 1307**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CONVERSION OF EXISTING RESIDENTIAL DEVELOPMENTS TO PLANNED COMMUNITIES, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Rules, Calendar, and Operations of the House.

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.

**H.B. 1623**, A BILL TO BE ENTITLED AN ACT TO CLASSIFY BRUNSWICK COUNTY AS A HIGH HAZARD COUNTY WITH RESPECT TO THE REGULATION OF OPEN FIRES, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of October 2.

**H.B. 1726** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, is returned for concurrence in one Senate amendment.

October 1, 2002

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

**S.B. 1136** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE ACREAGE LIMITATION ON SATELLITE ANNEXATIONS FOR THE VILLAGE OF MARVIN, AND TO MAKE A SATELLITE ANNEXATION TO THE TOWN OF BRUNSWICK, is read the first time and referred to the Committee on Finance.

### CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 1668**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SOUTHPORT OCCUPANCY TAX.

On motion of Representative Redwine, the House concurs in the material Senate committee substitute bill, 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 Adams, Allen, Arnold, Baddour, Barbee, Barnhart, Bell, Bonner, Bowie, Boyd-McIntyre, Buchanan, Carpenter, Church, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Esposito, Fox, Gibson, Gray, Gulley, Hackney, Haire, Hall, Hensley, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Preston, Redwine, Rogers, Russell, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 87.

Voting in the negative: Representatives Allred, Baker, Blust, Capps, Clary, M. Crawford, Davis, Decker, Eddins, Gillespie, Kiser, Rayfield, Setzer, and Shubert - 14.

Excused absences: Representatives Alexander, Barefoot, Blue, Goodwin, Grady, Hiatt, Hilton, Miner, Pope, Thompson, Wainwright, and Wright - 12.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

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Senate Committee Substitute for **H.B. 1670** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH, SET, OR MODIFY VARIOUS FEES, is moved up on today's Calendar.

On motion of Representative Baddour, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (90-15), and the bill is ordered enrolled and presented to the Governor by Special Message.

Representative Coates states that her voting equipment malfunctioned and she requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (91-15).

### CONFERENCE REPORT

Representative McMahan moves the adoption of the following Conference Report.

#### Senate Committee Substitute for H.B. 623

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 623, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE LAWS GOVERNING THE PUBLIC CONSTRUCTION LAWS TO PROVIDE FOR EFFICIENCIES AND FLEXIBILITY IN BUILDING DESIGN, CONSTRUCTION, AND PLAN REVIEW, TO PROMOTE ENERGY EFFICIENCY IN STATE-OWNED BUILDINGS, AND TO AMEND THE LAW GOVERNING LANDSCAPE ARCHITECTURE, Senate Judiciary I Committee Substitute Adopted 9/4/01, submit the following report:

The House and Senate agree to the following amendment to the Senate Committee Substitute, Senate Judiciary I Committee Substitute Adopted 9/4/01, 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 H623-PCCS4289-RUx-2.

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

October 1, 2002



Date conferees approved report: September 19, 2002.

*Conferees for the  
Senate*

S/ Daniel G. Clodfelter, Chair  
S/ Anthony E. Rand  
S/ Frank W. Ballance, Jr.  
S/ Patrick J. Ballantine  
S/ Aaron W. Plyer

*Conferees for the  
House of Representatives*

S/ W. Ed McMahan, Chair  
S/ Pryor Gibson  
S/ Gordon P. Allen, Sr.  
S/ Joe Hackney  
S/ W. Pete Cunningham

The material Conference Report, which changes the title, is adopted on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, 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, Gray, Gully, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Setzer, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, G. Wilson, Womble, and Yongue - 97.

Voting in the negative: Representatives Davis, Howard, Justus, Kiser, Nesbitt, and Shubert - 6.

Excused absences: Representatives Alexander, Barefoot, Blue, Brubaker, Goodwin, Grady, Hiatt, Hilton, Miner, Pope, Thompson, Wainwright, and Wright - 13.

**BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **S.B. 1219** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GASTONIA POLICEMEN'S SUPPLEMENTARY PENSION FUND, is placed on today's Calendar for immediate consideration.

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The bill 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 the House committee substitute bill by Special Message.

#### **CALENDAR (continued)**

**S.B. 163** (House Committee Substitute No. 2), 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, 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 Bill No. 2 by Special Message.

#### **ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

**H.B. 1670**, AN ACT TO CLARIFY THE EXPENSE ATTRIBUTION LAW AS IT APPLIES TO DEDUCTIBLE DIVIDENDS AND TO PROVIDE LIMITS ON THE POTENTIAL TAX LIABILITY.

#### **CALENDAR (continued)**

**H.B. 1679** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF OSS�PEE, 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, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gibson, Gillespie, 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, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston,

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Redwine, Rogers, Russell, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 102.

Voting in the negative: Representative Davis.

Excused absences: Representatives Alexander, Barefoot, Blue, Brubaker, Goodwin, Grady, Hiatt, Hilton, Miner, Pope, Thompson, Wainwright, and Wright - 13.

**S.B. 1443** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL TEACHERS AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATED TO EMPLOYEE BENEFITS FOR SCHOOL EMPLOYEES, COMMUNITY COLLEGE EMPLOYEES, AND STATE EMPLOYEES IN JOB-SHARING AND PART-TIME POSITIONS.

Representative Baddour offers Amendment No. 3 which is adopted by electronic vote (102-1).

The bill, as amended, passes its third reading, by electronic vote (104-0), and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

Senate Committee Substitute for **H.B. 1105**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO INSURANCE LAWS.

On motion of Representative Hurley, the House concurs in the material Senate committee substitute bill, on its second roll call reading, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allen, Baddour, Barbee, Bell, Blust, Bonner, Boyd-McIntyre, Buchanan, Capps, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Sexton, Shubert, Smith, Sutton, Teague, Tolson, Tucker, Underhill,

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Walend, Walker, Warner, Warren, Warwick, Weatherly, West, Willingham, C. Wilson, G. Wilson, and Womble - 87.

Voting in the negative: Representatives Arnold, Baker, Barnhart, M. Crawford, Creech, Davis, Decker, Howard, Kiser, Mitchell, and Starnes - 11.

Excused absences: Representatives Alexander, Barefoot, Blue, Brubaker, Goodwin, Grady, Hiatt, Hilton, Miner, Pope, Thompson, Wainwright, and Wright - 13.

**H.B. 1518** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE INFORMAL BID LIMIT FOR DEPARTMENT OF TRANSPORTATION PROJECTS, TO MODIFY THE CURRENT AUTHORIZATION OF THE DEPARTMENT OF TRANSPORTATION TO AWARD DESIGN-BUILD CONTRACTS, AND CONCERNING CONTRACT REQUIREMENTS FOR IRON USED IN DOT PROJECTS.

On motion of Representative J. Crawford, the House concurs in the Senate committee substitute bill, by electronic vote (97-2), and the bill is ordered enrolled and presented to the Governor.

On motion of the Chair, the House recesses at 3:18 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 committees are presented:

By Representative Dedmon, Chair, for the Committee on Local Government I:

**S.B. 1326**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF LEXINGTON TO IMPOSE TERM LIMITS ON THE MEMBERS OF THE CITY'S UTILITIES COMMISSION, with a favorable report.

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

**SPECIAL MESSAGE FROM THE SENATE**

**2001 GENERAL ASSEMBLY  
SECOND SESSION 2002**

Senate Chamber  
October 1, 2002

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. 623** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE ENERGY EFFICIENCY IN STATE-OWNED BUILDINGS, 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*

**SPECIAL MESSAGE FROM THE SENATE**

**2001 GENERAL ASSEMBLY  
SECOND SESSION 2002**

Senate Chamber  
October 1, 2002

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. 163** (Committee Substitute), 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 requests conferees. The President *Pro Tempore* appoints:

Senator Rand, Chair  
Senator Carrington  
Senator Metcalf

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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*

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

The following Special Message is received from the Senate:

Senate Committee Substitute for **H.B. 760**, A BILL TO BE ENTITLED AN ACT TO REQUIRE CANCER INSURANCE POLICIES TO OFFER A WELLNESS BENEFIT RIDER, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of October 2.

Upon concurrence, the Senate committee substitute bill changes the title.

#### **CONFEREES APPOINTED**

The Speaker announces the following conferees on **S.B. 163** (House Committee Substitute No. 2), 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: Representatives Hurley, Yongue, Warner, Lucas, McAllister, and Morris.

The Senate is so notified by Special Message.

#### **CALENDAR (continued)**

**H.B. 1638** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE CRIMINAL RECORD CHECKS TO THE ALE DIVISION WHEN INVESTIGATING ABC PERMIT APPLICANTS, LOCAL LAW-ENFORCEMENT AGENCIES ISSUING PRECIOUS METAL DEALER PERMITS, THE PRIVATE PROTECTIVE SERVICES BOARD, THE ALARM SYSTEMS LICENSING BOARD, THE BOARD OF LAW EXAMINERS, THE MEDICAL BOARD, THE STATE BOARD OF DENTAL

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EXAMINERS, THE BOARD OF PHARMACY, THE BOARD OF MORTUARY SCIENCE, THE REAL ESTATE COMMISSION, THE COMMISSIONER OF LABOR WHEN INVESTIGATING PRIVATE PERSONNEL SERVICE LICENSE APPLICANTS, THE STRUCTURAL PEST CONTROL COMMITTEE, AND CITIES WHEN INVESTIGATING TAXI LICENSE APPLICANTS AND TO CHARGE A FEE FOR CONDUCTING THE CHECKS, AND TO CONFORM SEX OFFENDER LAWS TO FEDERAL REQUIREMENTS.

On motion of Representative Haire, the House concurs in Senate Amendment No. 1 by electronic vote (98-0).

On motion of Representative Haire, the House concurs in Senate Amendment No. 2, by electronic vote (98-0), and the bill is ordered enrolled and presented to the Governor.

**H.B. 1402** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADDRESS CONFIDENTIALITY PROGRAM FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL OFFENSE, AND STALKING.

On motion of Representative Jeffus, the House concurs in the Senate committee substitute bill, by electronic vote (98-0), and the bill is ordered enrolled and presented to the Governor.

#### **ENROLLED BILLS**

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

**H.B. 1668**, AN ACT TO MODIFY THE SOUTHPORT OCCUPANCY TAX AND TO CLARIFY THAT THE REGULATION OF MOTOR VEHICLES ON BALD HEAD ISLAND INCLUDES THE ABILITY TO CHARGE FEES FOR THEIR USE ON THE ISLAND.

#### **CALENDAR (continued)**

**H.B. 1568** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by the following vote, and remains on the Calendar.

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Those voting in the affirmative are: Representatives Adams, Allen, Baddour, Bell, Bonner, Bowie, Boyd-McIntyre, Church, Coates, Cole, J. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Fox, Gibson, Gray, Hackney, Haire, Hall, Hensley, Hill, Holliman, Holmes, Hunter, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Morgan, Morris, Nye, Oldham, Owens, Preston, Starnes, Sutton, Tolson, Tucker, Warner, Warren, Warwick, Weiss, Willingham, Womble, and Yongue - 63.

Voting in the negative: Representatives Arnold, Baker, Barbee, Barnhart, Blust, Buchanan, Capps, Carpenter, Clary, M. Crawford, Davis, Decker, Eddins, Esposito, Gillespie, Gulley, Harrington, Johnson, Justus, Kiser, Mitchell, Rayfield, Russell, Setzer, Sexton, Sherrill, Shubert, Teague, Walend, Walker, West, C. Wilson, and G. Wilson - 33.

Excused absences: Representatives Alexander, Barefoot, Blue, Brubaker, Cox, Goodwin, Grady, Hiatt, Hilton, Howard, Miner, Pope, Thompson, Underhill, Wainwright, and Wright - 16.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 832** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CONTRACT FINANCING AND SURETY BONDS FOR SMALL BUSINESSES THAT CONTRACT WITH GOVERNMENTAL AGENCIES.

Representative Redwine offers Amendment No. 1 which is adopted by electronic vote (94-0).

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, Allen, Baddour, Baker, Barbee, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Hunter, 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, Redwine, Russell, Setzer, Sexton, Sherrill, Shubert, Starnes, Sutton, Teague, Tolson, Tucker,

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Walend, Walker, Warner, Warren, Warwick, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 97.

Voting in the negative: None.

Excused absences: Representatives Alexander, Arnold, Barefoot, Blue, Brubaker, Cox, Goodwin, Grady, Hiatt, Hilton, Howard, Miner, Pope, Smith, Thompson, Underhill, Wainwright, and Wright - 18.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1641** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT THE PROVISIONS OF THE REVISED INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS AND TO PROVIDE FOR NORTH CAROLINA TO PARTICIPATE IN THE INTERNATIONAL PRISONER TRANSFER PROGRAM ADMINISTERED BY THE UNITED STATES DEPARTMENT OF JUSTICE, passes its second reading, by electronic vote (95-0), 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.

**S.B. 347** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT REGARDING THE USE OF STATE-OWNED PROPERTY IN THE BLOUNT STREET HISTORIC DISTRICT, passes its second reading, by electronic vote (95-0), 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 Bill No. 2 by Special Message.

#### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **S.B. 1326**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF LEXINGTON TO IMPOSE TERM LIMITS ON THE MEMBERS OF THE CITY'S UTILITIES COMMISSION, is placed on today's Calendar for immediate consideration.

The bill passes its second reading, and there being no objection is read a third time.

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The bill passes its third reading and is ordered enrolled.

### **CALENDAR (continued)**

**S.B. 46** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MONROE TO LEVY A PREPARED FOOD TAX.

Representative Ellis inquires of the Chair if the bill is properly before the Body. The Speaker rules that it is.

Representative Ellis inquires of the Chair if the bill is eligible under Rule 42(a)(4). The Speaker rules that the bill is properly before the Body.

The Speaker stops debate and attends to the following business.

### **CONFERENCE REPORT**

Representative Edwards sends forth the Conference Report on Senate Committee Substitute No. 2 for **H.B. 1508** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROMOTE READINESS FOR AND TO IMPROVE MANAGEMENT OF A PUBLIC HEALTH THREAT THAT MAY RESULT FROM AN ACT OF TERRORISM USING NUCLEAR, BIOLOGICAL, OR CHEMICAL AGENTS AND TO AMEND THE NORTH CAROLINA MEDICAL CARE COMMISSION'S RULE-MAKING AUTHORITY REGARDING STANDARDS AND CRITERIA FOR THE EDUCATION AND CREDENTIALING OF PERSONS TO ADMINISTER TREATMENT FOR ANAPHYLAXIS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of October 2.

Representative Culpepper moves, seconded by Representative Miller, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Conference Reports, the receipt of Messages from the Senate, and the referral of bills to Committee to reconvene October 2 at 10:00 a.m.

The motion carries.

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

The following reports from standing committees are presented:

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By Representatives Dockham and Hurley, Chairs, for the Committee on Insurance:

The following bills are reported with an indefinite postponement report and placed on the Unfavorable Calendar.

**H.B. 36**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MANAGED CARE OMBUDSMAN PROGRAM WITHIN THE DEPARTMENT OF INSURANCE;

**H.B. 37**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HEALTH BENEFIT PLAN DISCLOSURE TO AND SUMMARY PLAN INFORMATION FOR PROSPECTIVE INSUREDS;

**H.B. 38**, A BILL TO BE ENTITLED AN ACT TO REQUIRE INSUREDS TO DISCLOSE PAYMENT OBLIGATIONS FOR COVERED SERVICES;

**H.B. 39**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH STANDARDS FOR MANAGED CARE PROVIDER DIRECTORIES;

**H.B. 48**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CONTINUITY OF CARE IN HMO PLANS;

**H.B. 181**, A BILL TO BE ENTITLED AN ACT TO UPDATE THE CEASE AND DESIST PROVISIONS IN THE HMO LAWS;

**H.B. 790**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE DAMAGE AMOUNTS ON DEFINED MOTOR VEHICLE ACCIDENTS;

**H.B. 808**, A BILL TO BE ENTITLED AN ACT TO REQUIRE PARITY IN HEALTH INSURANCE COVERAGE FOR MENTAL ILLNESS AND CHEMICAL DEPENDENCY;

**H.B. 1032**, A BILL TO BE ENTITLED AN ACT LIMITING RETROSPECTIVE REVIEWS UNDER UTILIZATION REVIEW IN HEALTH BENEFIT PLANS;

**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

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THE SCOPE OF THE PROVIDER'S LICENSE OR CERTIFICATION UNDER APPLICABLE STATE LAW, SOLELY ON THE BASIS OF THE LICENSE OR CERTIFICATION;

**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;

**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;

**H.B. 1326**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE COMPREHENSIVE INSURANCE DEDUCTIBLE ON MOTOR VEHICLE WINDSHIELD GLASS; and

**H.B. 1586**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A REINSURANCE FACILITY FOR HOMEOWNER'S INSURANCE IN NORTH CAROLINA.

#### **SPECIAL MESSAGES FROM THE SENATE**

The following Special Messages are received from the Senate:

**S.J.R. 1478**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Senate Committee Substitute No. 2 for **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 returned for concurrence in Senate Committee Substitute Bill No. 2.

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Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of October 2.

Upon concurrence, the Senate committee substitute bill changes the title.

The House stands adjourned at 8:20 p.m.

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## **TWO HUNDRED FIFTY-FOURTH DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, October 2, 2002

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 Jim Harry, House Chaplain:

"Reconciling God:

"Thank You for being a forgiving God who loves each one of us as if there was but one of us to love. In accepting our forgiveness for our many transgressions, may we be ever mindful of the necessity to forgive others as You have forgiven us. Partisanship is a messy but seemingly necessary part of politics and the political process itself. But, as our time here draws to an end, help any amongst us with political axes to grind find the necessary courage to bury the hatchet and reflect on the positive things this Body has been able to accomplish together. Life is far too short to carry around the heavy weight of ill-gotten gain, anger, and pettiness. In seeking forgiveness for our own sins, help us realize that we must first turn to our brothers and sisters and offer forgiveness in order to receive it.

"Dear God, help each of us to know that the process we have voluntarily chosen to participate in sometimes carries with it the need to toe the party line. But, in doing so, let us not turn a blind eye nor a deaf ear to our neighbors on either side of the aisle, lest You turn a deaf ear toward our own hearts' requests. Amen. "

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of October 1 has been

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examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Alexander, Barefoot, Blue, Bonner, Goodwin, Hiatt, Hilton, Luebke, Miner, Pope, Sutton, Wainwright, and Wright for today. Representatives Adams, Arnold, Brubaker, Nye, Smith, Tucker, Walend, Warwick, and Yongue are excused for a portion of the session.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 347**, AN ACT REGARDING THE USE OF STATE-OWNED PROPERTY IN THE BLOUNT STREET HISTORIC DISTRICT.

**S.B. 1054**, AN ACT TO ESTABLISH A NONPARTISAN METHOD OF ELECTING SUPREME COURT JUSTICES AND COURT OF APPEALS JUDGES BEGINNING IN 2004; TO SET \$1,000 CONTRIBUTION LIMITS (\$2,000 FROM FAMILY MEMBERS) FOR JUDICIAL CAMPAIGNS BEGINNING IN 2004; TO ESTABLISH A PUBLIC CAMPAIGN FINANCING FUND THAT PROVIDES APPELLATE JUDICIAL CANDIDATES WHO AGREE TO CONTRIBUTION AND EXPENDITURE RESTRICTIONS WITH AN ALTERNATIVE MEANS OF FINANCING THEIR CAMPAIGNS BEGINNING IN 2004; TO SAFEGUARD CANDIDATES WHO OPT TO USE THAT SYSTEM BY PROHIBITING CERTAIN CONTRIBUTIONS TO THEIR OPPONENTS DURING THE TWENTY-ONE DAYS BEFORE AN ELECTION AND BY PROVIDING RESCUE MONEY WHEN THEY FACE LARGE EXPENDITURES BY OPPONENTS OR LARGE INDEPENDENT EXPENDITURES; TO PROVIDE A JUDICIAL VOTER GUIDE TO BE FINANCED BY THE FUND; TO PROVIDE THAT THE FUND SHALL BE ADMINISTERED BY THE STATE BOARD OF ELECTIONS ASSISTED BY AN ADVISORY COUNCIL; AND TO PROVIDE THAT THE FUND SHALL BE FINANCED BY METHODS INCLUDING A POSITIVE \$3 CHECK-OFF ON THE NORTH CAROLINA INCOME TAX AND A \$50 CONTRIBUTION BY ATTORNEYS WHEN THEY PAY THEIR PRIVILEGE LICENSE TAX.

**S.B. 1211**, AN ACT TO REMOVE BOONE'S CAVE STATE NATURAL AREA FROM THE STATE NATURE AND HISTORIC PRESERVE AND THE STATE PARKS SYSTEM, TO AUTHORIZE THE TRANSFER OF THIS PROPERTY TO DAVIDSON COUNTY FOR

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MANAGEMENT AS A PARK, AND TO ALLOW CERTAIN PUBLIC ENTITIES TO USE THE FIRE TOWER AT MOUNT JEFFERSON STATE NATURAL AREA FOR PUBLIC COMMUNICATIONS PURPOSES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

**S.B. 1443**, AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL TEACHERS AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATED TO EMPLOYEE BENEFITS FOR SCHOOL EMPLOYEES, COMMUNITY COLLEGE EMPLOYEES, AND STATE EMPLOYEES IN JOB-SHARING AND PART-TIME POSITIONS.

**H.B. 1518**, AN ACT TO INCREASE THE INFORMAL BID LIMIT FOR DEPARTMENT OF TRANSPORTATION PROJECTS, TO MODIFY THE CURRENT AUTHORIZATION OF THE DEPARTMENT OF TRANSPORTATION TO AWARD DESIGN-BUILD CONTRACTS, AND CONCERNING CONTRACT REQUIREMENTS FOR IRON USED IN DOT PROJECTS.

**H.B. 1537**, AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS TO: (1) EXTEND THE PILOT PROGRAM FOR INSPECTION OF ANIMAL WASTE MANAGEMENT SYSTEMS AND TO AMEND THE REPORTING REQUIREMENT FOR THE PILOT PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION; (2) PROVIDE THAT MEMBERS OF THE SOIL AND WATER CONSERVATION COMMISSION MAY HOLD CONCURRENT OFFICES CONSISTENT WITH THE PROVISIONS OF THE CONSTITUTION OF NORTH CAROLINA; (3) AUTHORIZE THE SOIL AND WATER CONSERVATION COMMISSION TO APPROVE GRANTS FOR SMALL WATERSHED PROJECTS RELATED TO DAM REHABILITATION AND IMPROVEMENT; (4) PROVIDE THAT MEMBERS OF THE ENVIRONMENTAL REVIEW COMMISSION WHO ARE NOT RE-ELECTED TO THE GENERAL ASSEMBLY MAY COMPLETE THEIR TERM OF SERVICE ON THE COMMISSION; (5) PROVIDE THAT THE EASTERN BAND OF CHEROKEE INDIANS IN NORTH CAROLINA MAY RECEIVE FUNDS FROM THE CLEAN WATER REVOLVING LOAN AND GRANT FUND; (6) AUTHORIZE THE STATE INFRASTRUCTURE COUNCIL TO MEET IN THE LEGISLATIVE BUILDING AND LEGISLATIVE OFFICE BUILDING IN CERTAIN CIRCUMSTANCES; AND (7) AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRANSFER FUNDS FROM

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THE GENERAL WATER SUPPLY REVOLVING LOAN AND GRANT ACCOUNT TO THE EMERGENCY WATER SUPPLY REVOLVING LOAN ACCOUNT IN ORDER TO ASSIST WATER SUPPLY SYSTEMS EXPERIENCING A DROUGHT EMERGENCY.

**H.B. 1402**, AN ACT TO ESTABLISH AN ADDRESS CONFIDENTIALITY PROGRAM FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL OFFENSE, AND STALKING.

**H.B. 1638**, AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE CRIMINAL RECORD CHECKS TO THE ALE DIVISION WHEN INVESTIGATING ABC PERMIT APPLICANTS, LOCAL LAW-ENFORCEMENT AGENCIES ISSUING PRECIOUS METAL DEALER PERMITS, THE PRIVATE PROTECTIVE SERVICES BOARD, THE ALARM SYSTEMS LICENSING BOARD, THE BOARD OF LAW EXAMINERS, THE MEDICAL BOARD, THE STATE BOARD OF DENTAL EXAMINERS, THE BOARD OF PHARMACY, THE BOARD OF MORTUARY SCIENCE, THE REAL ESTATE COMMISSION, THE COMMISSIONER OF LABOR WHEN INVESTIGATING PRIVATE PERSONNEL SERVICE LICENSE APPLICANTS, THE STRUCTURAL PEST CONTROL COMMITTEE, AND CITIES WHEN INVESTIGATING TAXI LICENSE APPLICANTS AND TO CHARGE A FEE FOR CONDUCTING THE CHECKS, AND TO CONFORM SEX OFFENDER LAWS TO FEDERAL REQUIREMENTS.

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

**S.B. 1219**, AN ACT TO MAKE CHANGES TO THE GASTONIA POLICEMEN'S SUPPLEMENTARY PENSION FUND.

**S.B. 1326**, AN ACT TO AMEND THE CHARTER OF THE CITY OF LEXINGTON TO IMPOSE TERM LIMITS ON THE MEMBERS OF THE CITY'S UTILITIES COMMISSION.

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

The following report from standing committee is presented:

By Representatives Allen and Buchanan, Chairs, for the Committee on Finance:

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**S.B. 1136** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE ACREAGE LIMITATION ON SATELLITE ANNEXATIONS FOR THE VILLAGE OF MARVIN, AND TO MAKE A SATELLITE ANNEXATION TO THE TOWN OF BRUNSWICK, 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 Representative Ellis:

**H.R. 1813**, A HOUSE RESOLUTION CALLING ON THE SPEAKER TO ALLOW FLOOR DEBATE AND ACTION ON SENATE BILL 1008, BAN VIDEO POKER, is referred to the Committee on Rules, Calendar, and Operations of the House.

#### **SPECIAL MESSAGES FROM THE SENATE**

The following Special Messages are received from the Senate:

**S.B. 1217** (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; TO RESTORE THE DEFINITION OF FAMILY CARE HOME TO ITS ORIGINAL LANGUAGE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Senate Committee Substitute for **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 returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of October 3.

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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. 1283** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO MAKE VARIOUS CHANGES TO THE APPOINTMENTS TO BOARDS AND COMMISSIONS, 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:

**S.B. 832** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CONTRACT FINANCING AND SURETY BONDS FOR SMALL BUSINESSES THAT CONTRACT WITH GOVERNMENTAL AGENCIES, is moved up on today's Calendar.

The bill passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Those voting in the affirmative are: Representatives Allen, Arnold, Baddour, Baker, Barbee, Barnhart, Bell, Blust, Bowie, Boyd-McIntyre, 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, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hill, Holliman, Holmes, Howard, Hunter, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Sexton, Sherrill, Shubert, Starnes, Teague, Thompson, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 98.

Voting in the negative: None.

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Excused absences: Representatives Adams, Alexander, Barefoot, Blue, Bonner, Goodwin, Hiatt, Hilton, Luebke, Miner, Pope, Smith, Sutton, Wainwright, and Wright - 15.

**S.B. 887** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR INDIVIDUALS NOMINATED AS MAGISTRATES, TO PROVIDE ADDITIONAL AUTHORITY FOR MAGISTRATES AND CLERKS OF COURT, AND TO PROVIDE FOR THE EXPUNCTION OF RECORDS WHEN CHARGES ARE VOLUNTARILY DISMISSED AS A RESULT OF MISIDENTIFICATION, is moved up on today's Calendar.

On motion of Representative Hensley, the bill is temporarily displaced.

### CONFERENCE REPORT

The material Conference Report for Senate Committee Substitute for **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, which changes the title, is adopted on its third roll call reading, by the following vote, and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

Those voting in the affirmative are: Representatives Allen, Allred, Arnold, Baddour, Baker, Barbee, Barnhart, Bell, Blust, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, 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, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Sexton, Sherrill, Shubert, Starnes, Teague, Thompson, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 99.

Voting in the negative: Representatives Davis and Justus - 2.

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Excused absences: Representatives Adams, Alexander, Barefoot, Blue, Bonner, Brubaker, Goodwin, Hiatt, Hilton, Luebke, Miner, Pope, Smith, Sutton, Wainwright, and Wright - 16.

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled and presented to the Governor.

### CONFERENCE REPORT

Representative Edwards moves the adoption of the following Conference Report.

#### Senate Committee Substitute for H.B. 1508

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 1508, A BILL TO BE ENTITLED AN ACT TO PROMOTE READINESS FOR AND TO IMPROVE MANAGEMENT OF A PUBLIC HEALTH THREAT THAT MAY RESULT FROM A TERRORIST INCIDENT USING NUCLEAR, BIOLOGICAL, OR CHEMICAL AGENTS AND TO AMEND THE NORTH CAROLINA MEDICAL CARE COMMISSION'S RULE-MAKING AUTHORITY REGARDING STANDARDS AND CRITERIA FOR THE EDUCATION AND CREDENTIALING OF PERSONS TO ADMINISTER TREATMENT FOR ANAPHYLAXIS, AND TO PROVIDE THAT MEDICAL REVIEW CONFIDENTIALITY APPLIES TO AMBULATORY SURGICAL CENTERS, AND TO AMEND THE NORTH CAROLINA HAZARDOUS MATERIALS EMERGENCY ACT TO PROVIDE FOR REGIONAL RESPONSES TO TERRORIST INCIDENTS, Senate Judiciary II Committee Substitute Adopted 8/27/02, Sixth Edition Engrossed 8/28/02, submit the following report:

The House and Senate agree to the following amendments to the Senate Judiciary II Committee Substitute Adopted 8/27/02, Sixth Edition Engrossed 8/28/02, and the House concurs in the Senate Committee Substitute as amended:

On page 4, line 43 through page 5, line 2, by deleting those lines and substituting the following:

"data, the State Health Director shall remove from the entire data set the following direct identifiers of patients or of relatives, employers, or household members of patients: names; postal address information, other than town

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or city, state, and the first five digits of the zip code; geocode information; telephone numbers; fax numbers; electronic mail addresses; social security numbers; medical record numbers; health plan beneficiary numbers; account numbers; certificate or license numbers; vehicle identifiers and serial numbers, including license plate numbers; device identifiers and serial numbers; web universal resource locators (URLs); internet protocol (IP) address numbers; biometric identifiers, including finger and voice prints; and full face photographic images and any comparable images.";

And on page 8, lines 7 through 13, by rewriting those lines to read:

"~~the~~ ~~The~~ Department or the local health department shall have a lien on the property of the owner, lessee, operator, or other person in control of the property where the imminent hazard existed for the cost of the abatement of the imminent hazard in the nature of a mechanic's and materialmen's lien as provided in Chapter 44A and the lien may be enforced as provided therein. hazard. The lien may be enforced in accordance with procedures provided in Chapter 44A of the General Statutes. The lien may be defeated by a showing that an imminent hazard did not exist at the time the Secretary or the local health director took the action. The owner lessee, operator, or any other person against whose property the lien has been filed may defeat the lien by showing that that person was not culpable in the creation of the imminent hazard."

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

Date conferees approved report: September 30, 2002.

*Conferees for the  
Senate*

S/ William R. Purcell  
S/ Allen H. Wellons  
S/ Kay R. Hagan  
S/ Charlie S. Dannelly  
S/ James Forrester  
S/ William Martin

*Conferees for the  
House of Representatives*

S/ Zeno L. Edwards, Jr.  
S/ Phillip A. Baddour, Jr.

The Conference Report, which changes the title, is adopted by electronic vote (101-0) and the Senate is so notified by Special Message.

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**CALENDAR (continued)**

**H.B. 1623**, A BILL TO BE ENTITLED AN ACT TO CLASSIFY BRUNSWICK COUNTY AS A HIGH HAZARD COUNTY WITH RESPECT TO THE REGULATION OF OPEN FIRES.

On motion of Representative Redwine, the House concurs in the Senate amendment, by electronic vote (101-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 1105**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO INSURANCE LAWS.

On motion of Representative Hurley, the House concurs in the material Senate committee substitute bill, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Allen, Arnold, Baddour, Baker, Barbee, Bell, Blust, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gillespie, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jeffus, Johnson, Justus, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Sexton, Sherrill, Shubert, Starnes, Teague, Thompson, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 97.

Voting in the negative: Representatives Allred, Barnhart, and Davis - 3.

Excused absences: Representatives Adams, Alexander, Barefoot, Blue, Bonner, Brubaker, Goodwin, Hiatt, Hilton, Luebke, Miner, Pope, Smith, Sutton, Wainwright, and Wright - 16.

**H.B. 1313** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE INTERPRETER AND TRANSLITERATOR LICENSURE ACT FOR PERSONS WHO ARE DEAF OR HARD-OF-HEARING AND TO MAKE CONFORMING CHANGES TO CHAPTER 8B AND CHAPTER 143B.

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On motion of Representative Baddour, the House concurs in the material Senate committee substitute bill, on its second roll call reading, by the following vote.

Those voting in the affirmative are: Representatives Allen, Arnold, Baddour, Baker, Barbee, Barnhart, Bell, Blust, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, 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, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Sexton, Sherrill, Shubert, Starnes, Teague, Thompson, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 100.

Voting in the negative: Representatives Allred and Davis - 2.

Excused absences: Representatives Adams, Alexander, Barefoot, Blue, Bonner, Brubaker, Goodwin, Hiatt, Hilton, Luebke, Miner, Pope, Smith, Sutton, Wainwright, and Wright - 16.

Without objection, the House concurs in the material Senate committee substitute bill on its third roll call reading, by the following vote, and the bill is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Allen, Arnold, Baddour, Baker, Barbee, Barnhart, Bell, Blust, Bowie, Boyd-McIntyre, Buchanan, 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, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Sexton, Sherrill, Shubert, Starnes, Teague, Thompson, Tolson, Tucker, Underhill, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 97.

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Voting in the negative: Representatives Allred, Capps, and Davis - 3.

Excused absences: Representatives Adams, Alexander, Barefoot, Blue, Bonner, Brubaker, Goodwin, Hiatt, Hilton, Luebke, Miner, Pope, Smith, Sutton, Wainwright, Walend, and Wright - 17.

Representative Carpenter states that her voting equipment malfunctioned and she requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (98-3).

Senate Committee Substitute No. 2 for **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.

Representative Cole moves that the House concur in Senate Committee Substitute Bill No. 2.

On motion of the Chair, the bill is temporarily displaced.

**H.B. 1568** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Representative Mitchell offers Amendment No. 1 which is adopted by electronic vote (95-0).

Representative Hackney offers Amendment No. 2 which is adopted by electronic vote (96-1).

Representative Gillespie states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (97-0).

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 Allen, Arnold, Baddour, Baker, Barbee, Bell, Bowie, Boyd-McIntyre, Buchanan, Church, Clary, Coates, Cole, Cox, J. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards,

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Ellis, Esposito, Fox, Gibson, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hill, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Lucas, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Preston, Rayfield, Rogers, Russell, Shubert, Starnes, Tolson, Tucker, Underhill, Walend, Warner, Warwick, Weatherly, Weiss, G. Wilson, Womble, and Yongue - 77.

Voting in the negative: Representatives Allred, Barnhart, Blust, Capps, Carpenter, M. Crawford, Gillespie, Johnson, Justus, Kiser, Nesbitt, Setzer, Sexton, Sherrill, Teague, Thompson, Walker, West, and C. Wilson - 19.

Excused absences: Representatives Adams, Alexander, Barefoot, Blue, Bonner, Brubaker, Goodwin, Hiatt, Hilton, Luebke, Miner, Pope, Smith, Sutton, Wainwright, and Wright - 16.

Senate Committee Substitute for **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, which was temporarily displaced, is before the Body.

The House concurs in Senate Committee Substitute Bill No. 2, which changes the title, by electronic vote (101-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 760**, A BILL TO BE ENTITLED AN ACT TO REQUIRE CANCER INSURANCE POLICIES TO OFFER A WELLNESS BENEFIT RIDER.

Representative Dockham moves that the House concur in the Senate committee substitute bill.

On motion of the Chair, the bill is temporarily displaced.

**H.B. 1726** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

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On motion of Representative Allen, the House concurs in the Senate amendment, by electronic vote (95-2), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 760**, A BILL TO BE ENTITLED AN ACT TO REQUIRE CANCER INSURANCE POLICIES TO OFFER A WELLNESS BENEFIT RIDER, which was temporarily displaced, is before the Body.

The House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (79-19), and the bill is ordered enrolled and presented to the Governor.

On motion of the Chair, the House recesses at 11:26 a.m.

### RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**H.B. 348**, AN ACT TO IMPROVE COMPLIANCE WITH THE TOBACCO ESCROW STATUTE.

**H.B. 760**, AN ACT TO CLARIFY THE MOTOR VEHICLE REINSURANCE FACILITY AND BEACH AND FAIR PLAN LAWS; AMEND LAWS REGARDING DEPARTMENT OF INSURANCE OVERSIGHT OF INSURANCE COMPANY SOLVENCY; AMEND THE MANAGED CARE EXTERNAL REVIEW LAW TO PROVIDE FOR CLARITY IN MAILING NOTICES, THE SAME IMMUNITY TO MEDICAL PROFESSIONALS ADVISING THE COMMISSIONER AS PROVIDED TO EXTERNAL REVIEWERS, AND CONFIDENTIALITY OF CREDENTIALING INFORMATION IN THE POSSESSION OF THE COMMISSIONER; EXTEND THE RATE HEARING TIMETABLES FOR HOMEOWNERS' AND WORKERS' COMPENSATION INSURANCE; CLARIFY THE NORTH CAROLINA HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT; EXTEND THE TIME FOR PREMIUM FINANCE COMPANY PREMIUM REFUNDS FOR AUDITED POLICIES; AMEND THE TITLE INSURANCE RESERVE LAWS TO

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ENHANCE INSOLVENCY PROTECTION; AND REDUCE THE NON-FORFEITURE INTEREST RATE FOR INDIVIDUAL ANNUITIES.

**H.B. 1105**, AN ACT TO FUND THE OPERATIONS OF THE DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2002-2003 THROUGH THE INSURANCE REGULATORY FUND BY EXPANDING THE PURPOSES FOR WHICH THE FUND MAY BE USED AND BY CREDITING VARIOUS FEES COLLECTED BY THE DEPARTMENT AND OTHER AGENCIES UNDER THE DEPARTMENT INTO THE FUND FOR FISCAL YEAR 2002-2003, AND TO RESTORE THE 2002-2003 BUDGET REDUCTIONS SUSTAINED BY THE DEPARTMENT OF INSURANCE.

**H.B. 1313**, AN ACT TO ESTABLISH THE INTERPRETER AND TRANSLITERATOR LICENSURE ACT FOR PERSONS WHO ARE DEAF OR HARD-OF-HEARING AND TO MAKE CONFORMING CHANGES TO CHAPTER 8B AND CHAPTER 143B.

**H.B. 1726**, 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.

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

**H.B. 1623**, AN ACT TO CLASSIFY BRUNSWICK COUNTY AS A HIGH HAZARD COUNTY WITH RESPECT TO THE REGULATION OF OPEN FIRES.

#### **CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 1268**, AN ACT TO ALLOW THE CITY OF MONROE TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES, TO ALLOW THE TOWN OF NORWOOD TO COLLECT UTILITY BILLS AS IF THEY WERE TAXES DUE IT, AND TO ANNEX NONCONTIGUOUS TERRITORY TO THE TOWN OF MOUNT GILEAD. (S.L. 2002-127)

**H.B. 1502**, AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE SANDERS FOREST

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AND BENT TREE PLANTATION COMMUNITIES IN BRUNSWICK COUNTY. (S.L. 2002-128)

**H.B. 1668**, AN ACT TO MODIFY THE SOUTHPORT OCCUPANCY TAX AND TO CLARIFY THAT THE REGULATION OF MOTOR VEHICLES ON BALD HEAD ISLAND INCLUDES THE ABILITY TO CHARGE FEES FOR THEIR USE ON THE ISLAND. (S.L. 2002-129)

**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. 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, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the 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.J.R. 1303**, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF JOSEPH A. SMITH, JR. AS COMMISSIONER OF BANKS, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of October 3.

**S.J.R. 1476**, A JOINT RESOLUTION HONORING THE MEMORY OF J.W. MARSH ON THE OCCASION OF THE TOWN OF MARSHVILLE'S ONE HUNDRED TWENTY-FIFTH ANNIVERSARY, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of October 3.

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By Representatives Allen and Buchanan, Chairs, for the Committee on Finance:

**S.B. 1455** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAWS TO PREVENT SECURITIES FRAUD, TO PROHIBIT THE STATE FROM CONTRACTING WITH BUSINESSES THAT HAVE ANY OFFICERS OR DIRECTORS WHO HAVE BEEN CONVICTED OF SECURITIES FRAUD, AND TO PROHIBIT THE STATE FROM CONTRACTING WITH VENDORS THAT ARE INCORPORATED IN A TAX HAVEN COUNTRY BUT THE UNITED STATES IS THE PRINCIPAL MARKET FOR THE PUBLIC TRADING OF THEIR CORPORATION'S STOCK, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to Senate Committee Substitute Bill No. 3 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. Senate Committee Substitute Bill No. 3 is placed on the Unfavorable Calendar.

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

##### **2001 GENERAL ASSEMBLY SECOND SESSION 2002**

Senate Chamber  
October 2, 2002

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. 1508** (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROMOTE READINESS FOR AND TO IMPROVE MANAGEMENT OF A PUBLIC HEALTH THREAT THAT MAY RESULT FROM A TERRORIST INCIDENT USING NUCLEAR, BIOLOGICAL, OR CHEMICAL AGENTS AND TO AMEND THE NORTH CAROLINA MEDICAL CARE COMMISSION'S RULE-MAKING AUTHORITY REGARDING STANDARDS AND CRITERIA FOR THE EDUCATION AND CREDENTIALING OF PERSONS TO ADMINISTER TREATMENT FOR ANAPHYLAXIS, AND TO PROVIDE THAT MEDICAL REVIEW CONFIDENTIALITY APPLIES TO AMBULATORY SURGICAL CENTERS, AND TO AMEND THE NORTH CAROLINA HAZARDOUS MATERIALS EMERGENCY

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**ACT TO PROVIDE FOR REGIONAL RESPONSES TO TERRORIST INCIDENTS.**

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.

**SPECIAL MESSAGES FROM THE SENATE**

The following Special Messages are received from the Senate:

Senate Committee Substitute for **H.B. 1516** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING PLANNING BY THE DEPARTMENT OF TRANSPORTATION, is returned for concurrence in the 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. 1611** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN TRANSYLVANIA COUNTY AND TO REQUIRE PERMISSION BEFORE HUNTING ON THE LAND OF ANOTHER IN TRANSYLVANIA COUNTY, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute bill changes the title.

**H.B. 1651** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING IN PITT COUNTY, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of October 3.

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**CONFERENCE REPORT**

Representative Michaux sends forth the Conference Report on **S.B. 866** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE PERSONS WITH DISABILITIES PROTECTION ACT AND TO REQUIRE THE JOINT SELECT COMMITTEE ON INFORMATION TECHNOLOGY TO STUDY AND MAKE RECOMMENDATIONS REGARDING THE ACCESSIBILITY OF SERVICES PROVIDED VIA INFORMATION TECHNOLOGY. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of October 3.

**SPECIAL MESSAGE FROM THE SENATE****2001 GENERAL ASSEMBLY  
SECOND SESSION 2002**

Senate Chamber  
October 2, 2002

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. 866** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE PERSONS WITH DISABILITIES PROTECTION ACT, 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*

**RE-REFERRALS**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 1281** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO CLARIFY TORT CLAIM AND DUTY TO DEFEND EMPLOYEES LIABILITY OF OCCUPATIONAL LICENSING BOARDS; TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING THE REAL ESTATE COMMISSION; TO AUTHORIZE THE BOARD OF LANDSCAPE ARCHITECTS TO RETAIN PRIVATE

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COUNSEL; AND TO REQUIRE PROFESSIONAL EMPLOYER ORGANIZATIONS TO REGISTER WITH THE DEPARTMENT OF INSURANCE, 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, **S.B. 1217** (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; TO RESTORE THE DEFINITION OF FAMILY CARE HOME TO ITS ORIGINAL LANGUAGE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Appropriations.

#### **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. 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, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of October 3. The original bill is placed on the Unfavorable 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 as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

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Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of October 3. The original bill is placed on the Unfavorable Calendar.

On motion of the Chair, the House recesses at 5:20 p.m., subject to receipt of committee reports.

### RECESS

#### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

By Representative Wright, Chair, for the Committee on Health:

The following bills are reported with an indefinite postponement report and placed on the Unfavorable Calendar.

**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;

**H.B. 1259**, A BILL TO BE ENTITLED AN ACT TO DEFINE PUBLIC HEALTH REQUIREMENTS FOR ABORTION CLINICS;

**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; and

**H.B. 1335**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CERTIFICATE OF NEED LICENSING PROCESS.

By Representative Dedmon, Chair, for the Committee on Local Government I:

The following bills are reported with an indefinite postponement report and placed on the Unfavorable Calendar.

**H.B. 225**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE MOREHEAD CITY FIREMEN'S SUPPLEMENTAL RETIREMENT FUND;

**H.B. 595**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 84TH HOUSE DISTRICT;

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**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;

**H.B. 872**, A BILL TO BE ENTITLED AN ACT AUTHORIZING DURHAM COUNTY TO ESTABLISH AN INCLUSIONARY HOUSING PROGRAM;

**H.B. 873**, A BILL TO BE ENTITLED AN ACT REPEALING OBSOLETE OR REDUNDANT SECTIONS OF THE CHARTER OF THE CITY OF DURHAM;

**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;

**H.B. 1485**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO REDUCE PROPERTY TAXES AFTER JULY 1 AND BEFORE JANUARY 1 IF THEY RECEIVE UNANTICIPATED REVENUES;

**H.B. 1496**, A BILL TO BE ENTITLED AN ACT TO ALLOW EMERALD ISLE 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. 1500**, A BILL TO BE ENTITLED AN ACT AMENDING THE LOCAL GOVERNMENT PURCHASING LAWS UNDER THE LAWS RELATING TO PUBLIC CONTRACTS FOR CITIES AND TOWNS;

**H.B. 1652**, A BILL TO BE ENTITLED AN ACT TO REDUCE THE REQUIRED STORAGE PERIOD FOR UNCLAIMED PROPERTY HELD BY LAW ENFORCEMENT IN MECKLENBURG COUNTY;

**H.B. 1655**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CLEVELAND COUNTY SANITARY BOARD TO SET COMPENSATION FOR ITS MEMBERS;

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**H.B. 1730**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF GREENSBORO TO ENGAGE IN CONDITIONAL ZONING; and

**H.B. 1733**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO EXPEND FUNDS ON ROADS OUTSIDE THE CORPORATE LIMITS.

The House reconvenes pursuant to recess, and is called to order by the Speaker.

On motion of the Chair, the House recesses at 6:22 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 committees are presented:

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

Senate Committee Substitute for **H.B. 1307**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CONVERSION OF EXISTING RESIDENTIAL DEVELOPMENTS TO PLANNED COMMUNITIES, reported without prejudice.

Pursuant to Rule 36(b), the bill is placed on the Calendar of October 3.

Senate Committee Substitute for **H.B. 1187** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURE OF THE SPONSOR OR INITIATOR OF A PERSUASIVE POLL, reported without prejudice.

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

### CALENDAR (continued)

Senate Committee Substitute No. 2 for **H.B. 1100**, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF COUNTERFEITING NEGOTIABLE INSTRUMENTS.

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On motion of Representative Baddour, the House concurs in Senate Committee Substitute Bill No. 2, which changes the title, by electronic vote (80-0), and the bill is ordered enrolled and presented to the Governor.

**S.B. 46** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MONROE TO LEVY A PREPARED FOOD TAX.

The bill fails to pass its second roll call reading, by the following vote, and is placed on the Unfavorable Calendar.

Those voting in the affirmative are: Representatives Allen, Baddour, Bell, Boyd-McIntyre, Buchanan, Cox, J. Crawford, Culpepper, Cunningham, Dedmon, Fox, Gibson, Hackney, Haire, Hall, Holliman, Hurley, Lucas, Miller, Morris, Oldham, Owens, Redwine, Tolson, Willingham, and Womble - 26.

Voting in the negative: Representatives Baker, Barbee, Barnhart, Blust, Bowie, Capps, Carpenter, Clary, M. Crawford, Creech, Culp, Daughtry, Davis, Decker, Dockham, Eddins, Ellis, Esposito, Gillespie, Grady, Gray, Gulley, Hensley, Hill, Howard, Hunter, Johnson, Justus, Kiser, McComas, McCombs, McMahan, Michaux, Mitchell, Morgan, Nesbitt, Preston, Rayfield, Russell, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Teague, Thompson, Walend, Walker, Weatherly, West, C. Wilson, and G. Wilson - 53.

Excused absences: Representatives Adams, Alexander, Arnold, Barefoot, Blue, Bonner, Brubaker, Goodwin, Hiatt, Hilton, Luebke, Miner, Nye, Pope, Sutton, Tucker, Wainwright, Warwick, Wright, and Yongue - 20.

Representative Morris requests and is granted permission to change her vote from "aye" to "no". The adjusted vote total is (25-54).

#### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and Senate Committee Substitute for **H.B. 1187** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURE OF THE SPONSOR OR INITIATOR OF A PERSUASIVE POLL, is placed on today's Calendar for immediate consideration.

On motion of Representative Culpepper, the House concurs in the material Senate committee substitute bill on its second roll call reading by the following vote.

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Those voting in the affirmative are: Representatives Allen, Baddour, Barbee, Barnhart, Bell, Blust, Bowie, Boyd-McIntyre, Buchanan, Carpenter, Church, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Daughtry, Dedmon, Dockham, Edwards, Ellis, Esposito, Fox, Gibson, Grady, Gray, Hackney, Haire, Hall, Hensley, Hill, Holliman, Hunter, Hurley, Jarrell, Johnson, Kiser, Lucas, McComas, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Oldham, Owens, Preston, Redwine, Rogers, Russell, Sexton, Sherrill, Smith, Teague, Thompson, Tolson, Walend, Walker, Warren, Weatherly, Weiss, West, Willingham, G. Wilson, and Womble - 69.

Voting in the negative: Representatives Baker, Capps, Clary, Davis, Decker, Eddins, Gillespie, Gulley, Justus, McCombs, Rayfield, Setzer, Shubert, Starnes, and C. Wilson - 15.

Excused absences: Representatives Adams, Alexander, Arnold, Barefoot, Blue, Bonner, Brubaker, Goodwin, Hiatt, Hilton, Luebke, Miner, Nye, Pope, Sutton, Tucker, Wainwright, Warwick, Wright, and Yongue - 20.

Without objection, the House concurs in the material Senate committee substitute bill, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled and presented to the Governor by Special Message.

Those voting in the affirmative are: Representatives Allen, Baddour, Barbee, Barnhart, Bell, Blust, Bowie, Boyd-McIntyre, Buchanan, Carpenter, Church, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Daughtry, Dedmon, Dockham, Edwards, Ellis, Esposito, Fox, Gibson, Gray, Hackney, Haire, Hall, Hensley, Hill, Holliman, Hunter, Hurley, Jarrell, Johnson, Kiser, Lucas, McComas, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Sexton, Sherrill, Smith, Teague, Tolson, Walend, Walker, Warren, Weatherly, Weiss, West, Willingham, G. Wilson, and Womble - 69.

Voting in the negative: Representatives Baker, Capps, Clary, Davis, Decker, Eddins, Gillespie, Grady, Gulley, Howard, Justus, McCombs, Setzer, Shubert, Starnes, Thompson, and C. Wilson - 17.

Excused absences: Representatives Alexander, Arnold, Barefoot, Blue, Bonner, Brubaker, Goodwin, Hiatt, Hilton, Luebke, Miner, Nye, Pope, Sutton, Tucker, Wainwright, Warwick, Wright, and Yongue - 19.

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Representative Adams requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (70-17).

#### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and Senate Committee Substitute for **H.B. 1516** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING PLANNING BY THE DEPARTMENT OF TRANSPORTATION, is placed on today's Calendar for immediate consideration.

On motion of Representative J. Crawford, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (82-8), and the bill is ordered enrolled and presented to the Governor.

Representative Baddour requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (83-8).

#### **BILL PLACED ON CALENDAR**

Representative Culpepper, gives notice, pursuant to Rule 36(b), and **S.B. 1136** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE ACREAGE LIMITATION ON SATELLITE ANNEXATIONS FOR THE VILLAGE OF MARVIN, AND TO MAKE A SATELLITE ANNEXATION TO THE TOWN OF BRUNSWICK, is placed on today's Calendar for immediate consideration.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allen, Baddour, Baker, Barbee, Barnhart, Bell, Blust, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Grady, Gray, Gulley, Hackney, Haire, Hall, Hensley, Hill, Holliman, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Teague, Thompson, Tolson, Underhill, Walend, Walker, Warren, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, and Womble - 94.

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Voting in the negative: None.

Excused absences: Representatives Alexander, Arnold, Barefoot, Blue, Bonner, Brubaker, Goodwin, Hiatt, Hilton, Luebke, Miner, Nye, Pope, Sutton, Tucker, Wainwright, Warwick, Wright, and Yongue - 19.

#### **CALENDAR (continued)**

**S.B. 887** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR INDIVIDUALS NOMINATED AS MAGISTRATES, TO PROVIDE ADDITIONAL AUTHORITY FOR MAGISTRATES AND CLERKS OF COURT, AND TO PROVIDE FOR THE EXPUNCTION OF RECORDS WHEN CHARGES ARE VOLUNTARILY DISMISSED AS A RESULT OF MISIDENTIFICATION, which was temporarily displaced, is before the Body.

Representative Hensley moves that Rule 31(d) be suspended in order that he might offer an amendment that would change the title. The motion to suspend the rules fails of a two-thirds majority by electronic vote (56-38).

Representative Hensley moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

On motion of Representative Culpepper, seconded by Representative Miller, the House adjourns at 9:00 p.m. to reconvene October 3 at 11:00 a.m.

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## **TWO HUNDRED FIFTY-FIFTH DAY**

HOUSE OF REPRESENTATIVES  
Thursday, October 3, 2002

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 Jim Harry, House Chaplain:

"Merciful God:

"Among this Body are persons of enormous talent, dignity, and service. At the end of this session, many of these gifted people will leave this

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Chamber for the last time and return to their homes to attend to new adventures in their lives. We offer You thanks for their collective witness as State Representatives and to the passions and respective platforms that have made us aware of people and problems we may not have readily seen prior to their uplifted voices. Almighty God, we pray for the lives of these and all people everywhere who feel the calling to speak on behalf of those whose voices might not otherwise be heard. Remind us of our duty to 'do unto others as we would do for ourselves', but more importantly, to serve others selflessly with no regard for personal reward or accolades. The best servants are not those who tout their accomplishments, but those who serve others with the simple gifts of kindness, mercy, and charity. We thank You for those servants amongst us. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of October 2 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Alexander, Barefoot, Brubaker, Dedmon, Goodwin, Hiatt, Hilton, Pope, Wainwright, and Wright for today. Representatives Adams, Blue, Bowie, Grady, Gray, Haire, McAllister, Russell, Starnes, 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. 832**, AN ACT TO PROVIDE FOR CONTRACT FINANCING AND SURETY BONDS FOR SMALL BUSINESSES THAT CONTRACT WITH GOVERNMENTAL AGENCIES.

**H.B. 623**, AN ACT TO PROMOTE ENERGY EFFICIENCY IN STATE-OWNED BUILDINGS.

**H.B. 1100**, AN ACT TO PROVIDE CONSUMERS AND FINANCIAL INSTITUTIONS GREATER PROTECTION FROM FRAUDULENT FINANCIAL TRANSACTIONS.

**H.B. 1187**, AN ACT TO CLARIFY THE COURT FEES FOR LEGAL SERVICES AND TO MAKE VARIOUS COURT FEES UNIFORM.

**H.B. 1508**, AN ACT TO PROMOTE READINESS FOR AND TO IMPROVE MANAGEMENT OF A PUBLIC HEALTH THREAT THAT

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MAY RESULT FROM A TERRORIST INCIDENT USING NUCLEAR, BIOLOGICAL, OR CHEMICAL AGENTS AND TO AMEND THE NORTH CAROLINA MEDICAL CARE COMMISSION'S RULE-MAKING AUTHORITY REGARDING STANDARDS AND CRITERIA FOR THE EDUCATION AND CREDENTIALING OF PERSONS TO ADMINISTER TREATMENT FOR ANAPHYLAXIS, AND TO PROVIDE THAT MEDICAL REVIEW CONFIDENTIALITY APPLIES TO AMBULATORY SURGICAL CENTERS, AND TO AMEND THE NORTH CAROLINA HAZARDOUS MATERIALS EMERGENCY ACT TO PROVIDE FOR REGIONAL RESPONSES TO TERRORIST INCIDENTS.

**H.B. 1516**, AN ACT TO AMEND THE LAW GOVERNING PLANNING BY THE DEPARTMENT OF TRANSPORTATION, AND TO REQUIRE THE BOARD OF TRANSPORTATION TO REDESIGNATE NC 136 IN IREDELL AND CABARRUS COUNTIES AS NC 3 TO HONOR DALE EARNHARDT.

**H.B. 1641**, AN ACT TO ADOPT THE PROVISIONS OF THE REVISED INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS AND TO PROVIDE FOR NORTH CAROLINA TO PARTICIPATE IN THE INTERNATIONAL PRISONER TRANSFER PROGRAM ADMINISTERED BY THE UNITED STATES DEPARTMENT OF JUSTICE.

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

The following reports from standing committees are presented:

By Representative Nesbitt, Vice Chair, for the Committee on Election Law and Campaign Finance Reform:

**H.B. 17**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT VOTERS BE ASKED TO PRESENT IDENTIFICATION BEFORE BEING ALLOWED TO VOTE, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

**H.B. 1243**, A BILL TO BE ENTITLED AN ACT TO REQUIRE A VOTER SIGNATURE AT THE POLLS, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

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By Representatives Allen, Buchanan, and Luebke, Chairs, for the Committee on Finance:

**S.B. 1281** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO CLARIFY TORT CLAIM AND DUTY TO DEFEND EMPLOYEES LIABILITY OF OCCUPATIONAL LICENSING BOARDS; TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING THE REAL ESTATE COMMISSION; TO AUTHORIZE THE BOARD OF LANDSCAPE ARCHITECTS TO RETAIN PRIVATE COUNSEL; AND TO REQUIRE PROFESSIONAL EMPLOYER ORGANIZATIONS TO REGISTER WITH THE DEPARTMENT OF INSURANCE, with a favorable report.

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

#### **SPECIAL MESSAGES FROM THE SENATE**

The following Special Messages are received from the Senate:

Senate Committee Substitute for **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, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on today's Calendar.

Upon concurrence, the Senate committee substitute bill changes the title.

Senate Committee Substitute for **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 returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on today's Calendar.

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Upon concurrence, the Senate committee substitute bill changes the title.

Senate Committee Substitute for **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 LAND-FILL HAVING A DISPOSAL AREA OF ONE ACRE OR LESS, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on today's Calendar.

Upon concurrence, the Senate committee substitute bill changes the title.

**H.B. 1640** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO INCLUDE THE TOWN OF DUCK AS A MUNICIPALITY AUTHORIZED TO REGULATE AND CONTROL SWIMMING, PERSONAL WATERCRAFT, SURFING, AND LITTERING IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWN WITHIN ITS BOUNDARIES OR WITHIN ITS EXTRATERRITORIAL JURISDICTION; TO DESIGNATE THE TOWN COUNCIL OF THE TOWN OF DUCK AS THE GOVERNING BODY OF THE DUCK AREA BEAUTIFICATION DISTRICT; TO PERMIT THE TOWN OF MANTEO TO DECREASE THE DISTANCE WITHIN WHICH A VEHICLE MAY PARK FROM THE INTERSECTION OF CURB LINES; TO AMEND THE DEFINITION OF SUBDIVISION AS IT APPLIES IN CHOWAN COUNTY; AND TO ALTER THE COMPOSITION OF THE DARE COUNTY TOURISM BOARD, is returned for concurrence in one Senate amendment.

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

Senate Committee Substitute No. 2 for **H.B. 1734** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO RAISE THE INVESTMENT THRESHOLD FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO ESTABLISH TIERED RATES FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO REQUIRE A TAXPAYER AND ITS RELATED ENTITIES TO SATISFY ANY OUTSTANDING STATE TAX ASSESSMENTS BEFORE RECEIVING A BILL LEE ACT CREDIT; TO MODIFY THE WAGE STANDARD FOR THE CREDIT FOR WORKER TRAINING; TO MODIFY THE WAGE STANDARD FOR ENTERPRISE TIER ONE AND TWO COUNTIES; TO MODIFY THE WAGE STANDARD FOR TAXPAYERS WITH A

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TAX YEAR OTHER THAN A CALENDAR YEAR; TO TREAT CERTAIN PARCELS OF LAND PARTIALLY LOCATED IN A DEVELOPMENT ZONE AS IF THE ENTIRE PARCEL WERE LOCATED WITHIN THE DEVELOPMENT ZONE; TO ENACT A JOB DEVELOPMENT INVESTMENT GRANT PROGRAM TO PROVIDE ECONOMIC STIMULUS, TO CREATE JOBS, AND TO AID IN THE DEVELOPMENT OF BUSINESS AND INDUSTRIAL PROJECTS AND EXPANSIONS IN NORTH CAROLINA; TO MODIFY THE INDUSTRIAL DEVELOPMENT FUND TO ALLOW FOR EXPENDITURES RELATED TO TELECOMMUNICATIONS AND BROADBAND LINES AND EQUIPMENT AND TO ALLOW FOR EXPENDITURES FROM THE UTILITY ACCOUNT IN ENTERPRISE TIER THREE AREAS; AND TO MAKE A TECHNICAL CORRECTION REGARDING THE AUTHORITY OF A LOCAL GOVERNMENT TO LEVY A PROPERTY TAX FOR ECONOMIC DEVELOPMENT, is returned for concurrence in Senate Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar for immediate consideration.

Upon concurrence, the Senate committee substitute bill changes the title.

Pursuant to Rule 24.1A(d), Representative Gibson requests that his excuse from voting be withdrawn.

On motion of Representative Owens, the House does not concur in Senate Committee Substitute Bill No. 2, by electronic vote (55-50), and conferees are requested.

The Senate is so notified by Special Message.

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

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

By Representatives Shubert, Arnold, Barbee, Barnhart, Blust, Bowie, Capps, Carpenter, Clary, M. Crawford, Creech, Culp, Davis, Decker, Dockham, Eddins, Ellis, Esposito, Harrington, Holmes, Johnson, Kiser, McMahan, Mitchell, Morris, Rayfield, Russell, Setzer, Sexton, Starnes, Teague, Walend, Walker, West, C. Wilson, and G. Wilson:

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**H.R. 1814**, A HOUSE RESOLUTION CALLING ON THE SPEAKER TO TAKE IMMEDIATE ACTION TO CORRECT THE VIOLATION OF HOUSE RULES BY UNKNOWN INDIVIDUALS WHO INSERTED A PROVISION CALLING FOR A STUDY OF THE USE OF PORTFOLIOS IN THE TEACHER CERTIFICATION PROCESS IN THE BUDGET CONFERENCE REPORT WHEN BOTH THE HOUSE AND SENATE HAD VOTED TO ELIMINATE THE USE OF PORTFOLIOS FOR CERTIFICATION AND CALLING ON THE SPEAKER TO PUBLICLY DISCLOSE AT THE EARLIEST POSSIBLE DATE THE NAMES OF THE INDIVIDUALS RESPONSIBLE FOR THIS VIOLATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Ellis:

**H.R. 1815**, A HOUSE RESOLUTION CALLING ON THE SPEAKER TO ALLOW FLOOR DEBATE AND ACTION ON SENATE BILL 1008, BAN VIDEO POKER, is referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of the Chair, the House recesses at 11:58 a.m., subject to the receipt of committee reports and the appointment of conferees.

### RECESS

#### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Easterling, Oldham, Redwine, and Thompson, Chairs, for the Committee on Appropriations:

The following bills are reported with an indefinite postponement report and placed on the Unfavorable Calendar.

**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;

**H.B. 22**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE JOHN A. WILKINSON

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HIGH SCHOOL BUILDING FOR USE AS A COMMUNITY CENTER IN THE TOWN OF BELHAVEN;

**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. 27** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND;

**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. 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. 46**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RENOVATION OF THE HISTORIC CAMDEN COUNTY COURTHOUSE;

**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. 54**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE SUPPLEMENTAL FUNDING FOR LOW-WEALTH SCHOOL SYSTEMS;

**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

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FUNDS TO COVER THE REDUCTION IN COUNTY NONFEDERAL PAYMENTS;

**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. 70**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS TO THE SCOTLAND NECK MEMORIAL LIBRARY;

**H.B. 80**, A BILL TO BE ENTITLED AN ACT TO INCREASE BENEFITS FOR MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM;

**H.B. 81**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE DEATH BENEFIT FOR MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM;

**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. 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. 88**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PREVENTION OF BIRTH DEFECTS;

**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

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WITHIN THE STATE AUDITOR'S OFFICE, SO AS TO ENSURE THAT PERSONS RECEIVE QUALITY SERVICES FROM STATE AGENCIES;

**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. 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. 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;

**H.B. 147** (Committee Substitute), 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;

**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. 165**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE KIDS VOTING NORTH CAROLINA PROGRAM;

**H.B. 176**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ADULT WORK ORDER DAY PROGRAM;

**H.B. 192**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH

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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. 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. 199**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF STATE FUNDS FOR JURY CONSULTANTS;

**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. 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. 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. 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. 219**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ENVIRONMENTAL ASSISTANCE FOR FARMERS;

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**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. 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. 239**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE ACTIVITIES OF THE NORTH CAROLINA GEOGRAPHIC ALLIANCE;

**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. 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. 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. 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. 288**, A BILL TO BE ENTITLED AN ACT TO MAKE AN EMERGENCY APPROPRIATION FOR DISTRIBUTION OF FUNDS TO LOCAL GOVERNMENTS;

**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. 292**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A NEW MOTOR FUELS LABORATORY;

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**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. 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. 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. 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. 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;

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**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;

**H.B. 333** (Committee Substitute), 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 SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM; RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT;

**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. 345**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE EMPLOYMENT SECURITY COMMISSION TO EXPEND REED ACT FUNDS;

**H.B. 361** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO DEVELOP AND CONDUCT AN ELECTION ON A TRIBAL CONSTITUTION FOR THE LUMBEE PEOPLE;

**H.B. 365**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE RENNERT VOLUNTEER FIRE DEPARTMENT FOR PAVING NEEDS;

**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. 378**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE JUVENILE CRIME PREVENTION COUNCILS;

**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;

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**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. 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. 397**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES;

**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;

**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;

**H.B. 401** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE BUDGET FLEXIBILITY TO THE COMMUNITY COLLEGES SYSTEM OFFICE;

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**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. 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. 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. 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. 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. 428**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE AID TO PUBLIC LIBRARIES FUND;

**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;

**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;

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**H.B. 444** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA HOUSING TRUST FUND;

**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;

**H.B. 454**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR OSTEOPOROSIS AWARENESS AND EDUCATION ACTIVITIES;

**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. 464**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE EFFORTS FOR THE PREVENTION OF HIV/AIDS;

**H.B. 479**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ZERO-BASED BUDGETING;

**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;

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**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. 512**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RENOVATE THE POPLAR COMMUNITY BUILDING IN MITCHELL COUNTY;

**H.B. 515**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA FOOD BANKS;

**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. 530**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH AN ADDITIONAL SUPERIOR COURT JUDGE IN DISTRICT 24;

**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. 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;

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**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. 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. 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. 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. 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. 610**, A BILL TO BE ENTITLED AN ACT TO COMPENSATE COUNTIES FOR THE COSTS OF STATE RECREATION LANDS;

**H.B. 619**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SALARY SCHEDULE FOR TEACHER ASSISTANTS;

**H.B. 627**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE INTENSIVE HOME VISITING INITIATIVE;

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**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. 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 SERVICE;

**H.B. 659**, A BILL TO BE ENTITLED AN ACT TO PROVIDE STATE FUNDS TO THE PUBLIC SCHOOLS FOR THE COSTS OF SCHOOL UTILITIES;

**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. 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. 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. 692**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ESTABLISHING AND MAINTAINING STATEWIDE ASTHMA MANAGEMENT AND CONTROL ACTIVITIES;

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**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. 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. 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. 724**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY;

**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. 753**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SEXUAL ASSAULT PROGRAMS AND SEXUAL ASSAULT PREVENTION;

**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. 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;

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**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. 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. 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. 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;

**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. 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. 847**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MATCHING FUNDS TO HARNETT COUNTY FOR DEVELOPMENT OF AN INDUSTRIAL SITE;

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**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. 863**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EXCEPTIONAL GROWTH AT SOUTH PIEDMONT COMMUNITY COLLEGE;

**H.B. 901**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR TWO ADDITIONAL FAMILY COURT PILOT PROGRAMS;

**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;

**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. 939**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COMMUNITY MEDIATION CENTERS ACROSS THE STATE;

**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;

**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

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ASSISTANCE PROGRAM TO TWO HUNDRED FIFTY PERCENT OF THE FEDERAL POVERTY LEVEL;

**H.B. 951**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE EASTERN NORTH CAROLINA HERITAGE TOURISM INITIATIVE;

**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. 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. 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. 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. 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. 973**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR INTERPRETER SERVICES IN LOCAL HEALTH

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DEPARTMENTS IN COUNTIES WITH A SUBSTANTIAL NUMBER OF SPANISH- SPEAKING RESIDENTS;

**H.B. 976**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE WOMEN AT RISK PROGRAM;

**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. 987**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE MUSEUM OF LIFE AND SCIENCE FOR CAPITAL EXPANSION;

**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. 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. 999** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE MEMBERSHIP REQUIREMENTS OF THE LEGISLATIVE RETIREMENT SYSTEM AND TO ELIMINATE CERTAIN PROHIBITIONS ON RECEIVING BENEFITS UNDER THAT SYSTEM;

**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;

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**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. 1017** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND;

**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. 1031**, A BILL TO BE ENTITLED AN ACT AMENDING THE WAGE AND HOUR ACT TO RAISE THE STATE MINIMUM WAGE TO A LIVABLE WAGE;

**H.B. 1033**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CHILD CARING INSTITUTIONS;

**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. 1054**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE NORTH CAROLINA MILITARY AFFAIRS COUNCIL;

**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;

**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;

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**H.B. 1081**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FEDERAL AND STATE FUNDING TO REPLACE OUTDATED VOTING EQUIPMENT;

**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. 1103**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CUED SPEECH CENTER;

**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;

**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. 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;

**H.B. 1132**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE UNIFORM FEES PAID FOR JURY SERVICE;

**H.B. 1133**, A BILL TO BE ENTITLED AN ACT TO DELAY CERTAIN GOVERNMENTAL INITIATIVES DUE TO THE STATE BUDGET CRISIS;

**H.B. 1142**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA NATIONAL GUARD TUITION ASSISTANCE PROGRAM;

**H.B. 1145**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE COMPENSATION OF TEACHERS WHO TEACH EXCEPTIONAL CHILDREN;

**H.B. 1148**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF STATE-COUNTY SPECIAL ASSISTANCE FOR ALTERNATIVE LIVING ARRANGEMENTS;

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**H.B. 1150**, A BILL TO BE ENTITLED AN ACT TO ENSURE FAIRNESS IN THE NORTH CAROLINA STATEWIDE TESTING PROGRAM;

**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. 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. 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;

**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;

**H.B. 1213** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ALTERNATIVE FUEL VEHICLE REBATE AND INFRASTRUCTURE GRANT PROGRAM;

**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. 1223**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TEACHER ASSISTANT SALARY SCHEDULE;

**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;

**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;

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**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;

**H.B. 1255** (Committee Substitute), 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;

**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. 1273**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO OBTAIN PROOF OF ADDRESS ON APPLICATIONS;

**H.B. 1288**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA BIOTECHNOLOGY CENTER;

**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;

**H.B. 1331** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SHORTEN THE AMOUNT OF TIME RETIRED TEACHERS MUST BE RETIRED BEFORE RETURNING TO WORK WITHOUT LOSING RETIREMENT BENEFITS;

**H.B. 1337**, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL SUPPORT FOR INITIALLY LICENSED TEACHERS;

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**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. 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. 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. 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. 1357**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA TECHNOLOGICAL DEVELOPMENT AUTHORITY, INC.;

**H.B. 1358**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EARLY INTERVENTION SERVICES AND ACTIVITIES;

**H.B. 1359**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COURTHOUSE CHILD CARE CENTERS;

**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

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CAROLINA ABC COMMISSION COMPLEX TO ITS ORIGINAL DESIGNATION;

**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. 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. 1367**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA PHOTONICS CONSORTIUM;

**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. 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. 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. 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. 1375**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR GENETIC HEALTH CARE SERVICES TO ASSIST IN THE

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PREVENTION OF INFANT MORTALITY AND OTHER DISEASES AND DISABILITIES RELATED TO GENETIC DISORDERS;

**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. 1378**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN ADDITIONAL MAGISTRATE IN CHOWAN COUNTY;

**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. 1382** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA ADVISORY COMMISSION ON MILITARY AFFAIRS;

**H.B. 1386**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE SALARIES OF COMMUNITY COLLEGE FACULTY MEMBERS;

**H.B. 1390** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE PURCHASE OF WITHDRAWAL SERVICE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM;

**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. 1393**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT AND ACQUISITION OF TRAFFIC SIMULATION SOFTWARE;

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**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;

**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. 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. 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. 1401**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF INDIVIDUAL DEVELOPMENT ACCOUNTS;

**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;

**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;

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**H.B. 1406**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A PUBLIC HEALTH IMPROVEMENT DEMONSTRATION PROJECT IN TIER ONE COUNTIES;

**H.B. 1407**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH THE PRESCRIPTION DRUG ACCESS PROGRAM;

**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. 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. 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;

**H.B. 1415**, A BILL TO BE ENTITLED AN ACT TO PLACE SCHOOL COUNSELORS ON THE SAME SALARY SCHEDULE AS SCHOOL PSYCHOLOGISTS;

**H.B. 1418**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CENTRAL CHILDREN'S HOME OF NORTH CAROLINA, INC.;

**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;

Senate Committee Substitute for **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

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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;

**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;

**H.B. 1481**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF THE FORSYTH TECHNICAL COMMUNITY COLLEGE/STOKES COUNTY CENTER;

**H.B. 1529** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE PURCHASE OF WITHDRAWN SERVICE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, TO CORRECT THE CALCULATION OF BENEFITS FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM WHO PURCHASE WITHDRAWN SERVICE, AND TO INCREASE APPROPRIATIONS TO THE RETIREMENT SYSTEMS DIVISION;

**H.B. 1582**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE PUBLIC RADIO STATION AT GASTON COLLEGE;

**H.B. 1588**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND;

**H.B. 1602**, 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;

**H.B. 1610**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO TRANSYLVANIA COUNTY TO CONSTRUCT AND EQUIP A LEARNING AND TECHNOLOGY CENTER;

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**H.B. 1626**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BUSINESS OPERATIONS OF THE HOSIERY TECHNOLOGY CENTER AT CATAWBA VALLEY COMMUNITY COLLEGE;

**H.B. 1628**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A CULTURAL ARTS CENTER IN SCOTLAND NECK;

**H.B. 1660**, A BILL TO BE ENTITLED AN ACT TO REALLOCATE FUNDS REMAINING IN THE HURRICANE FLOYD FUND AT THE END OF THE 2001-2002 FISCAL YEAR TO BE USED TO REPLACE FUNDS WITHHELD FROM LOCAL GOVERNMENTS;

**H.B. 1671**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COMMUNITY ALTERNATIVES PROGRAM FOR DISABLED ADULTS AND TO DIRECT THE NORTH CAROLINA INSTITUTE OF MEDICINE TO CONDUCT A STUDY ON IMPROVING THE COMMUNITY ALTERNATIVES PROGRAM FOR DISABLED ADULTS ADMINISTRATION;

**H.B. 1677**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO SERVE CHILDREN WITH AUTISM IN THE RESIDENTIAL SERVICES, INC., FACILITY;

**H.B. 1681**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE COMMUNITY COLLEGES SYSTEM OFFICE TO ESTABLISH A SCHOLARSHIP PROGRAM FOR PROSPECTIVE TEACHERS AND TO DEVELOP TEACHER PREPARATION COURSES;

**H.B. 1692** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE BOARD OF EDUCATION TO GRANT WAIVERS FOR SCHOOLS THAT ARE UNABLE TO IMPLEMENT THE HIGH-PRIORITY SCHOOL PROGRAM FOR THE 2002-2003 FISCAL YEAR AND TO USE FUNDS SAVED AS A RESULT OF THE WAIVERS TO OFFSET BASE BUDGET REDUCTIONS IN THE STATE PUBLIC SCHOOL FUND;

**H.B. 1696** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE HIGHWAY PATROL TO ASSESS AND COLLECT FEES FOR PROVIDING ESCORTS FOR OVERSIZED AND HAZARDOUS SHIPMENTS ONLY WHEN REQUESTED BY THE SHIPPER OR WHEN REQUIRED BY LAW;

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**H.B. 1699**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO WIDEN HIGHWAY 601 TO FOUR-LANES LIMITED ACCESS FROM THE MONROE CITY LIMITS TO THE SOUTH CAROLINA STATE LINE, AND PENDING THE COMPLETION OF THE WIDENING TO GENERALLY PROVIDE A SPEED LIMIT OF FORTY-FIVE MILES PER HOUR ON THAT SEGMENT OF THE HIGHWAY;

**H.B. 1700**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE WORLD TRADE CENTER NORTH CAROLINA TO ENABLE THE CENTER TO DEVELOP AND SUSTAIN INTERNATIONAL TRADE EDUCATION PROGRAMS, PROVIDE OTHER SUPPORT FOR SMALL AND MEDIUM-SIZED BUSINESSES ACROSS THE STATE AND, IN KEEPING WITH THE MISSION OF THE WORLD TRADE CENTER HEADQUARTERS IN NEW YORK, PROMOTE PEACE AND STABILITY THROUGH TRADE BETWEEN NORTH CAROLINA AND THE WORLD;

**H.B. 1701**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR THE RECRUITMENT OF FILM PRODUCTIONS TO NORTH CAROLINA;

**H.B. 1711**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE STATEWIDE FOLIC ACID CAMPAIGN;

**H.B. 1716**, A BILL TO BE ENTITLED AN ACT TO ALLOW RECEIPTS FROM THE SALE OF SURPLUS PROPERTY TO BE BUDGETED FOR CERTAIN PURPOSES FOR THE UNIVERSITY OF NORTH CAROLINA;

**H.B. 1728**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO CONTINUE OPERATIONS OF THE BUNCOMBE YOUTH DETENTION CENTER UNTIL DIRECTED TO CLOSE THE CENTER BY THE GENERAL ASSEMBLY;

**H.B. 1731**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT CITIES MAY ORDER OWNERS OF RESIDENTIAL PROPERTY TO REPAIR RATHER THAN VACATE HOUSING TO MEET MINIMUM CODE STANDARDS AND TO APPROPRIATE FUNDS FOR THAT PURPOSE;

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**H.B. 1743**, A BILL TO BE ENTITLED AN ACT TO REDIRECT A PORTION OF THE FUNDS ASSIGNED TO THE GOLDEN L.E.A.F., INC., IN THE 2002-2003 FISCAL YEAR TO COMMUNITY COLLEGES;

**H.B. 1748**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2001 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE;

**H.B. 1749**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2001 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE;

**H.B. 1750**, A BILL TO BE ENTITLED AN ACT TO PROVIDE IN-STATE TUITION FOR PROSPECTIVE TEACHERS;

**H.B. 1751** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A TRAVEL AND TOURISM CAPITAL INCENTIVE GRANT PROGRAM;

**H.B. 1752**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AND IMPLEMENT A SENIOR PRESCRIPTION DRUG ACCESS PROGRAM TO REDUCE COSTS AND IMPROVE ACCESS TO PRESCRIPTION DRUGS FOR SENIORS AND LOW-INCOME CITIZENS, AND TO AUTHORIZE THE HEALTH AND WELLNESS TRUST FUND COMMISSION TO EXPEND A LIMITED AMOUNT OF FUNDS FROM THE HEALTH AND WELLNESS TRUST FUND RESERVE FOR THE 2002-2003 FISCAL YEAR FOR THE SENIOR PRESCRIPTION DRUG ACCESS PROGRAM;

**H.B. 1770**, A BILL TO BE ENTITLED AN ACT TO REDUCE THE GENERAL FUND BUDGET OF THE COOPERATIVE EXTENSION SERVICE AT NORTH CAROLINA STATE UNIVERSITY; and

**H.B. 1771**, A BILL TO BE ENTITLED AN ACT TO ADOPT RULES REGARDING THE DUTIES OF SCHOOL COUNSELORS AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.

**S.B. 1455** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GENERAL STATUTES COMMISSION AND OTHER INTERESTED PARTIES TO STUDY THE PROVISIONS OF SENATE BILL 1455, 4TH EDITION, STRENGTHEN SECURITIES FRAUD ENFORCEMENT LAWS, INTRODUCED IN THE 2001 GENERAL

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ASSEMBLY, AND TO MAKE RECOMMENDATIONS TO THE 2003 REGULAR SESSION OF THE 2003 GENERAL ASSEMBLY; TO INCREASE CERTAIN FILING AND RENEWAL FEES WITH THE SECRETARY OF STATE; TO FUND ADDITIONAL SECURITIES INVESTIGATOR POSITIONS; TO PROHIBIT THE STATE FROM CONTRACTING WITH BUSINESSES THAT HAVE ANY OFFICERS OR DIRECTORS WHO HAVE BEEN CONVICTED OF SECURITIES FRAUD; TO PROHIBIT THE STATE FROM CONTRACTING WITH VENDORS THAT ARE INCORPORATED IN A TAX HAVEN COUNTRY BUT THE UNITED STATES IS THE PRINCIPAL MARKET FOR THE PUBLIC TRADING OF THEIR CORPORATION'S STOCK; AND TO CREATE A PENSION ASSURANCE FUND TO PROTECT THE RETIREMENT SAVINGS AND INVESTMENTS OF THE CITIZENS OF NORTH CAROLINA, 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 today's Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Justus and Sutton, Chairs, for the Committee on Legislative Redistricting:

The following bills are reported with an indefinite postponement report, and placed on the Unfavorable Calendar:

**H.B. 1473**, A BILL TO BE ENTITLED AN ACT TO ADOPT A HOUSE REDISTRICTING PLAN FOR THE UNION COUNTY AREA;

**H.B. 1474**, A BILL TO BE ENTITLED AN ACT TO ADOPT A HOUSE REDISTRICTING PLAN FOR THE UNION COUNTY AREA;  
and

**H.B. 1478**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH SENATORIAL DISTRICTS AND TO APPORTION SEATS IN THE SENATE AMONG DISTRICTS.

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

The following bills are reported with an indefinite postponement report, and placed on the Unfavorable Calendar:

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**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;

**H.B. 945**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TRANSPORTATION FUNDING EQUITY STUDY COMMISSION;

**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; and

**H.B. 1328**, A BILL TO BE ENTITLED AN ACT TO ENACT THE AIRPORT CORRIDOR OFFICIAL MAP ACT.

By Representative Allred, Chair, for the Committee on Ways and Means:

The following bills are reported with an indefinite postponement report, and placed on the Unfavorable Calendar:

**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; and

**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.

#### **CONFEREES APPOINTED**

The Speaker announces the following conferees on Senate Committee Substitute No. 2 for **H.B. 1734** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO RAISE THE INVESTMENT THRESHOLD FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO ESTABLISH TIERED RATES FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO REQUIRE A TAXPAYER AND ITS RELATED ENTITIES TO SATISFY ANY OUTSTANDING STATE TAX ASSESSMENTS BEFORE RECEIVING A BILL LEE ACT CREDIT; TO MODIFY THE WAGE STANDARD FOR THE CREDIT FOR WORKER TRAINING; TO MODIFY THE WAGE STANDARD FOR ENTERPRISE TIER ONE AND TWO COUNTIES; TO MODIFY THE WAGE STANDARD FOR TAXPAYERS WITH A TAX YEAR OTHER THAN A CALENDAR YEAR; TO TREAT

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CERTAIN PARCELS OF LAND PARTIALLY LOCATED IN A DEVELOPMENT ZONE AS IF THE ENTIRE PARCEL WERE LOCATED WITHIN THE DEVELOPMENT ZONE; TO ENACT A JOB DEVELOPMENT INVESTMENT GRANT PROGRAM TO PROVIDE ECONOMIC STIMULUS, TO CREATE JOBS, AND TO AID IN THE DEVELOPMENT OF BUSINESS AND INDUSTRIAL PROJECTS AND EXPANSIONS IN NORTH CAROLINA; TO MODIFY THE INDUSTRIAL DEVELOPMENT FUND TO ALLOW FOR EXPENDITURES RELATED TO TELECOMMUNICATIONS AND BROADBAND LINES AND EQUIPMENT AND TO ALLOW FOR EXPENDITURES FROM THE UTILITY ACCOUNT IN ENTERPRISE TIER THREE AREAS; AND TO MAKE A TECHNICAL CORRECTION REGARDING THE AUTHORITY OF A LOCAL GOVERNMENT TO LEVY A PROPERTY TAX FOR ECONOMIC DEVELOPMENT: Representatives Owens, Baddour, Allen, Hackney, Redwine, Buchanan, Easterling, Morgan, Culpepper, Tolson, and Michaux.

The Senate is so notified by Special Message.

The House reconvenes pursuant to recess and is called to order by the Speaker.

#### **ENROLLED BILLS**

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

**H.B. 1679**, AN ACT TO INCORPORATE THE TOWN OF OSS�PEE.

**H.B. 1707**, AN ACT TO PROVIDE TOURISM DEVELOPMENT FOR THE NEW HANOVER COUNTY BEACH TOWNS, TO PROVIDE FOR THE ESTABLISHMENT OF A TOURISM DEVELOPMENT AUTHORITY, TO CONFORM ADMINISTRATIVE PROVISIONS OF THE NEW HANOVER COUNTY LAW TO GENERAL LAW, AND TO PROHIBIT A CONVENTION CENTER IN NEW HANOVER COUNTY FROM ENTERING INTO A CONTRACT WITH A HOTEL REQUIRING THE HOTEL TO PAY FEES OR COMMISSIONS TO THE CONVENTION CENTER BASED ON ACCOMMODATIONS PROVIDED TO INDIVIDUALS ATTENDING CONVENTION CENTER FUNCTIONS.

**H.B. 1720**, AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

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**CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 1219**, AN ACT TO MAKE CHANGES TO THE GASTONIA POLICEMEN'S SUPPLEMENTARY PENSION FUND. (S.L. 2002-130)

**S.B. 1326**, AN ACT TO AMEND THE CHARTER OF THE CITY OF LEXINGTON TO IMPOSE TERM LIMITS ON THE MEMBERS OF THE CITY'S UTILITIES COMMISSION. (S.L. 2002-131)

**H.B. 1623**, AN ACT TO CLASSIFY BRUNSWICK COUNTY AS A HIGH HAZARD COUNTY WITH RESPECT TO THE REGULATION OF OPEN FIRES. (S.L. 2002-132)

**SPECIAL MESSAGE FROM THE SENATE****2001 GENERAL ASSEMBLY  
SECOND SESSION 2002**

Senate Chamber  
October 3, 2002

Mr. Speaker:

Pursuant to your message received today, October 3, 2002, that the House of Representatives fails to concur in the Senate Committee Substitute bill No. 2 to **H.B. 1734** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO RAISE THE INVESTMENT THRESHOLD FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO ESTABLISH TIERED RATES FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO REQUIRE A TAXPAYER AND ITS RELATED ENTITIES TO SATISFY ANY OUTSTANDING STATE TAX ASSESSMENTS BEFORE RECEIVING A BILL LEE ACT CREDIT; TO MODIFY THE WAGE STANDARD FOR THE CREDIT FOR WORKER TRAINING; TO MODIFY THE WAGE STANDARD FOR ENTERPRISE TIER ONE AND TWO COUNTIES; TO MODIFY THE WAGE STANDARD FOR TAXPAYERS WITH A TAX YEAR OTHER THAN A CALENDAR YEAR; TO TREAT CERTAIN PARCELS OF LAND PARTIALLY LOCATED IN A DEVELOPMENT ZONE AS IF THE ENTIRE PARCEL WERE LOCATED WITHIN THE DEVELOPMENT ZONE; TO ENACT A JOB DEVELOPMENT INVESTMENT GRANT PROGRAM TO PROVIDE ECONOMIC STIMULUS, TO

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CREATE JOBS, AND TO AID IN THE DEVELOPMENT OF BUSINESS AND INDUSTRIAL PROJECTS AND EXPANSIONS IN NORTH CAROLINA; TO MODIFY THE INDUSTRIAL DEVELOPMENT FUND TO ALLOW FOR EXPENDITURES RELATED TO TELECOMMUNICATIONS AND BROADBAND LINES AND EQUIPMENT AND TO ALLOW FOR EXPENDITURES FROM THE UTILITY ACCOUNT IN ENTERPRISE TIER THREE AREAS; AND TO MAKE A TECHNICAL CORRECTION REGARDING THE AUTHORITY OF A LOCAL GOVERNMENT TO LEVY A PROPERTY TAX FOR ECONOMIC DEVELOPMENT, and requests conferees, the President *Pro Tempore* appoints:

Senator Kerr, Co-Chair  
Senator Hoyle, Co-Chair  
Senator Rand  
Senator Lee  
Senator Plyler  
Senator Odom  
Senator Ballantine  
Senator Rucho  
Senator Garrou

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*

#### **CONFERENCE REPORT**

Representative Michaux moves the adoption of the following Conference Report.

#### **House Committee Substitute No. 2 for S.B. 866**

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 866, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE PERSONS WITH DISABILITIES PROTECTION ACT AND TO REQUIRE THE JOINT SELECT COMMITTEE ON INFORMATION TECHNOLOGY TO STUDY AND MAKE RECOMMENDATIONS REGARDING THE ACCESSIBILITY

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OF SERVICES PROVIDED VIA INFORMATION TECHNOLOGY, House Committee Substitute #2 Favorable 8/21/01, submit the following report:

The House and Senate agree to the following amendments to the House Committee Substitute #2 Favorable 8/21/01, and the Senate concurs in the House Committee Substitute #2 as amended:

On page 1, lines 3 through 6, by rewriting those lines to read:  
" PROTECTION ACT.";

And on page 2, lines 4 and 5, by inserting between those lines the following:

"(4a) 'Information technology' has the same meaning as in G.S. 147-33.81. The term also specifically includes information transaction machines.";

And on page 5, line 25, by adding after the period the following:

"This subsection includes equivalent services provided via information technology.";

And on page 5, lines 40 through 42 and page 6, lines 1 through 3, by deleting those lines in their entirety;

And on page 6, lines 4 and 5, by rewriting those lines to read:

"**SECTION 5.** This act becomes effective January 1, 2003. The provisions of G.S. 168A-7 added by this act apply to information technology placed into service on or after January 1, 2004."

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

Date conferees approved report: October 2<sup>nd</sup>, 2002.

*Conferees for the  
Senate*

S/ Brad Miller  
S/ William Martin  
S/ Eric Reeves  
S/ James S. Forrester  
S/ Ellie Kinnaird

*Conferees for the  
House of Representatives*

S/ Verla Insko  
S/ H. M. Michaux, Jr.  
S/ Carolyn B. Russell

The material Conference Report, which changes the title, is adopted by electronic vote (93-0) and the Senate is so notified by Special Message.

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**CALENDAR**

Action is taken on the following:

**H.B. 1651** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING IN PITT COUNTY.

On motion of Representative Warren, the House concurs in the Senate amendment by electronic vote (101-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 1007**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE ENVIRONMENTAL STATUTES OF THE STATE OF NORTH CAROLINA.

On motion of Representative Gibson, the House concurs in the material Senate committee substitute bill on its second roll call reading by the following vote.

Those voting in the affirmative are: Representatives Adams, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, 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, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 99.

Voting in the negative: Representatives Buchanan and Thompson - 2.

Excused absences: Representatives Alexander, Barefoot, Blue, Brubaker, Dedmon, Goodwin, Grady, Gray, Hiatt, Hilton, Pope, Starnes, Wainwright, and Wright - 14.

Without objection, the House concurs in the material Senate committee substitute bill, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled and presented to the Governor.

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Those voting in the affirmative are: Representatives Adams, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 98.

Voting in the negative: Representatives Buchanan, and Thompson - 2.

Excused absences: Representatives Alexander, Barefoot, Blue, Brubaker, Dedmon, Goodwin, Grady, Gray, Hiatt, Hilton, Pope, Starnes, Wainwright, and Wright - 14.

Senate Committee Substitute for **H.B. 1307**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CONVERSION OF EXISTING RESIDENTIAL DEVELOPMENTS TO PLANNED COMMUNITIES.

On motion of Representative Gibson, the House concurs in the material Senate committee substitute bill, on its second roll call reading, by the following vote.

Those voting in the affirmative are: Representatives Adams, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 100.

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Voting in the negative: None.

Excused absences: Representatives Alexander, Barefoot, Blue, Brubaker, Dedmon, Goodwin, Grady, Gray, Hiatt, Hilton, Pope, Starnes, Wainwright, and Wright - 14.

Without objection, the House concurs in the material Senate committee substitute bill, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Adams, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives Alexander, Barefoot, Blue, Brubaker, Dedmon, Goodwin, Grady, Gray, Hiatt, Hilton, Pope, Starnes, Wainwright, and Wright - 14.

**S.B. 1136** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE ACREAGE LIMITATION ON SATELLITE ANNEXATIONS FOR THE VILLAGE OF MARVIN, AND TO MAKE A SATELLITE ANNEXATION TO THE TOWN OF BRUNSWICK, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Allen, Allred, Arnold, Baddour, Barbee, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Gulley, Haire, Hall, Harrington, Hensley, Hill, Holliman, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson,

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Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, Womble, and Yongue - 99.

Voting in the negative: Representatives Baker and Eddins - 2.

Excused absences: Representatives Alexander, Barefoot, Blue, Brubaker, Dedmon, Goodwin, Grady, Gray, Hiatt, Hilton, Pope, Starnes, Wainwright, and Wright - 14.

Pursuant to Rule 36(b), the following resolution appears on today's Calendar.

**H.J.R. 1805**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF PHILIP PITTMAN GODWIN, SR., FORMER SPEAKER OF THE HOUSE OF REPRESENTATIVES.

On motion of the Chair, the resolution is temporarily displaced.

**S.B. 70** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE DEFINITION OF A CONVENTION CENTER IN THE STATE'S ABC LAW, passes its second reading, by electronic vote (91-8), 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 the House committee substitute bill by Special Message.

**S.B. 910** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO DEFRAUD DRUG OR ALCOHOL SCREENING TESTS, 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 sent to the Senate for concurrence in the House committee substitute bill by Special Message.

**S.J.R. 1303**, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF JOSEPH A. SMITH, JR. AS COMMISSIONER OF BANKS, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

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The resolution passes its third reading and is ordered enrolled.

**S.J.R. 1476**, A JOINT RESOLUTION HONORING THE MEMORY OF J.W. MARSH ON THE OCCASION OF THE TOWN OF MARSHVILLE'S ONE HUNDRED TWENTY-FIFTH ANNIVERSARY, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

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

The following Special Message is received from the Senate:

**S.B. 1137** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COUNTY UTILITIES AUTHORITY TO OPERATE WATER AND SEWER SYSTEMS IN CERTAIN COUNTIES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

#### **CONFERENCE REPORT**

Representative Hurley sends forth the Conference Report on **S.B. 163** (House Committee Substitute No. 2), 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. Without objection, the Conference Report is placed on the Calendar for immediate consideration.

Representative Hurley moves the adoption of the following Conference Report.

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate 163, 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

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ADMINISTRATIVE UNITS IN WHICH GROUP HOMES FOR CHILDREN ARE LOCATED, House Committee Substitute #2 Favorable 9/26/02, submit the following report:

The House and Senate agree to the following amendment to the House Committee Substitute #2 Favorable 9/26/02, Fourth Edition Engrossed 10/01/02, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute #2 Favorable 9/26/02, Fourth Edition Engrossed 10/01/02, and substitute the attached Proposed Conference Committee Substitute S163-PCCS7815-ST-1.

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

Date conferees approved report: October 3<sup>rd</sup>, 2002.

*Conferees for the  
Senate*

S/ Anthony E. Rand  
S/ John H. Carrington  
S/ Steve Metcalf

*Conferees for the  
House of Representatives*

S/ John W. Hurley  
S/ Douglas Y. Yongue  
S/ Alex Warner  
S/ Marvin W. Lucas  
S/ Mary E. McAllister  
S/ Mia Morris

The Conference Report, as presented, is adopted, by electronic vote (102-0), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

### CONFERENCE REPORT

Representative Owens sends forth the Conference Report on Senate Committee Substitute No. 2 for **H.B. 1734** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO RAISE THE INVESTMENT THRESHOLD FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO ESTABLISH TIERED RATES FOR THE CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO REQUIRE A TAXPAYER AND ITS RELATED ENTITIES TO SATISFY ANY OUTSTANDING STATE TAX ASSESSMENTS BEFORE RECEIVING A BILL LEE ACT CREDIT; TO MODIFY THE WAGE STANDARD

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FOR THE CREDIT FOR WORKER TRAINING; TO MODIFY THE WAGE STANDARD FOR ENTERPRISE TIER ONE AND TWO COUNTIES; TO MODIFY THE WAGE STANDARD FOR TAXPAYERS WITH A TAX YEAR OTHER THAN A CALENDAR YEAR; TO TREAT CERTAIN PARCELS OF LAND PARTIALLY LOCATED IN A DEVELOPMENT ZONE AS IF THE ENTIRE PARCEL WERE LOCATED WITHIN THE DEVELOPMENT ZONE; TO ENACT A JOB DEVELOPMENT INVESTMENT GRANT PROGRAM TO PROVIDE ECONOMIC STIMULUS, TO CREATE JOBS, AND TO AID IN THE DEVELOPMENT OF BUSINESS AND INDUSTRIAL PROJECTS AND EXPANSIONS IN NORTH CAROLINA; TO MODIFY THE INDUSTRIAL DEVELOPMENT FUND TO ALLOW FOR EXPENDITURES RELATED TO TELECOMMUNICATIONS AND BROADBAND LINES AND EQUIPMENT AND TO ALLOW FOR EXPENDITURES FROM THE UTILITY ACCOUNT IN ENTERPRISE TIER THREE AREAS; AND TO MAKE A TECHNICAL CORRECTION REGARDING THE AUTHORITY OF A LOCAL GOVERNMENT TO LEVY A PROPERTY TAX FOR ECONOMIC DEVELOPMENT. Without objection, the Conference Report is placed on the Calendar for immediate consideration.

Representative Owens moves the adoption of the following Conference Report.

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House 1734, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AND MODIFY VARIOUS ECONOMIC INCENTIVE PROGRAMS FOR BUSINESS AND INDUSTRY; TO ESTABLISH A GRADUATED RATE STRUCTURE FOR THE CORPORATE INCOME TAX; TO AMEND PROVISIONS RELATING TO INDUSTRIAL AND POLLUTION CONTROL FACILITIES FINANCING; TO PROVIDE FOR CAPITAL PLANNING COSTS FOR A BIOPHARMACEUTICAL TRAINING CENTER AND A CANCER REHABILITATION TREATMENT CENTER; AND TO MAKE TECHNICAL AND CONFORMING CHANGES, Senate Finance Committee Substitute #2 Adopted 10/2/02, submit the following report:

The House and Senate agree to the following amendment to the Senate Committee Substitute, Senate Finance Committee Substitute #2, Adopted 10/2/02, and the House concurs in the Senate Committee Substitute as amended:

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Delete the entire Senate Committee Substitute and substitute the attached proposed Conference Committee Substitute H1734-PCCS4344-LY-3.

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

Date conferees approved report: October 3, 2002.

*Conferees for the  
Senate*

S/ John H. Kerr, Co-Chair  
S/ David Hoyle, Co-Chair  
S/ Anthony E. Rand  
S/ Howard N. Lee  
S/ Aaron W. Plyler  
S/ Linda Garrou

*Conferees for the  
House of Representatives*

S/ Bill Owens  
S/ Philip A. Baddour, Jr.  
S/ Gordon P. Allen, Sr.  
S/ Joe Hackney  
S/ David Redwine  
S/ Charles F. Buchanan  
S/ Ruth M. Easterling  
S/ Bill Culpepper  
S/ Joe Tolson  
S/ H. M. Michaux, Jr.

Representative Gibson requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The Conference Report, which changes the title, is adopted by electronic vote (72-27) and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

Representatives Allred and Justus request and are granted permission to be recorded as voting "aye". The adjusted vote total is (74-27).

**SPECIAL MESSAGE FROM THE SENATE**

**2001 GENERAL ASSEMBLY  
SECOND SESSION 2002**

Senate Chamber  
October 3, 2002

Mr. Speaker:

October 3, 2002

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. 163** (Conference Report), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION'S STUDY COMMITTEE ON GROUP HOMES TO ADDRESS LICENSURE ISSUES AND THE NEEDS OF LOCAL SCHOOL ADMINISTRATIVE UNITS IN WHICH GROUP HOMES FOR CHILDREN ARE LOCATED, 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*

**SPECIAL MESSAGE FROM THE SENATE**

**2001 GENERAL ASSEMBLY  
SECOND SESSION 2002**

Senate Chamber  
October 3, 2002

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. 1734** (Conference Report), A BILL TO BE ENTITLED AN ACT TO ESTABLISH AND MODIFY VARIOUS ECONOMIC INCENTIVE PROGRAMS FOR BUSINESS AND INDUSTRY; TO AMEND PROVISIONS RELATING TO INDUSTRIAL AND POLLUTION CONTROL FACILITIES FINANCING; TO AUTHORIZE PLANNING AND DEVELOPMENT FOR A BIOPHARMACEUTICAL TRAINING CENTER AND A CANCER REHABILITATION TREATMENT CENTER; AND TO MAKE TECHNICAL AND CONFORMING CHANGES, 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*

The Speaker orders the bill enrolled and presented to the Governor.

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On motion of the Chair, the House recesses at 4:35 p.m., subject to the receipt of committee reports.

### RECESS

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Cox, Chair, for the Committee on Pensions and Retirement:

The following bills are reported with an indefinite postponement report and placed on the Unfavorable Calendar.

**H.B. 243** (Committee Substitute), 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;

**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;

**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;

**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;

**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;

**H.B. 1558**, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND WITH AT LEAST TEN YEARS

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OF SERVICE TO CONTINUE AS MEMBERS AFTER THE TAKEOVER OF A VOLUNTEER DEPARTMENT BY A CITY OR COUNTY;

**H.B. 1594**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE RETIREMENT ALLOWANCE FOR MEMBERS OF THE LEGISLATIVE RETIREMENT SYSTEM WHOSE LAST YEAR OF SERVICE CAME BETWEEN 1991 AND 1993;

**H.B. 1605**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE EMPLOYER CONTRIBUTION RATE FOR THE LEGISLATIVE RETIREMENT SYSTEM SHALL BE BUDGETED IN AN EQUIVALENT MANNER TO THE EMPLOYER CONTRIBUTION RATE FOR THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM;

**H.B. 1617**, A BILL TO BE ENTITLED AN ACT TO REPEAL LANGUAGE EXCLUDING CERTAIN RETIRED LAW ENFORCEMENT OFFICERS FROM THE REEXAMINATION REQUIREMENT FOR DISABILITY RETIREMENT BENEFITS;

**H.B. 1618**, A BILL TO BE ENTITLED AN ACT TO AMEND THE ELIGIBILITY REQUIREMENTS FOR DISABILITY RETIREMENT BENEFITS FOR LAW ENFORCEMENT OFFICERS, FIREMEN, AND RESCUE SQUAD WORKERS;

**H.B. 1722**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PURCHASE OF WITHDRAWN SERVICE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM; and

**H.B. 1727**, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL PROTECTIONS TO EMPLOYEES WITH REGARD TO THE INVESTMENT OF PENSION PLAN ASSETS.

By Representative Warren, Chair, for the Committee on Education Subcommittee on Pre-School, Elementary and Secondary Education:

The following bills are reported to the Standing Committee on Education with no action taken.

**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;

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**H.B. 29**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS;

**H.B. 217**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE CONSUMER EDUCATION IN GRADES NINE THROUGH TWELVE;

**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. 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.

By Representative Baddour, Chair, for the Committee on Judiciary II:

The following bills are reported with an indefinite postponement report and placed on the Unfavorable Calendar.

**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;

**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;

**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;

**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;

**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;

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**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; and

**H.B. 1767**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE BUREAU OF INVESTIGATION MUST DO DNA TESTING AND ANALYSIS OF EVIDENCE COLLECTED AT A RAPE CRIME SCENE IF REQUESTED BY THE VICTIM OR THE INVESTIGATING LOCAL LAW ENFORCEMENT AGENCY AND THAT THE COSTS OF THE TESTS AND ANALYSIS SHALL BE BORNE BY THE STATE.

By Representatives Boyd-McIntyre and Hunter, Chairs, for the Committee on Children, Youth and Families:

**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, with an indefinite postponement report.

The bill is placed on the Unfavorable Calendar.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

The following bills are reported with an indefinite postponement report and placed on the unfavorable Calendar.

**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;

**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;

**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

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HEALTH ISSUES AND MAKE RECOMMENDATIONS REGARDING WHETHER CERTAIN FOODS, INCLUDING SOFT DRINKS, SHOULD BE MADE AVAILABLE TO STUDENTS IN PUBLIC SCHOOLS;

**H.B. 1128**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE UNNECESSARY AND DUPLICATIVE PAPERWORK IN THE PUBLIC SCHOOLS;

**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;

**H.B. 1199**, A BILL TO BE ENTITLED AN ACT TO MAKE TEXTBOOK SELECTION A LOCAL DECISION;

**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;

**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;

**H.B. 1202**, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PRIVACY OF STUDENTS AND THEIR FAMILIES;

**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;

**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;

**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;

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**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;

**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;

**H.B. 1209**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PAY OF SUBSTITUTE TEACHERS;

**H.B. 1210**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SALARIES OF COMMUNITY COLLEGE FACULTY MEMBERS;

**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;

**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;

**H.B. 1242**, A BILL TO BE ENTITLED AN ACT TO ENACT THE MODEL EDUCATION QUALITY AND TEACHER PROTECTION ACT;  
and

**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.

By Representatives Allen, Buchanan, and Luebke, Chairs, for the Committee on Finance:

The following bills are reported with an indefinite postponement report and placed on the Unfavorable Calendar:

**H.B. 8**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE GIFT TAX;

**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;

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**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;

**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 HOME-STEAD 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;

**H.B. 53**, A BILL TO BE ENTITLED AN ACT TO EXEMPT NONPROFIT CHILD CARE CENTERS FROM PROPERTY TAX;

**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;

**H.B. 61**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INTANGIBLES TAX REIMBURSEMENT TO LOCAL GOVERNMENTS AND MODIFY THE DISTRIBUTION FORMULA;

**H.B. 68**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE DESERT STORM SPECIAL REGISTRATION PLATES;

**H.B. 73**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE DESERT STORM SPECIAL REGISTRATION PLATES;

**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;

**H.B. 101**, A BILL TO BE ENTITLED AN ACT TO REVISE THE EXEMPTION FOR SALES BY A NONPROFIT ORGANIZATION WHEN

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THE NET PROCEEDS OF THE SALE BENEFIT THE STATE OR ONE OF ITS INSTRUMENTALITIES OR AGENCIES;

**H.B. 102**, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROPERTY TAX RELIEF TO LOW-INCOME ELDERLY AND DISABLED HOMEOWNERS;

**H.B. 107** (Committee Substitute), 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;

**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;

**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;

**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;

**H.B. 166**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FAMILY FARM PROPERTY FROM GIFT TAX;

**H.B. 180**, A BILL TO BE ENTITLED AN ACT TO MAKE MORE MUNICIPALITIES ELIGIBLE FOR DEVELOPMENT ZONES;

**H.B. 184**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE HIGHWAY USE TAX LOOPHOLE FOR LUXURY AUTOMOBILES;

**H.B. 191** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW AN ADDITIONAL INCOME TAX DEDUCTION FOR HEALTH INSURANCE COSTS OF SELF-EMPLOYED INDIVIDUALS;

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**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;

**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;

**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;

**H.B. 279** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE DARE COUNTY EXCISE TAX ON INSTRUMENTS CONVEYING REAL PROPERTY;

**H.B. 281**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH HOUSE DISTRICT;

**H.B. 312**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FUNERAL EXPENSES FROM SALES AND USE TAX;

**H.B. 323**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF GREENSBORO;

**H.B. 364**, A BILL TO BE ENTITLED AN ACT EXEMPTING THE TOWN OF PEMBROKE FROM THE LIMIT ON THE SIZE OF SATELLITE ANNEXATIONS;

**H.B. 366** (Committee Substitute), 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 FOR THIS SERVICE;

**H.B. 379**, A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT;

**H.B. 411**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE TAX CREDIT FOR PERMITTING GLEANING OF CROPS AND TO

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ESTABLISH A CREDIT AGAINST INCOME TAX FOR THE DONATION OF HARVESTED AND PACKAGED FRESH PRODUCE;

**H.B. 416** (Committee Substitute), 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;

**H.B. 424** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF CULTURAL RESOURCES TO CHARGE AN ADMISSION FEE TO ANY MUSEUM, HISTORIC PROPERTY, OR OTHER LOCATION OR EVENT ADMINISTERED BY THE DEPARTMENT;

**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;

**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;

**H.B. 489**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SWIFT CREEK;

**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;

**H.B. 552** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR OPTIONAL TWO-YEAR LICENSE PLATES;

**H.B. 554** (Committee Substitute), 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;

**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;

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**H.B. 637**, A BILL TO BE ENTITLED AN ACT TO ADJUST THE FORMULA FOR CALCULATING THE MOTOR FUEL EXCISE TAX RATE;

**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;

**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;

**H.B. 756**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE WASHINGTON TRANSFER TAX;

**H.B. 773**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MILLERS CREEK, SUBJECT TO A REFERENDUM;

**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;

**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;

**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;

**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;

**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;

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**H.B. 845**, A BILL TO BE ENTITLED AN ACT TO PROVIDE EQUAL INCOME TAX TREATMENT OF GOVERNMENT RETIREES' BENEFITS;

**H.B. 848**, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR AN INCOME TAX CREDIT FOR CERTAIN HEALTH EXPENSES;

**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;

**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;

**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;

**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;

**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;

**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;

**H.B. 959**, A BILL TO BE ENTITLED AN ACT TO EXEMPT ELECTRICITY USED FOR CERTAIN PURPOSES FROM THE SALES AND USE TAX;

**H.B. 975**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FREE CIRCULATION PUBLICATIONS FROM THE SALES TAX;

**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;

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**H.B. 1014**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PRACTICE OF MIDWIFERY BY CERTIFIED PROFESSIONAL MIDWIVES;

**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;

**H.B. 1059**, A BILL TO BE ENTITLED AN ACT TO EQUALIZE SALES AND USE TAXES ON RETURNABLE PALLETS;

**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;

**H.B. 1066**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR PLACING INTO SERVICE BROADBAND INTERNET ACCESS EQUIPMENT;

**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;

**H.B. 1106** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE MORTGAGE LENDING ACT TO GOVERN MORTGAGE BROKERS AND BANKERS;

**H.B. 1110** (Committee Substitute), 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;

**H.B. 1121** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COASTAL RECREATIONAL FISHING LICENSE;

**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;

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**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;

**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;

**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;

**H.B. 1298**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE ANNUAL OPERATING FEES APPLICABLE TO COMMERCIAL PETROLEUM UNDERGROUND STORAGE TANKS;

**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;

**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;

**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;

**H.B. 1384**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CAP ON BONDS OUTSTANDING FOR THE HOUSING FINANCE

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AGENCY FROM ONE BILLION FIVE HUNDRED MILLION DOLLARS TO THREE BILLION DOLLARS;

**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;

**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;

**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;

**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;

**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;

**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;

**H.B. 1425**, A BILL TO BE ENTITLED AN ACT TO PROMOTE JOB GROWTH AND CAPITAL FORMATION;

**H.B. 1428**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE LOCAL OPTION LAND TRANSFER TAX LAW TO ALL COUNTIES;

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**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;

**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;

**H.B. 1433**, A BILL TO BE ENTITLED AN ACT TO REDUCE THE WHOLESALE DRUG DISTRIBUTOR LICENSING FEE FOR SMALL BUSINESSES;

**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;

**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;

**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;

**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;

**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

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UNDER THE BILL LEE ACT AND RELATED BENEFITS; AND TO ENCOURAGE ECONOMIC DEVELOPMENT BY PROVIDING FUNDS FOR CLEAN WATER;

**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;

**H.B. 1444**, A BILL TO BE ENTITLED AN ACT TO RAISE REVENUE FOR THE HEALTH INSURANCE PROGRAM FOR CHILDREN;

**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;

**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;

**H.B. 1506**, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX CREDITS FOR JOB CREATION AND INVESTMENT IN MACHINERY AND EQUIPMENT FOR CERTAIN TAXPAYERS ENGAGED IN BUSINESS AS GROCERY STORES;

**H.B. 1507**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CIGARETTE TAX FROM FIVE CENTS A PACK TO FIFTY- FIVE CENTS A PACK AND TO EARMARK THE RESULTING REVENUES FOR PUBLIC EDUCATION;

Senate Committee Substitute for **H.B. 1509**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALES AND USE TAX EXEMPTION REGARDING CERTAIN AGRICULTURAL SUBSTANCES AND TO MAKE VARIOUS ADMINISTRATIVE CHANGES IN THE TAX LAWS;

**H.B. 1528**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SALES AND USE TAX ON SEEDS AND FERTILIZERS;

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**H.B. 1531**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CIGARETTE TAX FROM FIVE CENTS A PACK TO TWENTY-FIVE CENTS A PACK AND TO EARMARK THE RESULTING REVENUES FOR PUBLIC SCHOOL CLASS SIZE REDUCTION, THE MORE AT FOUR PROGRAM, AND TEACHER SALARIES;

**H.B. 1535**, A BILL TO BE ENTITLED AN ACT TO LOWER THE TAX RATE IN THE BUTNER FIRE AND POLICE PROTECTION DISTRICT;

**H.B. 1536**, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS;

**H.B. 1547**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CIGARETTE TAX FROM FIVE CENTS A PACK TO ONE DOLLAR A PACK;

**H.B. 1548**, A BILL TO BE ENTITLED AN ACT TO APPLY THE GENERAL SALES AND USE TAX TO SALES OF AIRCRAFT, BOATS, RAILWAY CARS, AND LOCOMOTIVES;

**H.B. 1549**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE SALES TAX APPLICABLE TO SALES OF CERTAIN MACHINERY; TO RAISE THE SALES TAX RATE APPLICABLE TO SALES OF CERTAIN MACHINERY; AND TO CREATE AN EARNED INCOME TAX CREDIT;

**H.B. 1550**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE INCOME TAX CREDIT FOR MANUFACTURING CIGARETTES FOR EXPORTATION;

**H.B. 1551**, A BILL TO BE ENTITLED AN ACT TO CONFORM STATE INCOME TAX ON BANKS TO FEDERAL INCOME TAX ON BANKS;

**H.B. 1554**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NONPROFIT ORGANIZATIONS TO OPERATE "CASINO NIGHTS" AND TO REQUIRE AN ENFORCEMENT FEE;

**H.B. 1563**, A BILL TO BE ENTITLED AN ACT TO AMEND THE FEES APPLICABLE TO HAZARDOUS WASTE GENERATORS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION;

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**H.B. 1571**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ANSON COUNTY TO LEVY A ONE-CENT SALES AND USE TAX TO BE USED FOR MEDICAID ONLY;

**H.B. 1591**, A BILL TO BE ENTITLED AN ACT TO AUGMENT STATE REVENUES TO DIRECTLY SUPPORT MENTAL HEALTH FUNDING;

**H.B. 1592**, A BILL TO BE ENTITLED AN ACT TO RAISE ADDITIONAL FUNDS AND EARMARK THE FUNDS FOR MEDICAID;

**H.B. 1596**, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INCOME TAX DEDUCTION FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS;

**H.B. 1601**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CIGARETTE TAX FROM FIVE CENTS A PACK TO FIFTY CENTS A PACK;

**H.B. 1603**, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISION;

**H.B. 1606**, A BILL TO BE ENTITLED AN ACT TO RAISE THE EXCISE TAX ON CIGARETTES FROM FIVE CENTS TO THIRTY CENTS A PACK; TO RESTORE THE PREVIOUS RATE OF EXCISE TAX ON LIQUOR; AND TO RAISE BEER AND WINE TAXES;

**H.B. 1630**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE NASCAR DRIVER THEME SPECIAL REGISTRATION PLATES;

**H.B. 1631**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO CREATE A HMONG VETERANS SPECIAL LICENSE PLATE;

**H.B. 1632**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE ADDITIONAL ONE-HALF CENT STATE SALES AND USE TAX AND TO REDUCE THE COUNTY SHARE OF MEDICAID;

**H.B. 1642**, A BILL TO BE ENTITLED AN ACT TO CONFORM THE TAX RATE APPLIED TO SALES OF AIRCRAFT, RAILWAY

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CARS, AND LOCOMOTIVES TO THAT APPLIED TO SALES OF MOTOR VEHICLES;

**H.B. 1643**, A BILL TO BE ENTITLED AN ACT TO CONFORM STATE INCOME TAX ON BANKS TO FEDERAL INCOME TAX ON BANKS;

**H.B. 1644**, A BILL TO BE ENTITLED AN ACT TO IMPOSE A SURTAX ON THE INDIVIDUAL INCOME TAX AND THE CORPORATE INCOME TAX;

**H.B. 1645**, A BILL TO BE ENTITLED AN ACT TO CONFORM THE DEFINITION OF BUSINESS INCOME TO FEDERAL STANDARDS; 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; AND TO INCREASE THE TAX RATE AND REMOVE THE CAP ON SALES OF CERTAIN MACHINERY AND EQUIPMENT;

**H.B. 1656**, A BILL TO BE ENTITLED AN ACT TO PROTECT OUR CHILDREN BY INSTITUTING TEMPORARY REVENUE INCREASES BY TRANSFERRING FUNDS TO THE GENERAL FUND FROM THE TOBACCO SETTLEMENT FUNDS, BY ELIMINATING BILL LEE ACT CREDITS IN TIERS FOUR AND FIVE, BY REINSTATING THE CORPORATE INCOME TAX TO PREVIOUS LEVELS, BY ENACTING A SURTAX ON HIGHER-INCOME INDIVIDUALS, AND BY TRANSFERRING MONEY FROM THE HIGHWAY TRUST FUND;

**H.B. 1669**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SUNSET HARBOR;

**H.B. 1687**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ARCHDALE TO LEVY A ROOM OCCUPANCY TAX;

**H.B. 1693**, A BILL TO BE ENTITLED AN ACT TO APPLY THE SALES AND USE TAX TO CERTAIN SALES OF FOOD AND TO CREATE AN EARNED INCOME TAX CREDIT;

**H.B. 1694**, A BILL TO BE ENTITLED AN ACT TO RAISE THE SALES TAX RATE AND REMOVE THE CAP ON SALES OF CERTAIN MACHINERY AND EQUIPMENT; TO REPEAL THE TAX CREDIT FOR INVESTING IN MACHINERY AND EQUIPMENT; TO

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CONFORM STATE INCOME TAX ON BANKS TO FEDERAL INCOME TAX ON BANKS; TO PROVIDE THAT NEXUS MAY BE BASED ON A SUBSTANTIAL CUSTOMER BASE; AND TO REPEAL THE GUARANTY FUND TAX CREDIT;

**H.B. 1717**, A BILL TO BE ENTITLED AN ACT TO APPLY THE SALES AND USE TAX TO SALES OF CERTAIN CONSTRUCTION MATERIALS;

**H.B. 1718**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LIMITED RECIPROCAL INTERSTATE SHIPMENT AND RECEIPT OF UNFORTIFIED WINE;

**H.B. 1725**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF PITTSBORO;

**H.B. 1729**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AND REGULATE LIMITED RECIPROCAL INTERSTATE SHIPMENT AND RECEIPT OF UNFORTIFIED WINE;

**H.B. 1732**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO COLLECT A TAX ON MOTOR VEHICLES RESIDENT IN THE CITY;

**H.B. 1737**, A BILL TO BE ENTITLED AN ACT RELATING TO THE RECOMMENDATIONS OF THE GOVERNOR'S EFFICIENCY STUDY COMMISSION RELATING TO A FEE FOR THE STATEWIDE ACCOUNTS RECEIVABLE PROGRAM AND IMPLEMENTING AN EFFICIENCY IMPROVEMENT COST-SAVINGS PROGRAM;

**H.B. 1754**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXCISE TAX ON LIQUOR AND TO EARMARK THE RESULTING REVENUES TO ELIMINATE THE CO-PAYMENT FOR GENERIC PRESCRIPTION DRUGS UNDER THE STATE MEDICAID PLAN;

**H.B. 1761**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE TO USE FINANCING CONTRACTS IN ACQUIRING PROPERTY THROUGH THE PARKS AND RECREATION TRUST FUND AND THE NATURAL HERITAGE TRUST FUND; and

**H.B. 1762**, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ENFORCEMENT OF THE PROVISIONS OF THE MASTER

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SETTLEMENT AGREEMENT REGARDING CONTRIBUTIONS BY  
NONPARTICIPATING MANUFACTURERS.

The House reconvenes pursuant to recess and is called to order by the Speaker.

**CALENDAR (continued)**

**H.B. 1640** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO INCLUDE THE TOWN OF DUCK AS A MUNICIPALITY AUTHORIZED TO REGULATE AND CONTROL SWIMMING, PERSONAL WATERCRAFT, SURFING, AND LITTERING IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWN WITHIN ITS BOUNDARIES OR WITHIN ITS EXTRATERRITORIAL JURISDICTION; TO DESIGNATE THE TOWN COUNCIL OF THE TOWN OF DUCK AS THE GOVERNING BODY OF THE DUCK AREA BEAUTIFICATION DISTRICT; TO PERMIT THE TOWN OF MANTEO TO DECREASE THE DISTANCE WITHIN WHICH A VEHICLE MAY PARK FROM THE INTERSECTION OF CURB LINES; TO AMEND THE DEFINITION OF SUBDIVISION AS IT APPLIES IN CHOWAN COUNTY; AND TO ALTER THE COMPOSITION OF THE DARE COUNTY TOURISM BOARD.

On motion of Representative Culpepper, the House concurs in the Senate amendment, which changes the title, by electronic vote (80-3), and the bill is ordered enrolled.

Representative Blue requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (81-3).

Senate Committee Substitute for **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.

On motion of Representative Sherrill, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (90-5), and the bill is ordered enrolled and presented to the Governor.

Representative Bowie requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (91-5).

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Senate Committee Substitute for **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.

On motion of Representative Redwine, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (97-1), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **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 LAND-FILL HAVING A DISPOSAL AREA OF ONE ACRE OR LESS.

On motion of Representative Hackney, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (97-1), and the bill is ordered enrolled and presented to the Governor.

REPRESENTATIVE HACKNEY, SPEAKER PRO TEMPORE, PRESIDING.

**S.B. 1281** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO CLARIFY TORT CLAIM AND DUTY TO DEFEND EMPLOYEES LIABILITY OF OCCUPATIONAL LICENSING BOARDS; TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING THE REAL ESTATE COMMISSION; TO AUTHORIZE THE BOARD OF LANDSCAPE ARCHITECTS TO RETAIN PRIVATE COUNSEL; AND TO REQUIRE PROFESSIONAL EMPLOYER ORGANIZATIONS TO REGISTER WITH THE DEPARTMENT OF INSURANCE.

On motion of Representative Michaux, and without objection, the bill is temporarily displaced.

**S.B. 1455** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GENERAL STATUTES COMMISSION AND OTHER INTERESTED PARTIES TO STUDY THE PROVISIONS OF SENATE BILL 1455, 4TH EDITION, STRENGTHEN SECURITIES FRAUD ENFORCEMENT LAWS, INTRODUCED IN THE 2001 GENERAL ASSEMBLY, AND TO MAKE RECOMMENDATIONS TO THE 2003 REGULAR SESSION OF THE 2003 GENERAL ASSEMBLY; TO INCREASE CERTAIN FILING AND RENEWAL FEES WITH THE SECRETARY OF STATE; TO FUND ADDITIONAL SECURITIES

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INVESTIGATOR POSITIONS; TO PROHIBIT THE STATE FROM CONTRACTING WITH BUSINESSES THAT HAVE ANY OFFICERS OR DIRECTORS WHO HAVE BEEN CONVICTED OF SECURITIES FRAUD; TO PROHIBIT THE STATE FROM CONTRACTING WITH VENDORS THAT ARE INCORPORATED IN A TAX HAVEN COUNTRY BUT THE UNITED STATES IS THE PRINCIPAL MARKET FOR THE PUBLIC TRADING OF THEIR CORPORATION'S STOCK; AND TO AUTHORIZE THE STATE TREASURER, IN CONSULTATION WITH THE SECRETARY OF STATE, AND THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE CREATION OF A PENSION ASSURANCE FUND TO PROTECT THE RETIREMENT SAVINGS AND INVESTMENTS OF THE CITIZENS OF NORTH CAROLINA, passes its second reading by the following vote.

Those voting in the affirmative are: Representatives Adams, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Gulley, Hackney, Haire, Hall, Harrington, Hensley, 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, Preston, Rayfield, Redwine, Rogers, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives Alexander, Barefoot, Brubaker, Dedmon, Goodwin, Grady, Gray, Hiatt, Hilton, Pope, Russell, Starnes, Wainwright, and Wright - 14.

Without objection, the bill passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

Those voting in the affirmative are: Representatives Adams, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dockham, Earle,

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Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Gulley, Hackney, Haire, Hall, Harrington, Hensley, 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, Preston, Rayfield, Redwine, Rogers, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Willingham, C. Wilson, G. Wilson, and Yongue - 101.

Voting in the negative: None.

Excused absences: Representatives Alexander, Barefoot, Brubaker, Dedmon, Goodwin, Grady, Gray, Hiatt, Hilton, Pope, Russell, Starnes, Wainwright, and Wright - 14.

SPEAKER BLACK PRESIDING.

**H.J.R. 1805**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF PHILIP PITTMAN GODWIN, SR., FORMER SPEAKER OF THE HOUSE OF REPRESENTATIVES, which was temporarily displaced, is before the Body.

The resolution passes its second reading, by electronic vote (98-0), 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.

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

The following report from standing committee is presented:

By Representatives Easterling, Oldham, Redwine, and Thompson, Chairs, for the Committee on Appropriations:

**S.B. 1217** (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; TO RESTORE THE DEFINITION OF FAMILY CARE HOME TO ITS ORIGINAL LANGUAGE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL

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STATUTES AND SESSION LAWS, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar for immediate consideration. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Representative Culpepper offers Amendment No. 1 which is adopted by electronic vote (95-0).

Representative Esposito offers Amendment No. 2 which fails of adoption by electronic vote (45-49).

The bill, as amended, passes its second reading, by electronic vote (76-17), and there being no objection is read a third time.

Representative Yongue offers Amendment No. 3 which is adopted by electronic vote (56-32).

On motion of the Chair, the bill is temporarily displaced.

#### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**H.B. 1307**, AN ACT TO AMEND THE MORTGAGE LENDING ACT TO AUTHORIZE LICENSURE OF EXCLUSIVE MORTGAGE BROKERS UNDER CERTAIN CIRCUMSTANCES, TO REQUIRE CRIMINAL HISTORY BACKGROUND CHECKS ON APPLICANTS AND LICENSEES UNDER THE MORTGAGE LENDING ACT, AND TO PROVIDE FOR THE APPROVAL OF EDUCATIONAL COURSES UNDER THE MORTGAGE LENDING ACT.

**H.B. 1007**, AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, PUBLIC HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

**S.B. 866**, AN ACT TO MAKE CHANGES TO THE PERSONS WITH DISABILITIES PROTECTION ACT.

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**S.B. 910**, AN ACT TO MAKE IT A CRIMINAL OFFENSE TO DEFRAUD DRUG OR ALCOHOL SCREENING TESTS.

**S.B. 70**, AN ACT AMENDING THE DEFINITION OF A CONVENTION CENTER IN THE STATE'S ABC LAW.

**H.B. 1734**, AN ACT TO ESTABLISH AND MODIFY VARIOUS ECONOMIC INCENTIVE PROGRAMS FOR BUSINESS AND INDUSTRY; TO AMEND PROVISIONS RELATING TO INDUSTRIAL AND POLLUTION CONTROL FACILITIES FINANCING; TO AUTHORIZE PLANNING AND DEVELOPMENT FOR A BIOPHARMACEUTICAL TRAINING CENTER AND A CANCER REHABILITATION TREATMENT CENTER; AND TO MAKE TECHNICAL AND CONFORMING CHANGES.

**S.B. 163**, AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION'S STUDY COMMITTEE ON GROUP HOMES TO ADDRESS LICENSURE ISSUES AND THE NEEDS OF LOCAL SCHOOL ADMINISTRATIVE UNITS IN WHICH GROUP HOMES FOR CHILDREN ARE LOCATED.

**H.B. 1215**, AN ACT TO DIRECT UNITS OF LOCAL GOVERNMENT TO EVALUATE THEIR EFFORTS TO CONSERVE WATER, TO DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT RULES GOVERNING WATER CONSERVATION AND WATER REUSE, TO ESTABLISH A GOAL TO REDUCE WATER CONSUMPTION BY STATE AGENCIES BY AT LEAST TEN PERCENT, TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO EVALUATE WATER CONSERVATION AND WATER EFFICIENCY PROGRAMS IN THE STATE, AND TO DIRECT THE UTILITIES COMMISSION TO STUDY METHODS TO FUND AND PROMOTE THE DEVELOPMENT OF GREEN POWER IN NORTH CAROLINA.

**H.B. 1120**, AN ACT TO REQUIRE THE BEACH PLAN TO ISSUE A HOMEOWNERS' INSURANCE POLICY; REQUIRE A STUDY OF THE BEACH AND FAIR PLANS; PROVIDE FOR IMMEDIATE TEMPORARY BINDING AUTHORITY OF AGENTS ACCEPTING APPLICATIONS TO THE BEACH PLAN; REQUIRE THE BEACH AND FAIR PLANS TO MAINTAIN UNEARNED PREMIUM RESERVES AND RESERVES FOR LOSSES; MAKE TECHNICAL CORRECTIONS TO THE APPOINTMENT PROVISIONS FOR THE MOTOR VEHICLE REINSURANCE FACILITY BOARD OF GOVERNORS; CLARIFY THAT THE BEACH AND FAIR PLANS ARE SUBJECT TO THE OPEN MEETINGS ACT;

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AND AMEND THE INSURANCE LAW PERTAINING TO SPECIAL DEPOSITS TO PERMIT HARDSHIP PAYMENTS UNDER WORKERS' COMPENSATION POLICIES.

**H.B. 314**, AN ACT TO TRANSFER THE DMV MOTOR VEHICLES ENFORCEMENT SECTION FROM THE DEPARTMENT OF TRANSPORTATION TO THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY.

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

**S.B. 1136**, AN ACT TO INCREASE THE ACREAGE LIMITATION ON SATELLITE ANNEXATIONS FOR THE VILLAGE OF MARVIN, AND TO MAKE A SATELLITE ANNEXATION TO THE TOWN OF BRUNSWICK.

**H.B. 1651**, AN ACT TO REGULATE HUNTING IN PITT COUNTY.

**H.B. 1640**, AN ACT TO INCLUDE THE TOWN OF DUCK AS A MUNICIPALITY AUTHORIZED TO REGULATE AND CONTROL SWIMMING, PERSONAL WATERCRAFT, SURFING, AND LITTERING IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWN WITHIN ITS BOUNDARIES OR WITHIN ITS EXTRATERRITORIAL JURISDICTION; TO DESIGNATE THE TOWN COUNCIL OF THE TOWN OF DUCK AS THE GOVERNING BODY OF THE DUCK AREA BEAUTIFICATION DISTRICT; TO PERMIT THE TOWN OF MANTEO TO DECREASE THE DISTANCE WITHIN WHICH A VEHICLE MAY PARK FROM THE INTERSECTION OF CURB LINES; TO AMEND THE DEFINITION OF SUBDIVISION AS IT APPLIES IN CHOWAN COUNTY; TO ESTABLISH A NO-WAKE ZONE IN BERTIE COUNTY; AND TO ALTER THE COMPOSITION OF THE DARE COUNTY TOURISM BOARD.

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

**S.J.R. 1303**, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF JOSEPH A. SMITH, JR. AS COMMISSIONER OF BANKS. (RESOLUTION 2002-15)

**S.J.R. 1476**, A JOINT RESOLUTION HONORING THE MEMORY OF J.W. MARSH ON THE OCCASION OF THE TOWN OF

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MARSHVILLE'S ONE HUNDRED TWENTY-FIFTH ANNIVERSARY.  
(RESOLUTION 2002-16)

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 644**, AN ACT TO AUTHORIZE PUBLIC TOLL ROADS AND BRIDGES IN NORTH CAROLINA AND THE CREATION OF A TURN-PIKE AUTHORITY. (S.L. 2002-133)

**H.B. 1745**, AN ACT TO REMOVE THE 300 PLATE REQUIREMENT FROM SPECIAL LICENSE PLATES FOR WORLD WAR II AND KOREAN CONFLICT VETERANS' PLATES, TO MODIFY THE LOGO ON THE ROCKY MOUNTAIN ELK FOUNDATION SPECIAL LICENSE PLATE, AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL LICENSE PLATE FOR AVIATION MAINTENANCE TECHNICIANS, NORTH CAROLINA AGRIBUSINESS, AND THE STATE'S OFFICIAL VEGETABLE, THE SWEET POTATO. (S.L. 2002-134)

**H.B. 1187**, AN ACT TO CLARIFY THE COURT FEES FOR LEGAL SERVICES AND TO MAKE VARIOUS COURT FEES UNIFORM. (S.L. 2002-135)

**H.B. 1670**, AN ACT TO CLARIFY THE EXPENSE ATTRIBUTION LAW AS IT APPLIES TO DEDUCTIBLE DIVIDENDS AND TO PROVIDE LIMITS ON THE POTENTIAL TAX LIABILITY. (S.L. 2002-136)

**H.B. 1679**, AN ACT TO INCORPORATE THE TOWN OF OSSIPEE. (S.L. 2002-137)

**H.B. 1707**, AN ACT TO PROVIDE TOURISM DEVELOPMENT FOR THE NEW HANOVER COUNTY BEACH TOWNS, TO PROVIDE FOR THE ESTABLISHMENT OF A TOURISM DEVELOPMENT AUTHORITY, TO CONFORM ADMINISTRATIVE PROVISIONS OF THE NEW HANOVER COUNTY LAW TO GENERAL LAW, AND TO PROHIBIT A CONVENTION CENTER IN NEW HANOVER COUNTY FROM ENTERING INTO A CONTRACT WITH A HOTEL REQUIRING THE HOTEL TO PAY FEES OR COMMISSIONS TO THE CONVENTION CENTER BASED ON ACCOMMODATIONS PROVIDED TO

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INDIVIDUALS ATTENDING CONVENTION CENTER FUNCTIONS.  
(S.L. 2002-138)

**H.B. 1720**, AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX. (S.L. 2002-139)

**CALENDAR (continued)**

**S.B. 1217** (House 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; TO RESTORE THE DEFINITION OF FAMILY CARE HOME TO ITS ORIGINAL LANGUAGE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, which was temporarily displaced, is before the Body.

Representative Decker offers Amendment No. 4 which is adopted by electronic vote (48-40).

The bill, as amended, passes its third reading, by electronic vote (78-11), and is ordered sent to the Senate for concurrence in the House committee substitute bill, as amended, by Special Message.

**S.B. 1281** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO CLARIFY TORT CLAIM AND DUTY TO DEFEND EMPLOYEES LIABILITY OF OCCUPATIONAL LICENSING BOARDS; TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING THE REAL ESTATE COMMISSION; TO AUTHORIZE THE BOARD OF LANDSCAPE ARCHITECTS TO RETAIN PRIVATE COUNSEL; AND TO REQUIRE PROFESSIONAL EMPLOYER ORGANIZATIONS TO REGISTER WITH THE DEPARTMENT OF INSURANCE, which was temporarily displaced, is before the Body.

The bill passes its second reading by the following vote.

Those voting in the affirmative are: Representatives Adams, Allen, Baddour, Barbee, Barnhart, Bell, Blust, Bonner, Boyd-McIntyre, Buchanan, Capps, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dockham, Easterling, Eddins, Edwards, Ellis, Fox, Gibson, Gulley, Hackney, Hall, Harrington, Hensley, Holliman, Hurley, Insko, Jarrell,

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Jeffus, Johnson, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Preston, Rayfield, Redwine, Rogers, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, Willingham, C. Wilson, and Yongue - 84.

Voting in the negative: Representatives Allred, Baker, and Justus - 3.

Excused absences: Representatives Alexander, Barefoot, Bowie, Brubaker, Dedmon, Goodwin, Grady, Gray, Haire, Hiatt, Hilton, Pope, Russell, Starnes, Wainwright, and Wright - 16.

Without objection, the bill 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, Allen, Baddour, Barbee, Barnhart, Bell, Blust, Bonner, Boyd-McIntyre, Buchanan, Capps, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dockham, Easterling, Eddins, Edwards, Ellis, Fox, Gibson, Gulley, Hackney, Hall, Harrington, Hensley, Holliman, Hurley, Insko, Jarrell, Jeffus, Johnson, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Preston, Rayfield, Redwine, Rogers, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, Willingham, C. Wilson, and Yongue - 83.

Voting in the negative: Representatives Allred, Baker, and Justus - 3.

Excused absences: Representatives Alexander, Barefoot, Bowie, Brubaker, Dedmon, Goodwin, Grady, Gray, Haire, Hiatt, Hilton, Pope, Russell, Starnes, Wainwright, and Wright - 16.

On motion of the Chair, the House recesses at 8:30 p.m., subject to the receipt of Messages from the Senate, the appointment of conferees, and the receipt of committee reports.

## **RECESS**

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

#### **2001 GENERAL ASSEMBLY SECOND SESSION 2002**

October 3, 2002

Senate Chamber  
October 3, 2002

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. 1217** (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; TO RESTORE THE DEFINITION OF FAMILY CARE HOME TO ITS ORIGINAL LANGUAGE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, and requests conferees. The President *Pro Tempore* appoints:

Senator Clodfelter, Chair  
Senator Lee  
Senator Hoyle  
Senator Metcalf  
Senator Rand  
Senator Hartsell  
Senator Gulley

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 the following as conferees on the part of the House and the Senate is so notified by Special Message: Representatives Culpepper, Baddour, Hackney, and Redwine.

#### **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:

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The following bills are reported with an indefinite postponement report and placed on the Unfavorable Calendar.

**H.B. 1**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR EDUCATION AND INFRASTRUCTURE IMPROVEMENTS,

**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;

**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;

**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;

**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;

**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;

**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 INSUREDS 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 NON-CERTIFICATION DECISIONS AND SECOND LEVEL GRIEVANCE REVIEW DECISIONS MADE BY THE INSURER OR MANAGED

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CARE PLAN AND TO MAKE CONFORMING AMENDMENTS TO EXISTING LAW ON UTILIZATION REVIEW AND GRIEVANCES;

**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;

**H.J.R. 35**, A JOINT RESOLUTION FAVORING ROTATING REGIONAL PRESIDENTIAL PRIMARIES;

**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;

**H.B. 59**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DEFINED CONTRIBUTION PENSION PLAN STUDY COMMISSION;

**H.B. 62**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN USES OF CELLULAR TELEPHONES BY AN OPERATOR OF A MOTOR VEHICLE;

**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;

**H.B. 74**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF HANDHELD CELLULAR TELEPHONES WHILE OPERATING A VEHICLE;

**H.B. 79** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON EARLY RETIREMENT FOR TEACHERS AND STATE EMPLOYEES, AND LOCAL GOVERNMENT EMPLOYEES;

**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;

**H.B. 84**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A CONSTITUTIONAL AMENDMENT PROVIDING FOR FOUR-YEAR

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TERMS FOR MEMBERS OF THE GENERAL ASSEMBLY BY MAKING NECESSARY STATUTORY CHANGES;

**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;

**H.B. 95**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROBESON;

**H.B. 96**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HOKE;

**H.B. 97**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROBESON;

**H.B. 98**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MOORE;

**H.B. 103**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SCOTLAND;

**H.B. 104**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SCOTLAND;

**H.B. 113**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS REGARDING THE GLOBAL TRANSPARK DEVELOPMENT ZONE;

**H.B. 116**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF COLUMBUS;

**H.B. 117**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF COLUMBUS;

**H.B. 119**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BRUNSWICK;

**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

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REQUIREMENTS REGARDING BURN INJURIES THAT APPEAR TO RESULT FROM A CRIMINAL ACT;

**H.B. 126**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GASTON AND THE MUNICIPALITIES LOCATED IN THAT COUNTY;

**H.B. 127**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GASTON AND THE MUNICIPALITIES LOCATED IN THAT COUNTY;

**H.B. 128**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HYDE;

**H.B. 129**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT;

**H.B. 131**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT;

**H.B. 132**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HYDE;

**H.B. 133**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HYDE;

**H.B. 134**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT;

**H.B. 153**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MADISON;

**H.B. 154**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GRAHAM;

**H.B. 155**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SWAIN;

**H.B. 156**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HAYWOOD;

**H.B. 157**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF JACKSON;

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**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;

**H.B. 161** (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;

**H.B. 171**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ONSLOW;

**H.B. 173**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CARTERET;

**H.B. 174**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ONSLOW;

**H.B. 185**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG;

**H.B. 186**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG;

**H.B. 187**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG;

**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;

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**H.B. 201**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 41ST HOUSE DISTRICT;

**H.B. 202**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 41ST HOUSE DISTRICT;

**H.B. 203**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 41ST HOUSE DISTRICT;

**H.B. 209**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF JOHNSTON;

**H.B. 210**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF JOHNSTON;

**H.B. 211**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF JOHNSTON;

**H.B. 221**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CRAVEN;

**H.B. 222**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PAMLICO;

**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;

**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;

**H.B. 233**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 22ND HOUSE DISTRICT;

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**H.B. 234**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 22ND HOUSE DISTRICT;

**H.B. 237**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 41ST HOUSE DISTRICT;

**H.B. 238**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 41ST HOUSE DISTRICT;

**H.B. 246**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A LEGISLATIVE STUDY COMMISSION ON STATE GUARDIANSHIP LAWS;

**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;

**H.B. 249**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF MIDLAND;

**H.B. 251**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 81ST HOUSE DISTRICT;

**H.B. 252**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 81ST HOUSE DISTRICT;

**H.B. 260**, A BILL TO BE ENTITLED AN ACT TO CREATE THE ELECTION LAWS REVISION COMMISSION;

**H.B. 263**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GUILFORD;

**H.B. 264**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GUILFORD;

**H.B. 265**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF GREENSBORO;

**H.B. 266**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF GREENSBORO;

**H.B. 267**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 46TH HOUSE DISTRICT;

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**H.B. 268**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 46TH HOUSE DISTRICT;

**H.B. 269**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROWAN;

**H.B. 271**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CABARRUS;

**H.B. 272**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CABARRUS;

Senate Committee Substitute for **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;

**H.B. 282**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH HOUSE DISTRICT;

**H.B. 283**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH HOUSE DISTRICT;

**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;

**H.B. 302**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF UNION;

**H.B. 303**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF UNION;

**H.B. 304**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 34TH HOUSE DISTRICT;

**H.B. 305**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 34TH HOUSE DISTRICT;

**H.B. 309**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 74TH HOUSE DISTRICT;

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**H.B. 310**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 74TH HOUSE DISTRICT;

**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;

**H.B. 318**, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE CONSTITUTION TO ESTABLISH AN INDEPENDENT REDISTRICTING COMMISSION;

**H.B. 319**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 74TH HOUSE DISTRICT;

**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;

**H.B. 324**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF GREENSBORO;

**H.B. 336**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE PERSONS WITH DISABILITIES PROTECTION ACT;

**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;

**H.B. 339**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CENTRALIZED CREDENTIALING PROGRAM;

**H.B. 367**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GRANVILLE;

**H.B. 368** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REPEALING AN ANNEXATION TO THE CITY OF WELDON;

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**H.B. 369**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF VANCE;

**H.B. 370**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF FRANKLIN;

**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;

**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;

**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;

**H.B. 403**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 6TH HOUSE DISTRICT;

**H.B. 404**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 6TH HOUSE DISTRICT;

**H.B. 406**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GREENE;

**H.B. 407**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAYNE;

**H.B. 408**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF LENOIR;

**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;

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**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;

**H.B. 448**, A BILL TO BE ENTITLED AN ACT RELATING TO HOUSE DISTRICT 33;

**H.B. 450**, A BILL TO BE ENTITLED AN ACT RELATING TO HOUSE DISTRICT 33;

**H.B. 456** (Committee Substitute), 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;

**H.B. 461**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS;

**H.B. 465**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 38TH HOUSE DISTRICT;

**H.B. 466**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 38TH HOUSE DISTRICT;

**H.B. 468**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH HOUSE DISTRICT;

**H.B. 469**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH HOUSE DISTRICT;

**H.B. 470**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PAMLICO;

**H.B. 471**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF JONES;

**H.B. 472**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CRAVEN;

**H.B. 473**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF LENOIR;

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**H.B. 474**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 79TH HOUSE DISTRICT;

**H.B. 475**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF LENOIR;

**H.B. 476**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CRAVEN;

**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;

**H.B. 483**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 96TH HOUSE DISTRICT;

**H.B. 484**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 96TH HOUSE DISTRICT;

**H.B. 485**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BLADEN;

**H.B. 486**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 96TH HOUSE DISTRICT;

**H.B. 487**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BLADEN;

**H.B. 488**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 96TH HOUSE DISTRICT;

**H.B. 497**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 38TH HOUSE DISTRICT;

**H.B. 499**, A BILL TO BE ENTITLED AN ACT TO DIRECT LOCAL BOARDS OF EDUCATION TO REVIEW CERTAIN COURT ORDERS;

**H.B. 500** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ADDING TWO AT-LARGE MEMBERS TO THE BOARDS OF EDUCATION IN COUNTIES WITH A POPULATION OVER 600,000, TO STUDY CHANGING THE TERM OF OFFICE FOR BOARDS

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OF EDUCATION IN COUNTIES WITH A POPULATION OVER 600,000 FROM FOUR YEARS TO TWO YEARS, AND TO STUDY CHANGES IN THE MANNER OF ELECTION OF BOARDS OF EDUCATION IN COUNTIES WITH A POPULATION OVER 600,000 SO AS TO PROVIDE FOR NONPARTISAN PRIMARY ELECTIONS;

**H.B. 503**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG;

**H.B. 505**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF MINT HILL;

**H.B. 511**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR EDUCATIONAL PURPOSES;

**H.B. 517**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 24TH HOUSE DISTRICT;

**H.B. 518**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 24TH HOUSE DISTRICT;

**H.B. 519**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 24TH HOUSE DISTRICT;

**H.B. 520**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CUMBERLAND;

**H.B. 521**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF FAYETTEVILLE;

**H.B. 523**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAYNE;

**H.B. 524**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF LENOIR;

**H.B. 527**, A BILL TO BE ENTITLED AN ACT RELATING TO GASTON COUNTY;

**H.B. 528**, A BILL TO BE ENTITLED AN ACT RELATING TO CATAWBA COUNTY;

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**H.B. 529**, A BILL TO BE ENTITLED AN ACT RELATING TO LINCOLN COUNTY;

**H.B. 531**, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE USE OF TRAWL NETS TO TAKE FISH IN CERTAIN RIVER SYSTEMS;

**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;

**H.B. 536** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATED TO THE USE OF TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS;

**H.B. 538**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CUMBERLAND COUNTY TO LEVY A ONE-CENT LOCAL SALES AND USE TAX;

**H.B. 539**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 83RD HOUSE DISTRICT;

**H.B. 540**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 83RD HOUSE DISTRICT;

**H.B. 550**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ONSLOW;

**H.B. 551**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF JACKSONVILLE;

**H.B. 557**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF BEECH MOUNTAIN;

**H.B. 559**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTIES OF RUTHERFORD AND POLK;

**H.B. 560**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CLEVELAND;

**H.B. 561**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROWAN;

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**H.B. 562**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROWAN;

**H.B. 577**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PITT;

**H.B. 578**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PITT;

**H.B. 579**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WILSON;

**H.B. 581**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF EDGECOMBE;

**H.B. 582**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF NASH;

**H.B. 584**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF EDGECOMBE;

**H.B. 596**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 84TH HOUSE DISTRICT;

**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;

**H.J.R. 603**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ESSIE RUTH COOPER RICHARDSON;

**H.B. 605**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF TRANSYLVANIA AND THE MUNICIPALITIES LOCATED IN THAT COUNTY;

**H.B. 606**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF TRANSYLVANIA AND THE MUNICIPALITIES LOCATED IN THAT COUNTY;

**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;

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**H.B. 611**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF BEECH MOUNTAIN;

**H.B. 613**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG;

**H.B. 614**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG;

**H.B. 615**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG;

**H.B. 625**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF GASTONIA;

**H.B. 626**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GASTON;

**H.B. 628**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF CHARLOTTE;

**H.B. 629**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG;

**H.B. 630**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 35TH HOUSE DISTRICT;

**H.B. 634**, A BILL TO BE ENTITLED AN ACT TO AMEND THE INVESTMENT AND BANKING LAWS;

**H.B. 638**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 9TH HOUSE DISTRICT;

**H.B. 639**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 9TH HOUSE DISTRICT;

**H.B. 640**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 9TH HOUSE DISTRICT;

**H.B. 641**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 9TH HOUSE DISTRICT;

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**H.B. 642**, A BILL TO BE ENTITLED AN ACT CONCERNING THE TRANSPORTATION POLICY OF THE STATE;

**H.B. 646**, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA RELIGIOUS FREEDOM RESTORATION ACT;

**H.B. 648** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA STUDY COMMISSION ON MEDICAL EXAMINERS;

**H.B. 657**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 72ND HOUSE DISTRICT;

**H.B. 660**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 49TH HOUSE DISTRICT;

**H.B. 662**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT ANY INFANT BORN ALIVE IS INCLUDED IN THE DEFINITION OF PERSON;

**H.B. 669**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PRESCRIPTION DRUG ASSISTANCE PROGRAM FOR QUALIFIED AGED PERSONS;

**H.B. 672**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF CHARLOTTE;

**H.B. 673**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF CORNELIUS;

**H.B. 674**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG;

**H.B. 675**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF HUNTERSVILLE;

**H.B. 681**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DISPLAY OF THE TEN COMMANDMENTS IN THE PUBLIC SCHOOLS;

**H.B. 704**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BUILDING CODE PILOT PROGRAM FOR REHABILITATING EXISTING BUILDINGS;

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**H.B. 706**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAYNE;

**H.B. 707**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SAMPSON;

**H.B. 708**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DUPLIN;

**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;

**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;

**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;

**H.B. 729**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 8TH HOUSE DISTRICT;

**H.B. 730**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 8TH HOUSE DISTRICT;

**H.B. 731**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 8TH HOUSE DISTRICT;

**H.B. 732**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 8TH HOUSE DISTRICT;

**H.B. 733**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 8TH HOUSE DISTRICT;

**H.B. 738**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 94TH HOUSE DISTRICT;

**H.B. 739**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 94TH HOUSE DISTRICT;

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**H.B. 741**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 31ST HOUSE DISTRICT;

**H.B. 742**, A BILL TO BE ENTITLED AN ACT TO MODIFY MOORE COUNTY HUNTING LAWS;

**H.B. 743**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 31ST HOUSE DISTRICT;

**H.B. 745**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 72ND HOUSE DISTRICT;

**H.B. 750**, A BILL TO BE ENTITLED AN ACT RELATING TO AVERY COUNTY OCCUPANCY TAX;

**H.B. 754**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROCKINGHAM;

**H.B. 755**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROCKINGHAM;

**H.B. 761**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CASWELL;

**H.B. 762**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF BURLINGTON;

**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;

**H.B. 766**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 50TH HOUSE DISTRICT;

**H.B. 767**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 50TH HOUSE DISTRICT;

**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,

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REDEMPTION CENTERS, AND DISTRIBUTORS TO ACCEPT RETURNED BEVERAGE CONTAINERS AND REFUND THE DEPOSITS;

**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;

**H.B. 778**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PENDER;

**H.B. 779**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PENDER;

**H.B. 780**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SAMPSON;

**H.B. 781**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SAMPSON;

**H.B. 782**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ONSLOW;

**H.B. 783**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ONSLOW;

**H.B. 784**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SAMPSON;

**H.B. 785**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PENDER;

**H.B. 786**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ONSLOW;

**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;

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**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;

**H.B. 810** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO CREATE A STUDY COMMITTEE TO STUDY A DOMESTIC VIOLENCE FATALITY REVIEW TEAM;

**H.B. 811**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MADISON;

**H.B. 812**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HAYWOOD AND THE MUNICIPALITIES LOCATED IN THAT COUNTY;

**H.B. 813**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GRAHAM AND THE MUNICIPALITIES LOCATED IN THAT COUNTY;

**H.B. 814**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF JACKSON AND THE MUNICIPALITIES LOCATED IN THAT COUNTY;

**H.B. 815**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SWAIN AND THE MUNICIPALITIES LOCATED IN THAT COUNTY;

**H.B. 818**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF RICHMOND AND THE MUNICIPALITIES LOCATED IN THAT COUNTY;

**H.B. 820**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SWAIN COUNTY TO LEVY A ONE-CENT LOCAL SALES AND USE TAX;

**H.B. 823** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE PARTICIPATION OF PRIVATE SCHOOL AND HOME SCHOOL STUDENTS IN EXTRACURRICULAR ACTIVITIES AT PUBLIC SCHOOLS;

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**H.B. 826**, A BILL TO BE ENTITLED AN ACT CONCERNING THE DARE OCCUPANCY TAX;

**H.B. 827**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF JAMESTOWN;

**H.B. 828**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF HIGH POINT;

**H.B. 829**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF GREENSBORO;

**H.B. 830**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GUILFORD;

**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;

**H.B. 841**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CHATHAM IMPACT FEE LAW;

**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;

**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;

**H.B. 861**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE UNION COUNTY TO HOLD A REFERENDUM ON LEVYING TAXES FOR SCHOOL CONSTRUCTION;

**H.B. 864**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE ORANGE COUNTY IMPACT FEES;

**H.B. 869**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 98TH HOUSE DISTRICT;

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**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;

**H.B. 876**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HENDERSON AND THE MUNICIPALITIES LOCATED IN THAT COUNTY;

**H.B. 881**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TYRRELL COUNTY TO LEVY A ONE PERCENT LOCAL LAND TRANSFER TAX;

**H.B. 888**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 51ST HOUSE DISTRICT;

**H.B. 889**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAKE;

**H.B. 890**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF CARY;

**H.B. 892**, A BILL TO BE ENTITLED AN ACT CONCERNING THE CITY OF CHARLOTTE AND THE TOWN OF PINEVILLE;

**H.B. 895**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF GARNER TO REQUIRE THE PAYMENT OF TRANSPORTATION IMPACT FEES;

**H.B. 900**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE NORTH CAROLINA PROGRESS BOARD;

**H.B. 908**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CARY TO IMPOSE IMPACT FEES FOR PARKS;

**H.B. 909**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CARY TO ADOPT ZONING REGULATIONS FOR INCLUSIONARY HOUSING;

**H.B. 911**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CARY TO CHARGE A GENERAL GOVERNMENT IMPACT

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FEE FOR CAPITAL COSTS RELATED TO THE CONSTRUCTION OF GENERAL GOVERNMENT FACILITIES;

**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;

**H.B. 919**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE TAKING OF DEER WITH DOGS IN DURHAM COUNTY;

**H.B. 920**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DURHAM;

**H.B. 922**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BUNCOMBE;

**H.B. 923**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BUNCOMBE;

**H.B. 925**, A BILL TO BE ENTITLED AN ACT TO CREATE THE WILMINGTON RIVER WALK CONVENTION CENTER DISTRICT;

**H.B. 927**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF WRIGHTSVILLE BEACH;

**H.B. 928**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF WILMINGTON;

**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;

**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;

**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;

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**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;

**H.B. 957** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STUDY THE MINIMUM AGE FOR ENTRY INTO THE PUBLIC SCHOOLS;

**H.B. 984** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAWS REGULATING LANDSCAPE CONTRACTORS, TO INCLUDE IRRIGATION CONTRACTORS UNDER THE LAWS REGULATING LANDSCAPE CONTRACTORS, AND TO AUTHORIZE THE BOARD TO INCREASE FEES;

**H.B. 986**, A BILL TO BE ENTITLED AN ACT CONCERNING THE NORTH CAROLINA PORTS RAILWAY COMMISSION;

**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;

**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;

**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;

**H.B. 1013** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF COSMETIC ART EXAMINERS TO INCREASE FEES, TO ISSUE INACTIVE LICENSES, AND TO REQUIRE CONTINUING EDUCATION OF PERSONS PRACTICING UNDER THE COSMETIC ART ACT;

**H.B. 1020** (Committee Substitute), 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;

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**H.R. 1021**, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF RAILROAD EMPLOYEES WHO DIED WHILE IN THE PERFORMANCE OF THEIR DUTIES;

**H.B. 1022** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON EARLY RETIREMENT AND RETENTION INCENTIVES FOR TEACHERS AND STATE EMPLOYEES;

**H.B. 1069**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING NATURAL OR ECONOMIC RESOURCES;

**H.B. 1072**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE NORTH CAROLINA ENVIRONMENTAL RULES;

**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;

**H.B. 1075**, A BILL TO BE ENTITLED AN ACT TO REQUIRE SINGLE-MEMBER DISTRICTS FOR ELECTION TO THE GENERAL ASSEMBLY;

**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;

**H.B. 1077** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATED TO PROVIDING CAREER FIREFIGHTERS AND RESCUE SQUAD WORKERS WITH INCREASED RETIREMENT BENEFITS;

**H.B. 1078** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON EARLY RETIREMENT FOR CAREER FIREFIGHTERS;

**H.B. 1095**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MANAGED CARE OMBUDSMAN PROGRAM;

**H.B. 1096**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE WITHHOLDING OF RETAINAGE ON CONSTRUCTION PROJECTS

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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;

**H.B. 1101**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES OF PERSONAL PRIVACY PROTECTIONS;

**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;

**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;

**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;

**H.R. 1124**, A HOUSE RESOLUTION REQUESTING THE CONGRESSIONAL DELEGATION OF THE STATE OF NORTH CAROLINA SUPPORT PRESIDENT BUSH'S TAX RELIEF PROPOSAL;

**H.B. 1134** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE A LEGAL DUTY TO REPORT THREATS OF SCHOOL VIOLENCE, TO PROVIDE THAT IDENTITY INFORMATION OF A PERSON WHO REPORTS A POTENTIAL THREAT IS CONFIDENTIAL, 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, TO AUTHORIZE THE LRC TO STUDY WHETHER TO GRANT IMMUNITY FROM CRIMINAL PROSECUTION TO ANYONE WHO REPORTS A THREAT OF SCHOOL VIOLENCE AND OTHER ISSUES RELATED TO SCHOOL VIOLENCE, AND TO APPROPRIATE FUNDS FOR THE STUDY;

**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

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THE ORGANIZATION OF THE SCHOOLS FOR THE DEAF, AND TO APPROPRIATE FUNDS FOR THESE PURPOSES;

**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;

**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;

**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;

**H.B. 1155**, A BILL TO BE ENTITLED AN ACT TO REGULATE TRAILERS AND CONTAINERS USED IN INTERMODAL TRANSPORTATION SYSTEMS;

**H.B. 1159**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT;

**H.B. 1162**, A BILL TO BE ENTITLED AN ACT ESTABLISHING LIBERTY DAY IN THE STATE OF NORTH CAROLINA;

**H.B. 1165**, A BILL TO BE ENTITLED AN ACT RELATING TO PRESCRIPTION DRUGS;

**H.B. 1167**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA ADMINISTRATIVE CODE REGARDING THE ENVIRONMENT;

**H.B. 1168**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NORTH CAROLINA RULES CONCERNING THE ENVIRONMENT;

**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;

**H.B. 1178**, A BILL TO BE ENTITLED AN ACT TO LET THE VOTERS RESOLVE DISPUTES BETWEEN THE BOARD OF EDUCATION AND

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THE BOARD OF COUNTY COMMISSIONERS REGARDING SCHOOL FUNDING;

**H.B. 1216**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS;

**H.B. 1218**, A BILL TO BE ENTITLED AN ACT AUTHORIZING A REFERENDUM FOR THE ESTABLISHMENT OF AN EDUCATION LOTTERY;

**H.B. 1231** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE FORMULA USED TO APPORTION THE INCOME OF MULTISTATE CORPORATIONS TO THIS STATE INCLUDING THE ELIMINATION OF THE DOUBLE-WEIGHTED SALES FACTOR;

**H.B. 1233**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY A STATE-WIDE PLAN FOR USING HIGHWAY CONSTRUCTION TO ENHANCE OVERALL ECONOMIC PROSPERITY;

**H.B. 1235**, A BILL TO BE ENTITLED AN ACT TO PLACE CERTAIN LIMITS ON THE SITING OF A SANITARY LANDFILL;

**H.B. 1240**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE LAW-FUL POSSESSION AND USE OF MARIJUANA FOR THE TREATMENT OR ALLEVIATION OF PAIN OR OTHER SYMPTOMS ASSOCIATED WITH CERTAIN DEBILITATING MEDICAL CONDITIONS;

**H.B. 1250**, A BILL TO BE ENTITLED AN ACT ESTABLISHING A FALLEN FIREFIGHTERS MEMORIAL DAY;

**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;

**H.B. 1252**, A BILL TO BE ENTITLED AN ACT ALLOWING LOCAL BOARDS OF EDUCATION TO PLAN FOR SCHOOL SECURITY ISSUES;

**H.B. 1253** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO

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STUDY WHETHER THE DEFINITION OF UNDERINSURED HIGHWAY VEHICLE SHOULD BE AMENDED TO PROVIDE GREATER PROTECTION TO CONSUMERS INJURED IN MOTOR VEHICLE ACCIDENTS;

**H.B. 1256** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE PERFORMANCE-BASED LICENSURE PROGRAM FOR BEGINNING TEACHERS;

**H.B. 1258**, A BILL TO BE ENTITLED AN ACT TO ENACT THE HISTORICAL MONUMENTS AND MEMORIALS PROTECTION ACT;

**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;

**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;

**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;

**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;

**H.B. 1271** (Committee Substitute), 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;

**H.B. 1274**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE REVENUE LAWS STUDY COMMITTEE TO STUDY LOCAL OPTION ENTERTAINMENT TAXES;

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**H.B. 1275**, A BILL TO BE ENTITLED AN ACT TO CREATE THE UNDERAGE DRINKING STUDY COMMISSION;

**H.B. 1279** (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE CURRENT REQUIREMENTS TO QUALIFY FOR IN-STATE TUITION;

**H.B. 1290**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING THE UNIVERSITY OF NORTH CAROLINA;

**H.B. 1291** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE EXERCISE OF EXTRATERRITORIAL JURISDICTION BY MUNICIPALITIES;

**H.B. 1296**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING TRAFFIC STOPS;

**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;

**H.B. 1300** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STUDY COMMISSION ON ALTERNATIVE ENERGY SOURCES;

**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;

**H.B. 1319**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION;

**H.B. 1320**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING COASTAL ISSUE;

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**H.B. 1329**, A BILL TO BE ENTITLED AN ACT PROHIBITING AN INSURER FROM AUTHORIZING OR REQUIRING THE USE OF NON-ORIGINAL CRASH REPAIR PARTS FOR MOTOR VEHICLE REPAIRS WITHOUT THE WRITTEN CONSENT FROM THE INSURED OR CLAIMANT;

**H.B. 1330** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STUDY ON THE FEASIBILITY OF ALLOWING INTERNET VOTING BY NORTH CAROLINIANS SERVING THE ARMED FORCES;

**H.B. 1332**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO RECOGNIZE THE RIGHT TO HEALTH CARE;

**H.B. 1334**, A BILL TO BE ENTITLED AN ACT REGARDING THE USE OF STATE-OWNED PROPERTY IN THE BLOUNT STREET HISTORIC DISTRICT;

**H.B. 1336**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY CERTIFICATE OF NEED LAWS;

**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;

**H.B. 1339**, A BILL TO BE ENTITLED AN ACT RELATING TO PERMANENT IDENTIFICATION INSIDE OF BURIAL VAULTS;

**H.B. 1340** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY EXPEDITED POST-TOWING PROCEDURES WHEN VEHICLES ARE REMOVED FROM PRIVATE PROPERTY AND PROCEDURES FOR THE QUICK DISPOSAL OF VEHICLES ABANDONED ON NORTH CAROLINA HIGHWAYS;

**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;

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**H.B. 1347**, A BILL TO BE ENTITLED AN ACT RELATING TO SMALL CONSTRUCTION;

**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;

**H.B. 1349**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT LATERAL ENTRY TEACHERS GET CREDIT FOR ALL PRIOR TEACHING EXPERIENCE;

**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;

**H.J.R. 1363**, A JOINT RESOLUTION DIRECTING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE DECOMMISSIONING OF THE GLOBAL TRANSPARK AUTHORITY;

**H.B. 1372**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA SYSTEM OF COMMUNITY COLLEGES;

**H.B. 1373**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA SYSTEM OF COMMUNITY COLLEGES;

**H.B. 1387**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PROJECTS LOCATED IN BUNCOMBE COUNTY;

**H.B. 1403**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PROJECTS LOCATED IN BUNCOMBE COUNTY;

**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;

**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;

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**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;

**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;

**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;

**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;

**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;

**H.B. 1452**, A BILL TO BE ENTITLED AN ACT TO ADOPT A NORTH CAROLINA HOUSE REDISTRICTING PLAN FOR THE WAKE COUNTY AREA-1;

**H.B. 1453**, A BILL TO BE ENTITLED AN ACT TO ADOPT A NORTH CAROLINA HOUSE REDISTRICTING PLAN FOR THE WAKE COUNTY AREA-2;

**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;

**H.J.R. 1464**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LISTON B. RAMSEY, FORMER SPEAKER AND MEMBER OF THE HOUSE OF REPRESENTATIVES;

**H.B. 1467**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH HOUSE DISTRICTS;

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**H.B. 1469**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH HOUSE DISTRICTS WITH A DEVIATION OF LESS THAN 1%;

**H.J.R. 1470**, A JOINT RESOLUTION HONORING AFRICAN AMERICANS WHO HAVE SERVED IN THE GENERAL ASSEMBLY SINCE 1868;

**H.B. 1479**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF FACILITY SERVICES TO STUDY AND REEVALUATE THE MINIMUM STANDARDS FOR LOCAL CONFINEMENT FACILITIES TO PROVIDE FOR IMPROVED FIRE PROTECTION FOR STAFF AND INMATES AND TO APPROPRIATE FUNDS TO IMPLEMENT THAT STUDY;

**H.B. 1480**, A BILL TO BE ENTITLED AN ACT TO ACCELERATE THE REPEAL OF THE UPPER-INCOME TAX BRACKET;

**H.B. 1483**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SUSPENSION OF PER DIEM PAYMENTS TO MEMBERS OF THE GENERAL ASSEMBLY IF THE STATE BUDGET IS NOT ENACTED BY JUNE 30;

**H.B. 1489**, 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;

**H.B. 1491**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION, SUBJECT TO APPROVAL OF THE VOTERS OF THE STATE, TO PROHIBIT THE GOVERNOR FROM WITHHOLDING CERTAIN LOCAL FUNDS;

**H.B. 1494**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MORE FISCAL RESPONSIBILITY BY TREATING SALARY ADJUSTMENTS FOR THE GOVERNOR, COUNCIL OF STATE, AND JUDICIARY THE SAME AS FOR OTHER OFFICERS AND EMPLOYEES OF THE STATE;

**H.B. 1495**, AN ACT REDUCING THE PAY OF MEMBERS OF THE GENERAL ASSEMBLY; LIMITING MEMBER PER DIEM PAYMENTS DURING SESSION TO LEGISLATIVE DAYS ONLY; AND LOWERING THE PAY OF CERTAIN OTHER STATE OFFICERS AND EMPLOYEES;

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**H.R. 1527**, A HOUSE RESOLUTION HONORING THE CAROLINA HURRICANES HOCKEY TEAM, WINNER OF THE PRINCE OF WALES TROPHY AS EASTERN CONFERENCE CHAMPIONS OF THE NATIONAL HOCKEY LEAGUE, AND FINALIST IN THE CHAMPIONSHIP SERIES FOR THE STANLEY CUP, NAMED FOR LORD STANLEY, THE EARL OF PRESTON AND GOVERNOR GENERAL OF CANADA;

**H.B. 1532**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION, SUBJECT TO APPROVAL OF THE VOTERS OF THE STATE, TO PROHIBIT THE GOVERNOR FROM WITHHOLDING LOCAL FUNDS;

**H.B. 1542**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO CLARIFY THAT THE NORTH CAROLINA BUILDING CODE COUNCIL MAY NOT INCORPORATE MATERIAL INTO A RULE BY REFERENCE EXCEPT IN CERTAIN CIRCUMSTANCES;

**H.J.R. 1543**, A JOINT RESOLUTION HONORING JEREMIAH MORRIS, FOUNDER OF THE TOWN OF MORRISVILLE, ON THE TOWN'S 150TH ANNIVERSARY;

**H.B. 1555**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE 1898 WILMINGTON RACE RIOT COMMISSION;

**H.B. 1559**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY WAYS TO ESTABLISH A GROUP HEALTH INSURANCE PURCHASING ARRANGEMENT FOR LONG-TERM CARE STAFF;

**H.B. 1560**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY WAYS THE STATE CAN COORDINATE AND FACILITATE PUBLIC ACCESS TO PUBLIC AND PRIVATE FREE AND DISCOUNT PRESCRIPTION DRUG PROGRAMS FOR SENIOR CITIZENS;

**H.B. 1561**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATED TO CRIMINAL HISTORY RECORD CHECKS OF EMPLOYEES OF LONG-TERM CARE PROVIDERS;

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**H.B. 1566**, A BILL TO BE ENTITLED AN ACT TEMPORARILY REDUCING THE PAY AND PER DIEM OF MEMBERS OF THE GENERAL ASSEMBLY BY TEN PERCENT AND LOWERING THE PAY OF CERTAIN OTHER STATE OFFICERS AND EMPLOYEES BY FIVE PERCENT;

**H.B. 1569**, A BILL TO BE ENTITLED AN ACT PROVIDING FOR VOLUNTARY FLEXIBLE WORK SCHEDULES FOR STATE EMPLOYEES;

**H.B. 1576**, A BILL TO BE ENTITLED AN ACT TO REMOVE FROM THE CHARTER OF THE TOWN OF BADIN A PROVISION ON THE AD VALOREM TAX RATE;

**H.B. 1580**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN PROVIDES BENEFITS ON A CALENDAR YEAR BASIS, TO PROVIDE FOR AN ALTERNATIVE BENEFIT DESIGN FOR OFFICE VISITS UNDER THE PLAN, AND TO MAKE CONFORMING CHANGES TO DEDUCTIBLES AND AGGREGATE MAXIMUMS;

**H.J.R. 1590**, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF JOSEPH A. SMITH, JR. AS COMMISSIONER OF BANKS;

**H.B. 1595**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION, SUBJECT TO APPROVAL OF THE VOTERS OF THE STATE, TO PROHIBIT THE GOVERNOR FROM WITHHOLDING LOCAL FUNDS;

**H.B. 1608**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHECK-CASHING LAW WITH REGARD TO POSTDATED OR DELAYED DEPOSIT CHECKS;

Senate Committee Substitute for **H.B. 1611** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN TRANSYLVANIA COUNTY AND TO REQUIRE PERMISSION BEFORE HUNTING ON THE LAND OF ANOTHER IN TRANSYLVANIA COUNTY;

**H.B. 1621**, A BILL TO BE ENTITLED AN ACT TO RECLASSIFY STATUTORY RAPE OR SEXUAL OFFENSE OF A PERSON WHO IS

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13, 14, OR 15 YEARS OLD BY A DEFENDANT WHO IS MORE THAN FOUR YEARS BUT LESS THAN SIX YEARS OLDER;

**H.B. 1622**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF SPECIAL PROBATION TO REMOVE THE SIX-MONTH LIMITATION ON THE PERIOD OF IMPRISONMENT;

**H.B. 1625**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IF AN OUT-OF-STATE INSTITUTION IN CERTAIN CIRCUMSTANCES HAS A MAIN PERMANENT CAMPUS LOCATED IN NORTH CAROLINA, THE SCHOLARSHIP FUNDS AND LEGISLATIVE TUITION GRANTS AVAILABLE THROUGH THE STATE EDUCATION ASSISTANCE AUTHORITY ARE ALSO AVAILABLE TO NORTH CAROLINA RESIDENTS WHO ENROLL AT THE NORTH CAROLINA CAMPUS;

**H.B. 1639**, A BILL TO BE ENTITLED AN ACT TO MAKE THE INCREASE IN SENTENCE LENGTHS BETWEEN PRIOR RECORD LEVELS MORE PROPORTIONATE USING A SET PERCENTAGE INCREMENT;

**H.B. 1647**, A BILL TO BE ENTITLED AN ACT MODIFYING THE STATUTES RELATING TO SCHOLARSHIPS FOR CHILDREN OF WAR VETERANS;

**H.B. 1663**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF SPECIAL PROBATION TO REMOVE THE SIX-MONTH LIMITATION ON THE PERIOD OF IMPRISONMENT;

**H.B. 1672**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SCOTLAND COUNTY TO LEVY AN ADDITIONAL ONE-CENT LOCAL SALES AND USE TAX TO BE USED FOR EDUCATIONAL EXPENSES ONLY;

**H.B. 1676**, A BILL TO BE ENTITLED AN ACT AUTHORIZING A REFERENDUM FOR THE ESTABLISHMENT OF AN EDUCATION LOTTERY;

**H.B. 1680**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE FEASIBILITY AND MERITS OF CHANGING THE NAME OF FAYETTEVILLE STATE UNIVERSITY TO THE UNIVERSITY OF

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NORTH CAROLINA AT FAYETTEVILLE AND TO APPROPRIATE FUNDS FOR THE STUDY;

**H.B. 1688**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A WATER WITHDRAWAL TO PROVIDE COOLING FOR ELECTRICAL POWER GENERATION IS NOT A TRANSFER REGULATED UNDER THE STATE INTERBASIN TRANSFER LAWS AND TO APPROPRIATE FUNDS TO UPDATE THE BASINWIDE WATER QUALITY MANAGEMENT PLANS FOR THE APPROPRIATE RIVER BASINS;

**H.B. 1702**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR THE PROPERTY TAX STUDY COMMISSION TO STUDY THE COMPARATIVE TAX BURDEN BETWEEN NORTH CAROLINA AND SOUTH CAROLINA;

**H.B. 1703**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE EFFICIENCY OF RAIL OPERATIONS AT THE STATE PORTS BY REPEALING THE STATUTES ESTABLISHING THE NORTH CAROLINA PORTS RAILWAY COMMISSION AND TRANSFERRING ITS ASSETS AND LIABILITIES TO THE STATE PORTS AUTHORITY;

**H.B. 1704**, A BILL TO BE ENTITLED AN ACT TO REALLOCATE THREE MONTHS FROM THE MINIMUM SENTENCE OF CLASSES B1 THROUGH E TO THE MAXIMUM SENTENCE, AND TO INCREASE THE PERIOD OF POST-RELEASE SUPERVISION FROM NINE MONTHS TO TWELVE MONTHS;

**H.B. 1705**, A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE PRIOR RECORD LEVEL POINT RANGES IN ORDER TO EXPAND THE POINTS IN PRIOR RECORD LEVEL I AND TO EVEN OUT THE REMAINING RANGES;

**H.B. 1706**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY VARIOUS ASPECTS OF THE NORTH CAROLINA STATE PORTS AUTHORITY FACILITIES;

**H.B. 1709**, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE ALLOWED USES OF MONEY IN THE EMERGENCY TELEPHONE SYSTEM FUND FOR COMMUNICATIONS NEEDS;

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**H.B. 1710**, A BILL TO BE ENTITLED AN ACT CREATING THE INDEPENDENT GOVERNMENT REVIEW COMMISSION AND APPROPRIATING FUNDS FOR THE WORK OF THE COMMISSION;

**H.B. 1712**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE COMMERCIAL DISSEMINATION OF UNSOLICITED AND UNWANTED ELECTRONIC MESSAGES AND APPROPRIATING FUNDS FOR THAT PURPOSE;

**H.B. 1713**, A BILL TO BE ENTITLED AN ACT TO STUDY SALARY DIFFERENTIALS FOR PUBLIC SCHOOL INSTRUCTIONAL SUPPORT PERSONNEL;

**H.B. 1715**, A BILL TO BE ENTITLED AN ACT AUTHORIZING A STUDY ON TEACHER RECRUITMENT AND RETENTION;

**H.B. 1721**, A BILL TO BE ENTITLED AN ACT TO ENLARGE THE CLASS OF TAXPAYERS ELIGIBLE FOR AN ENHANCED CREDIT FOR INVESTING IN LOW-INCOME HOUSING IN A COUNTY THAT SUSTAINED SEVERE OR MODERATE DAMAGE FROM A HURRICANE IN 1999;

**H.B. 1735**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE ENFORCEMENT SECTION OF THE DIVISION OF MOTOR VEHICLES AND TRANSFER THE FUNCTIONS OF THAT SECTION TO THE STATE HIGHWAY PATROL;

**H.B. 1739**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHANGES TO CERTAIN MENTAL HEALTH REFORM INITIATIVES;

**H.B. 1740**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONDITIONS UNDER WHICH A COUNTY MAY REDUCE APPROPRIATIONS TO A SCHOOL ADMINISTRATIVE UNIT AFTER PASSAGE OF THE BUDGET ORDINANCE;

**H.B. 1741**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NUMBER OF PORTFOLIOS THAT TEACHERS ARE REQUIRED TO PREPARE;

**H.J.R. 1742**, A JOINT RESOLUTION AUTHORIZING THE 2001 GENERAL ASSEMBLY, REGULAR SESSION 2002, TO CONSIDER A

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BILL TO BE ENTITLED AN ACT PERTAINING TO THE DISPLAY OF THE UNITED STATES FLAG;

**H.B. 1744**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE ENFORCEMENT OF STATE LAWS TO COMBAT GUN TRAFFICKING;

**H.B. 1746**, A BILL TO BE ENTITLED AN ACT ALLOWING STATE AGENCIES AND UNIVERSITIES TO UTILIZE INSTALLMENT OR LEASE-PURCHASE CONTRACTS TO FINANCE ENERGY AND WATER CONSERVATION MEASURES IN STATE FACILITIES;

**H.B. 1755**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE PROTECTION AGAINST IDENTITY THEFT AND VOTER FRAUD BY REQUIRING EITHER A VALID SOCIAL SECURITY NUMBER OR A VALID ALIEN REGISTRATION NUMBER FOR ISSUANCE OF A DRIVERS LICENSE; TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO DETERMINE THE VALIDITY OF ANY SOCIAL SECURITY NUMBER OR VALID ALIEN REGISTRATION NUMBER SUBMITTED ON AN APPLICATION FOR A DRIVERS LICENSE; TO REQUIRE THAT DRIVERS LICENSES ISSUED BASED ON A VALID ALIEN REGISTRATION SHALL EXPIRE WHEN THE VALID ALIEN REGISTRATION EXPIRES; TO INVALIDATE ALL LICENSES ISSUED WITHOUT A VALID SOCIAL SECURITY NUMBER OR VALID ALIEN REGISTRATION NUMBER UNLESS THE LICENSE HOLDER PROVIDES A VALID NUMBER UPON REQUEST; TO REQUIRE LICENSES BE MAILED TO THE ADDRESS GIVEN BY THE APPLICANT; TO PROHIBIT THE USE OF AN AFFIDAVIT TO ESTABLISH RESIDENCY EXCEPT IN THE CASE OF A MINOR APPLICANT WHOSE PARENT OR GUARDIAN HAS ESTABLISHED RESIDENCY BY MEANS OTHER THAN AN AFFIDAVIT; TO REQUIRE THE STATE BOARD OF ELECTIONS TO REVIEW ALL VOTER REGISTRATIONS MADE THROUGH THE DIVISION OF MOTOR VEHICLES IN ORDER TO VERIFY THE VALIDITY OF THE CLAIM OF RESIDENCY, AND TO MAIL ADDRESS CONFIRMATIONS OF RESIDENCY AND CITIZENSHIP TO, AT A MINIMUM, ALL VOTERS REGISTERED THROUGH THE DIVISION OF MOTOR VEHICLES WHO DID NOT FURNISH A VALID SOCIAL SECURITY NUMBER, AND TO NOTIFY THE GENERAL ASSEMBLY OF THE RESULTS OF THE REVIEW AND VERIFICATION; AND TO INCREASE THE PENALTY FOR FURNISHING NONSWORN FALSE INFORMATION IN ORDER TO OBTAIN STATE-ISSUED PICTURE IDENTIFICATION TO THE PENALTY SET FOR MAKING A FALSE BOMB THREAT;

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**H.B. 1756**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT IN ADOPTING A BUDGET, THE GENERAL ASSEMBLY MAY NOT USE REVENUE ESTIMATES HIGHER THAN THE AMOUNT COLLECTED IN THE PRIOR CALENDAR YEAR, EXCEPT WITH A TWO-THIRDS VOTE OF EACH HOUSE, AND PROVIDING THAT EXCESS COLLECTIONS SHALL BE PLACED IN A RESERVE FUND;

**H.B. 1757**, A BILL TO BE ENTITLED AN ACT AUTHORIZING A STUDY OF WHETHER LOCAL BOARDS OF EDUCATION HAVE THE FISCAL AND ADMINISTRATIVE FLEXIBILITY THEY NEED TO OPERATE THE PUBLIC SCHOOLS EFFICIENTLY AND EFFECTIVELY;

**H.B. 1758**, A BILL TO BE ENTITLED AN ACT TO AMEND THE UMSTEAD ACT TO PROHIBIT THE UNIVERSITY OF NORTH CAROLINA OR ANY OTHER LEGAL ENTITY INCORPORATED OR CREATED TO BENEFIT THE UNIVERSITY OF NORTH CAROLINA FROM DEVELOPING, CONSTRUCTING, OWNING, OR OPERATING HOTELS OR OTHER SIMILAR LODGING FACILITIES, RESTAURANTS, SPAS, OR GOLF COURSES EXCEPT IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT THE GENERAL ASSEMBLY MUST SPECIFICALLY AUTHORIZE CERTAIN UNIVERSITY SYSTEM CONTRACTS AND CERTAIN TYPES OF DEBT ISSUED BY CORPORATIONS OR LIMITED LIABILITY CORPORATIONS THAT ARE CONTROLLED BY THE UNIVERSITY OF NORTH CAROLINA OR ONE OF ITS CONSTITUENT INSTITUTIONS;

**H.B. 1759**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ON-LINE VOTING;

**H.B. 1760**, A BILL TO BE ENTITLED AN ACT TO CONTRIBUTE TO THE PREVENTION OF WORKPLACE VIOLENCE;

**H.B. 1763**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONDITIONS UNDER WHICH A COUNTY MAY REDUCE APPROPRIATIONS TO A SCHOOL ADMINISTRATIVE UNIT AFTER PASSAGE OF THE BUDGET ORDINANCE;

**H.B. 1768**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE EXPUNCTION OF RECORDS WHEN CHARGES ARE VOLUNTARILY DISMISSED AS A RESULT OF MISIDENTIFICATION AND

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TO APPROPRIATE FUNDS FOR THE ADMINISTRATIVE COSTS TO IMPLEMENT THIS PROCEDURE;

**H.B. 1769**, A BILL TO BE ENTITLED AN ACT FOR DESIGNATING, BUDGETING, AND COMPENSATING CERTAIN EMPLOYEES OF THE UNIVERSITY OF NORTH CAROLINA;

**H.B. 1773**, A BILL TO BE ENTITLED AN ACT TO PERMIT RETIRED TEACHERS TO WORK PART TIME AS TEACHERS WITHOUT RENEWING THEIR CERTIFICATES EVERY FIVE YEARS AND TO APPROPRIATE FUNDS TO FACILITATE THE RECRUITMENT OF THESE TEACHERS;

**H.J.R. 1781**, A JOINT RESOLUTION HONORING THE MEMORY OF ALEXANDER TROY ON THE OCCASION OF THE TOWN OF TROY'S 150TH ANNIVERSARY;

**H.J.R. 1789**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY SINCE FOR THE 2002 REGULAR SESSION, AS OF THE SEPTEMBER 9, 2002, FIRST READING OF THIS RESOLUTION, THE GENERAL ASSEMBLY WILL HAVE BEEN IN SESSION FOR 105 CALENDAR DAYS, HAVING CONVENED ON MAY 28, 2002, AND HAVING FAILED TO PASS A BUDGET BY JUNE 30, 2002;

**H.J.R. 1790**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY SINCE FOR THE 2002 REGULAR SESSION, AS OF THE SEPTEMBER 10, 2002, FIRST READING OF THIS RESOLUTION, THE GENERAL ASSEMBLY WILL HAVE BEEN IN SESSION FOR 106 CALENDAR DAYS, HAVING CONVENED ON MAY 28, 2002, AND HAVING FAILED TO PASS A BUDGET BY JUNE 30, 2002;

**H.R. 1791**, A HOUSE RESOLUTION REQUESTING THAT THE CONGRESS OF THE UNITED STATES ENACT LEGISLATION ESTABLISHING A DOMAIN EXCLUSIVELY FOR THE POSTING AND DISSEMINATION OF PORNOGRAPHIC MATERIALS;

**H.J.R. 1792**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY SINCE FOR THE 2002 REGULAR SESSION, AS OF THE SEPTEMBER 11, 2002, FIRST READING OF THIS RESOLUTION, THE GENERAL ASSEMBLY

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WILL HAVE BEEN IN SESSION FOR 107 CALENDAR DAYS, HAVING CONVENED ON MAY 28, 2002, AND HAVING FAILED TO PASS A BUDGET BY JUNE 30, 2002;

**H.R. 1793**, A HOUSE RESOLUTION REQUESTING THAT THE CONGRESS OF THE UNITED STATES ENACT LEGISLATION ESTABLISHING A DOMAIN EXCLUSIVELY FOR THE POSTING AND DISSEMINATION OF PORNOGRAPHIC MATERIALS;

**H.J.R. 1794**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY SINCE FOR THE 2002 REGULAR SESSION, AS OF THE SEPTEMBER 12, 2002, FIRST READING OF THIS RESOLUTION, THE GENERAL ASSEMBLY WILL HAVE BEEN IN SESSION FOR 108 CALENDAR DAYS, HAVING CONVENED ON MAY 28, 2002, AND HAVING FAILED TO PASS A BUDGET BY JUNE 30, 2002;

**H.R. 1795**, A HOUSE RESOLUTION REQUESTING THAT THE CONGRESS OF THE UNITED STATES ENACT LEGISLATION ESTABLISHING A DOMAIN EXCLUSIVELY FOR THE POSTING AND DISSEMINATION OF PORNOGRAPHIC MATERIALS;

**H.R. 1796**, A HOUSE RESOLUTION ENCOURAGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROTECTING OUR CHILDREN BY ESTABLISHING AN EXCLUSIVE WEB DOMAIN EXTENSION OF ".XXX" AND LIMITING THE POSTING AND DISSEMINATION OF OBSCENE OR PORNOGRAPHIC MATERIALS TO THE DESIGNATED DOMAIN;

**H.R. 1797**, A HOUSE RESOLUTION ENCOURAGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROTECTING OUR CHILDREN BY ESTABLISHING AN EXCLUSIVE WEB DOMAIN EXTENSION OF ".XXX" AND LIMITING THE POSTING AND DISSEMINATION OF OBSCENE OR PORNOGRAPHIC MATERIALS TO THE DESIGNATED DOMAIN;

**H.R. 1798**, A HOUSE RESOLUTION PROVIDING THAT NO LOBBYIST BE ALLOWED TO LOBBY THE NORTH CAROLINA GENERAL ASSEMBLY MEMBERS IF THAT LOBBYIST RECEIVES MEMBERSHIP FEES OR FUNDS THAT ARE OBTAINED FROM ANY GOVERNMENT SOURCE THAT TAXPAYERS FUND OR FROM REVENUE THAT IS PAID IN BY THE TAXPAYERS OF NORTH CAROLINA;

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**H.R. 1799**, A HOUSE RESOLUTION ENCOURAGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROTECTING OUR CHILDREN BY ESTABLISHING AN EXCLUSIVE WEB DOMAIN EXTENSION OF ".XXX" AND LIMITING THE POSTING AND DISSEMINATION OF OBSCENE OR PORNOGRAPHIC MATERIALS TO THE DESIGNATED DOMAIN;

**H.R. 1800**, A HOUSE RESOLUTION ENCOURAGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROTECTING OUR CHILDREN BY ESTABLISHING AN EXCLUSIVE WEB DOMAIN EXTENSION OF ".XXX" AND LIMITING THE POSTING AND DISSEMINATION OF OBSCENE OR PORNOGRAPHIC MATERIALS TO THE DESIGNATED DOMAIN;

**H.R. 1801**, A HOUSE RESOLUTION PROVIDING THAT NO MEMBER OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES SHALL DEVIATE FROM THE RULES OF THE HOUSE AS SET FORTH AND APPROVED BY VOTE OF THE MEMBERS OF THE HOUSE AT THE BEGINNING OF A LEGISLATIVE SESSION, THAT MEMBERS OF THE HOUSE OF REPRESENTATIVES CAN DEVIATE FROM THE NORTH CAROLINA HOUSE RULES ONLY WITH TWO-THIRDS MAJORITY VOTE, AND THAT ANY SUCH DEVIATION WITHOUT THE VOTE OF THE HOUSE MEMBERS SHALL CONSTITUTE OFFICIAL OPPRESSION;

**H.R. 1802**, A HOUSE RESOLUTION ENCOURAGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROTECTING OUR CHILDREN BY ESTABLISHING AN EXCLUSIVE WEB DOMAIN EXTENSION OF ".XXX" AND LIMITING THE POSTING AND DISSEMINATION OF OBSCENE OR PORNOGRAPHIC MATERIALS TO THE DESIGNATED DOMAIN;

**H.R. 1803**, A HOUSE RESOLUTION ENCOURAGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROTECTING OUR CHILDREN BY ESTABLISHING AN EXCLUSIVE WEB DOMAIN EXTENSION OF ".XXX" AND LIMITING THE POSTING AND DISSEMINATION OF OBSCENE OR PORNOGRAPHIC MATERIALS TO THE DESIGNATED DOMAIN;

**H.R. 1806**, A HOUSE RESOLUTION CALLING ON THE SPEAKER TO ALLOW FLOOR DEBATE AND ACTION ON SENATE BILL 1008, BAN VIDEO POKER;

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**H.R. 1807**, A HOUSE RESOLUTION EXPRESSING SUPPORT FOR LEGISLATION THAT WOULD AUTHORIZE A REFERENDUM TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR THE RECALL OF ANY ELECTED OFFICIAL BY THE QUALIFIED VOTERS WITHIN THAT ELECTED OFFICIAL'S DISTRICT ON THE GROUNDS THAT THE ELECTED OFFICIAL DID NOT ADHERE TO PLEDGES MADE DURING THE CAMPAIGN PROCESS;

**H.R. 1808**, A HOUSE RESOLUTION CALLING ON THE SPEAKER TO ALLOW FLOOR DEBATE AND ACTION ON SENATE BILL 1008, BAN VIDEO POKER;

**H.R. 1809**, A HOUSE RESOLUTION CALLING ON THE SPEAKER TO ALLOW FLOOR DEBATE AND ACTION ON SENATE BILL 1008, BAN VIDEO POKER;

**H.R. 1810**, A HOUSE RESOLUTION CALLING ON THE SPEAKER TO ALLOW FLOOR DEBATE AND ACTION ON SENATE BILL 1008, BAN VIDEO POKER;

**H.R. 1811**, A HOUSE RESOLUTION CALLING ON THE SPEAKER TO ALLOW FLOOR DEBATE AND ACTION ON SENATE BILL 1008, BAN VIDEO POKER;

**H.R. 1812**, A HOUSE RESOLUTION CALLING FOR COMPLIANCE BY THE OFFICE OF STATE BUDGET AND MANAGEMENT WITH 1998 LEGISLATION CONCERNING ACCOUNTING FOR FEDERAL FUNDS, AND CALLING FOR AN END TO THE AUTOMATIC APPROPRIATION OF RECEIPTS AND FEDERAL FUNDS, SO THERE WILL BE PROPER SCRUTINY BY THE GENERAL ASSEMBLY OF THE EXPENDITURE OF THOSE FUNDS;

**H.R. 1813**, A HOUSE RESOLUTION CALLING ON THE SPEAKER TO ALLOW FLOOR DEBATE AND ACTION ON SENATE BILL 1008, BAN VIDEO POKER;

**H.R. 1814**, A HOUSE RESOLUTION CALLING ON THE SPEAKER TO TAKE IMMEDIATE ACTION TO CORRECT THE VIOLATION OF HOUSE RULES BY UNKNOWN INDIVIDUALS WHO INSERTED A PROVISION CALLING FOR A STUDY OF THE USE OF PORTFOLIOS IN THE TEACHER CERTIFICATION PROCESS IN THE BUDGET CONFERENCE REPORT WHEN BOTH THE HOUSE AND SENATE HAD VOTED TO ELIMINATE THE USE OF PORTFOLIOS FOR CERTIFICATION AND CALLING ON THE SPEAKER TO PUBLICLY

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DISCLOSE AT THE EARLIEST POSSIBLE DATE THE NAMES OF THE INDIVIDUALS RESPONSIBLE FOR THIS VIOLATION;

**H.R. 1815**, A HOUSE RESOLUTION CALLING ON THE SPEAKER TO ALLOW FLOOR DEBATE AND ACTION ON SENATE BILL 1008, BAN VIDEO POKER;

**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;

**S.J.R. 52** (Committee Substitute), A JOINT RESOLUTION HONORING THE MEMORY OF GREAT NORTH CAROLINIANS AND NAMING BILLY GRAHAM AS A FAVORITE SON OF NORTH CAROLINA;

**S.B. 93** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING AN ADVISORY REFERENDUM ON AN EDUCATION LOTTERY FOR NORTH CAROLINA ON NOVEMBER 5, 2002;

**S.B. 98** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND EXTEND VARIOUS STUDY COMMITTEES AND COMMISSIONS, AND TO AUTHORIZE OR DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES;

**S.B. 140** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS TO REPORT AD HOC COMMUNITY COLLECTIONS SOLICITED OR ACCEPTED FOR NAMED INDIVIDUALS OR PURPOSES;

**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;

**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 COLLEGE;

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**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;

**S.B. 394** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE SHALL STUDY THE ISSUE OF ADVISORY MEMBERS TO THE STATE BOARD OF EDUCATION AND TO EXTEND THE REPORTING DATES AND EXPIRATION DATE FOR THE HEART DISEASE AND STROKE PREVENTION TASK FORCE;

**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;

**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;

**S.B. 586**, A BILL TO BE ENTITLED AN ACT TO GIVE CLASSROOM EXPERIENCE TO PROFESSIONAL PUBLIC SCHOOL EMPLOYEES WHO ARE NOT CLASSROOM TEACHERS;

**S.B. 626** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING A PILOT PROGRAM TO REVIEW DOMESTIC VIOLENCE FATALITIES;

**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;

**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;

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**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;

**S.B. 938** (House 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;

**S.B. 1008** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE POSSESSION OR OPERATION OF VIDEO GAMING MACHINES EXCEPT BY A FEDERALLY RECOGNIZED INDIAN TRIBE AS AUTHORIZED BY THE INDIAN GAMING REGULATORY ACT AND A VALID TRIBAL-STATE COMPACT;

**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;

**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;

**S.B. 1137** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COUNTY UTILITIES AUTHORITY TO OPERATE WATER AND SEWER SYSTEMS IN CERTAIN COUNTIES;

**S.B. 1140** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE DEFINITION OF A CONVENTION CENTER IN THE STATE'S ABC LAW;

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**S.B. 1162** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO DEFRAUD DRUG OR ALCOHOL SCREENING TESTS;

**S.B. 1163**, A BILL TO BE ENTITLED AN ACT PROVIDING FOR VOLUNTARY FLEXIBLE WORK SCHEDULES FOR STATE EMPLOYEES;

**S.B. 1199**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY WAYS THE STATE CAN COORDINATE AND FACILITATE PUBLIC ACCESS TO PUBLIC AND PRIVATE FREE AND DISCOUNT PRESCRIPTION DRUG PROGRAMS FOR SENIOR CITIZENS;

**S.B. 1210** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STREAMLINED PROGRAM FOR PERMITTING THE MANAGEMENT OF WINERY WASTEWATER;

**S.B. 1214**, A BILL TO BE ENTITLED AN ACT TO EXCLUDE AIRPORTS FROM THE PUBLIC ENTERPRISE BILLING INFORMATION PRIVACY LAW;

**S.B. 1248** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A PENSION ASSURANCE FUND TO PROTECT THE RETIREMENT SAVINGS AND INVESTMENTS OF THE CITIZENS OF NORTH CAROLINA;

**S.B. 1282** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CODIFY RULES FOR SHARING OF JUVENILE INFORMATION BETWEEN AGENCIES;

**S.B. 1420** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE PENALTIES AGAINST IMPROPER AND COERCIVE POLITICAL FUND-RAISING PRACTICES AGAINST STATE EMPLOYEES AND TO APPLY THE LAW TO ALL STATE EMPLOYEES;

**S.J.R. 1471**, A JOINT RESOLUTION COMMEMORATING INDEPENDENCE DAY AND EXPRESSING SUPPORT OF THE RECITAL OF THE PLEDGE OF ALLEGIANCE; and

**S.J.R. 1472**, A JOINT RESOLUTION RECOGNIZING PARAMOUNT'S CAROWINDS THEME PARK FOR ITS NUMEROUS ACCOMPLISHMENTS IN ITS THIRTY-YEAR HISTORY.

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By Representatives Bonner and Warner, Chairs, for the Committee on Education:

The following bills are reported with an indefinite postponement report and placed on the Unfavorable Calendar.

**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;

**H.B. 217**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE CONSUMER EDUCATION IN GRADES NINE THROUGH TWELVE;

**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. 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.

The House reconvenes pursuant to recess and is called to order by the Speaker.

#### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 1281**, AN ACT TO CLARIFY TORT CLAIM AND DUTY TO DEFEND EMPLOYEES LIABILITY OF OCCUPATIONAL LICENSING BOARDS; TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING THE REAL ESTATE COMMISSION; TO AUTHORIZE THE BOARD OF LANDSCAPE ARCHITECTS TO RETAIN PRIVATE COUNSEL; AND TO REQUIRE PROFESSIONAL EMPLOYER ORGANIZATIONS TO REGISTER WITH THE DEPARTMENT OF INSURANCE.

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**S.B. 1455**, AN ACT TO AUTHORIZE THE GENERAL STATUTES COMMISSION AND OTHER INTERESTED PARTIES TO STUDY THE PROVISIONS OF SENATE BILL 1455, 4TH EDITION, STRENGTHEN SECURITIES FRAUD ENFORCEMENT LAWS, INTRODUCED IN THE 2001 GENERAL ASSEMBLY, AND TO MAKE RECOMMENDATIONS TO THE 2003 REGULAR SESSION OF THE 2003 GENERAL ASSEMBLY; TO INCREASE CERTAIN FILING AND RENEWAL FEES WITH THE SECRETARY OF STATE; TO FUND ADDITIONAL SECURITIES INVESTIGATOR POSITIONS; TO PROHIBIT THE STATE FROM CONTRACTING WITH BUSINESSES THAT HAVE ANY OFFICERS OR DIRECTORS WHO HAVE BEEN CONVICTED OF SECURITIES FRAUD; TO PROHIBIT THE STATE FROM CONTRACTING WITH VENDORS THAT ARE INCORPORATED IN A TAX HAVEN COUNTRY BUT THE UNITED STATES IS THE PRINCIPAL MARKET FOR THE PUBLIC TRADING OF THEIR CORPORATION'S STOCK; AND TO AUTHORIZE THE STATE TREASURER, IN CONSULTATION WITH THE SECRETARY OF STATE, AND THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE CREATION OF A PENSION ASSURANCE FUND TO PROTECT THE RETIREMENT SAVINGS AND INVESTMENTS OF THE CITIZENS OF NORTH CAROLINA.

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

**H.J.R. 1805**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF PHILIP PITTMAN GODWIN, SR., FORMER SPEAKER OF THE HOUSE OF REPRESENTATIVES. (RESOLUTION 2002-17)

#### **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. 1283** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO MAKE VARIOUS CHANGES TO THE APPOINTMENTS TO BOARDS AND COMMISSIONS, with a favorable report as to

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the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar for immediate consideration. The Senate committee substitute bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (61-5), 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 the House committee substitute bill by Special Message.

**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, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on today's Calendar for immediate consideration. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Representative Gibson offers Amendment No. 1 which is adopted by electronic vote (65-1).

Representative Hackney offers Amendment No. 2 which is adopted by electronic vote (45-21).

Representative Culpepper offers Amendment No. 3 which is adopted by electronic vote (67-0).

The bill, as amended, passes its second reading, by electronic vote (68-0), 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 the House committee substitute bill, as amended, by Special Message.

On motion of Representative Culpepper, seconded by Representative Miller, the House adjourns to reconvene October 4 at 12:20 a.m.

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**TWO HUNDRED FIFTY-SIXTH DAY**

HOUSE OF REPRESENTATIVES  
Friday, October 4, 2002

The House meets at 12:20 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Nye.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of October 3 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Alexander, Barefoot, Blue, Bowie, Brubaker, Dedmon, Goodwin, Grady, Gray, Haire, Hiatt, Hilton, McAllister, Pope, Russell, Starnes, Thompson, Wainwright, and Wright for today.

**CONFERENCE REPORT**

Representative Culpepper sends forth the Conference Report on **S.B. 1217** (House 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; TO RESTORE THE DEFINITION OF FAMILY CARE HOME TO ITS ORIGINAL LANGUAGE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS. Without objection, the Conference Report is placed on the Calendar for immediate consideration.

Representative Culpepper moves the adoption of the following Conference Report.

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate 1217 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL

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STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; TO RESTORE THE DEFINITION OF FAMILY CARE HOME TO ITS ORIGINAL LANGUAGE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, House Committee Substitute Favorable 10/3/02, submit the following report:

The House and Senate agree to the following amendments to the House Committee Substitute, Fourth Edition 10/3/02, as amended, and the Senate concurs in the House Committee Substitute as amended:

on page 14, line 41, through page 15, line 8, by deleting the lines; and

on page 16, line 6, by rewriting the line to read:

"**SECTION 18.** This act become effective ~~December 1, 2002~~January 1, 2003."; and

on page 28, lines 13 through 19, by deleting the lines; and

on page 32, line 25 through 30, by rewriting the lines to read:

"**SECTION 46.** G.S. 143B-289.44 reads as rewritten:  
**§ 143B-289.44. North Carolina Aquariums; fees; fund.**

...

(b) Fund. – The North Carolina Aquariums Fund is hereby created as a special and nonreverting fund. The North Carolina Aquariums Fund shall be used for repair, renovation, expansion, maintenance, educational exhibit construction, and operational expenses at existing aquariums and to match private funds that are raised for these purposes.

(c) Disposition of Fees. – All entrance fee receipts shall be credited to the North Carolina Aquariums Fund. ~~The Secretary of Environment and Natural Resources may expend monies from the North Carolina Aquariums Fund only upon the authorization of the General Assembly.~~

...."; and

on page 49, line 7, by rewriting the line to read:

"State, except that it may be implemented at an earlier date in any county by the Register of Deeds of that county."; and

on page 49, lines 16 through 18, by rewriting the lines to read:

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"**SECTION 64.(c)** G.S. 133-3, as amended by Section 5 of S.L. 2002-107, reads as rewritten:"; and

on page 49, line 38 through page 50, line 5, by rewriting the lines to read:  
"limit competitive bidding on future works. Specifications may list one or more preferred brands as an alternate to the base bid in limited circumstances. Specifications containing a preferred brand alternate under this section must identify the performance standards that support the preference. Performance standards for the preference must be approved in advance by the owner in an open meeting. Any alternate approved by the owner shall be approved only where (i) the preferred alternate will provide cost savings, maintain or improve the functioning of any process or system affected by the preferred item or items, or both, and (ii) a justification identifying these criteria is made available in writing to the public. Substitution of materials, items, or"; and

on page 53, line 19, by rewriting the line to read:

"**SECTION 70.5.(a)** Section 7.44 of S.L. 2002-126 reads as rewritten:"; and

on page 53, lines 27 and 28, by inserting between the lines the following:

"**SECTION 70.5.(b).** This section applies only to the extent that and at such times as it is necessary to receive and retain funds as part of the federal Reading First Grant. This section expires at the time that the federal Reading First Grant expires. In the event that the State is not awarded funds as a part of the federal Reading First Grant, the Department shall not continue to implement Section 7.44 of S.L. 2002-126, as rewritten by this section."; and

on page 59, lines 7 through 10, by deleting the lines; and

on page 59, lines 28 and 29, by inserting the following new sections to read:

"**SECTION 91.1.** Nothing in the General Statutes or any local act entitles any charter school, prior to July 1, 2003, to recover retroactively any funds from penalties, fines, and forfeitures or supplemental school taxes.

**SECTION 91.2.** Section 11.1(a) of S.L. 2002-126 is repealed.

**SECTION 91.3.** Notwithstanding the provisions of S.L. 2002-126, the provisions of Section 4 of Chapter 589 of the 1995 Session Laws remain in effect and the Judicial Department shall use the sum of thirty-eight thousand one hundred thirty-two dollars (\$38,132) in funds

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available to the Department to continue a superior court judicial assistant position in Superior Court District 19B. That position is currently assigned to a regular superior court judge, but in the event that the position becomes vacant, it shall be reassigned to the senior resident superior court judge."; and

by deleting Amendments 1, 3 and 4.

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

Date conferees approved report: October 4th, 2002.

*Conferees for the  
Senate*

S/ Daniel G. Clodfelter, Chair  
S/ Tony Rand  
S/ Wib Gulley  
S/ Steve Metcalf  
S/ Fletcher L. Hartsell, Jr.

*Conferees for the  
House of Representatives*

S/ Bill Culpepper, Chair  
S/ Philip A. Baddour, Jr.  
S/ Joe Hackney  
S/ David Redwine

The Conference Report, as presented, is adopted, by electronic vote (52-10), and the Senate is so notified by Special Message.

**SPECIAL MESSAGE FROM THE SENATE**

**2001 GENERAL ASSEMBLY  
SECOND SESSION 2002**

Senate Chamber  
October 2, 2002

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. 1217** (Conference Report), 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; TO RESTORE THE DEFINITION OF FAMILY CARE HOME TO ITS ORIGINAL LANGUAGE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO

October 4, 2002

MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES  
AND SESSION LAWS.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered 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 Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**S.J.R. 1478**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY, with a favorable report as to the House committee substitute joint resolution, which changes the title, unfavorable as to the original resolution.

Pursuant to Rule 36(b), the House committee substitute joint resolution is placed on the Calendar for immediate consideration. The original resolution is placed on the Unfavorable Calendar.

Representative Culpepper offers Amendment No. 1 which is adopted by electronic vote (56-0).

The resolution, as amended, passes its second reading, by electronic vote (55-2), and there being no objection is read a third time.

The resolution, as amended, passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute joint resolution, as amended, by Special Message.

**ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 1283**, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO

October 4, 2002

TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO MAKE VARIOUS CHANGES TO BOARDS AND COMMISSIONS.

**S.B. 98**, AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND EXTEND VARIOUS STUDY COMMITTEES AND COMMISSIONS, AND TO AUTHORIZE OR DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES.

**S.B. 1217**, AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; TO RESTORE THE DEFINITION OF FAMILY CARE HOME TO ITS ORIGINAL LANGUAGE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS.

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

**S.J.R. 1478**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE REGULAR SESSION OF THE GENERAL ASSEMBLY. (RESOLUTION 2002-18)

#### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 1136**, AN ACT TO INCREASE THE ACREAGE LIMITATION ON SATELLITE ANNEXATIONS FOR THE VILLAGE OF MARVIN, AND TO MAKE A SATELLITE ANNEXATION TO THE TOWN OF BRUNSWICK. (S.L. 2002-140)

**H.B. 1640**, AN ACT TO INCLUDE THE TOWN OF DUCK AS A MUNICIPALITY AUTHORIZED TO REGULATE AND CONTROL SWIMMING, PERSONAL WATERCRAFT, SURFING, AND LITTERING IN THE ATLANTIC OCEAN AND OTHER WATERWAYS ADJACENT TO THAT PORTION OF THE TOWN WITHIN ITS BOUNDARIES OR WITHIN ITS EXTRATERRITORIAL JURISDICTION; TO DESIGNATE THE TOWN COUNCIL OF THE TOWN OF DUCK AS THE GOVERNING

October 4, 2002

BODY OF THE DUCK AREA BEAUTIFICATION DISTRICT; TO PERMIT THE TOWN OF MANTEO TO DECREASE THE DISTANCE WITHIN WHICH A VEHICLE MAY PARK FROM THE INTERSECTION OF CURB LINES; TO AMEND THE DEFINITION OF SUBDIVISION AS IT APPLIES IN CHOWAN COUNTY; TO ESTABLISH A NO-WAKE ZONE IN BERTIE COUNTY; AND TO ALTER THE COMPOSITION OF THE DARE COUNTY TOURISM BOARD. (S.L. 2002-141)

**H.B. 1651**, AN ACT TO REGULATE HUNTING IN PITT COUNTY. (S.L. 2002-142)

### SPECIAL MESSAGE FROM THE SENATE

#### 2001 GENERAL ASSEMBLY SECOND SESSION 2002

Senate Chamber  
October 3, 2002

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives respectfully advising that the Senate of the 2001 General Assembly has concluded its business and that the Senate stands ready to open the doors of the Senate upon receipt of information from your Honorable Body that your honorable body stands ready to open the doors of the House of Representatives to the end, that the gavels may fall simultaneously and adjournment declared *sine die*, pursuant to **S.J.R. 1478**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE REGULAR SESSION OF THE GENERAL ASSEMBLY.

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

Representative Culpepper moves, seconded by Representative Miller, that the House of Representatives of the 2001 General Assembly do adjourn *sine die*. The motion carries.

The Speaker orders a Special Message sent to the Senate informing that Honorable Body that the House has concluded its business and stands ready to adjourn the 2001 General Assembly *sine die*.

October 4, 2002

The hour having arrived for adjournment, as set by **S.J.R. 1478**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE REGULAR SESSION OF THE GENERAL ASSEMBLY, of the 2001 General Assembly, the House Sergeant-at-Arms is ordered to open the doors.

The doors of the Senate are opened and the President stands ready to let the gavel fall. The Speaker sounds the gavel and declares the House of Representatives of the 2001 Session of the General Assembly of North Carolina adjourned *sine die*.

Denise G. Weeks  
*Principal Clerk*

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### ADDENDUM

Pursuant to Article II, Section 22 of the North Carolina Constitution, the following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State. The dates included in this section represent the date the Acts were signed by the Governor or where indicated became law without the approval of the Governor.

October 4, 2002

**H.B. 1040**, AN ACT RELATING TO THE TEMPORARY EXTENDED UNEMPLOYMENT BENEFITS SECOND TIER BENEFIT QUALIFICATION FOR NORTH CAROLINA. (S.L. 2002-143)

**H.B. 1105**, AN ACT TO FUND THE OPERATIONS OF THE DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2002-2003 THROUGH THE INSURANCE REGULATORY FUND BY EXPANDING THE PURPOSES FOR WHICH THE FUND MAY BE USED AND BY CREDITING VARIOUS FEES COLLECTED BY THE DEPARTMENT AND OTHER AGENCIES UNDER THE DEPARTMENT INTO THE FUND FOR FISCAL YEAR 2002-2003, AND TO RESTORE THE 2002-2003 BUDGET REDUCTIONS SUSTAINED BY THE DEPARTMENT OF INSURANCE. (S.L. 2002-144)

**H.B. 348**, AN ACT TO IMPROVE COMPLIANCE WITH THE TOBACCO ESCROW STATUTE. (S.L. 2002-145)

October 4, 2002



October 7, 2002

**H.B. 1665**, AN ACT TO AMEND TAX LAWS RELATED TO INTERSTATE AIR COURIERS AND TO AMEND THE WAGE STANDARD UNDER THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT TO ACCOUNT FOR THE VALUE OF HEALTH INSURANCE TO PART-TIME JOBS. (S.L. 2002-146)

October 9, 2002

**H.B. 1638**, AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE CRIMINAL RECORD CHECKS TO THE ALE DIVISION WHEN INVESTIGATING ABC PERMIT APPLICANTS, LOCAL LAW-ENFORCEMENT AGENCIES ISSUING PRECIOUS METAL DEALER PERMITS, THE PRIVATE PROTECTIVE SERVICES BOARD, THE ALARM SYSTEMS LICENSING BOARD, THE BOARD OF LAW EXAMINERS, THE MEDICAL BOARD, THE STATE BOARD OF DENTAL EXAMINERS, THE BOARD OF PHARMACY, THE BOARD OF MORTUARY SCIENCE, THE REAL ESTATE COMMISSION, THE COMMISSIONER OF LABOR WHEN INVESTIGATING PRIVATE PERSONNEL SERVICE LICENSE APPLICANTS, THE STRUCTURAL PEST CONTROL COMMITTEE, AND CITIES WHEN INVESTIGATING TAXI LICENSE APPLICANTS AND TO CHARGE A FEE FOR CONDUCTING THE CHECKS, AND TO CONFORM SEX OFFENDER LAWS TO FEDERAL REQUIREMENTS. (S.L. 2002-147)

**H.B. 1572**, AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 2002-148)

**S.B. 1211**, AN ACT TO REMOVE BOONE'S CAVE STATE NATURAL AREA FROM THE STATE NATURE AND HISTORIC PRESERVE AND THE STATE PARKS SYSTEM, TO AUTHORIZE THE TRANSFER OF THIS PROPERTY TO DAVIDSON COUNTY FOR MANAGEMENT AS A PARK, AND TO ALLOW CERTAIN PUBLIC ENTITIES TO USE THE FIRE TOWER AT MOUNT JEFFERSON STATE NATURAL AREA FOR PUBLIC COMMUNICATIONS PURPOSES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 2002-149)

**S.B. 589**, AN ACT TO PERMIT THE HIGHWAY USE OF OFF-ROAD VEHICLES USED IN AGRICULTURAL QUARANTINE PROGRAMS. (S.L. 2002-150)

**H.B. 1518**, AN ACT TO INCREASE THE INFORMAL BID LIMIT FOR DEPARTMENT OF TRANSPORTATION PROJECTS, TO MODIFY THE CURRENT AUTHORIZATION OF THE DEPARTMENT OF TRANSPORTATION TO AWARD DESIGN-BUILD CONTRACTS, AND CONCERNING CONTRACT REQUIREMENTS FOR IRON USED IN DOT PROJECTS. (S.L. 2002-151)

**H.B. 1519**, AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO REFUSE TO ISSUE A CERTIFICATE OF TITLE FOR, AND TO REFUSE OR CANCEL THE REGISTRATION OF, A MOTOR VEHICLE OWNED BY A MOTOR CARRIER THAT IS DETERMINED TO BE AN IMMINENT HAZARD; TO CLARIFY THE DEFINITION OF INTERSTATE AND INTRASTATE MOTOR CARRIER; TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DETERMINE THE SAFETY FITNESS OF INTRASTATE MOTOR CARRIERS; AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PROHIBIT THE INTRASTATE OPERATIONS OF A MOTOR CARRIER THAT IS DETERMINED TO BE AN IMMINENT HAZARD. (S.L. 2002-152)

**S.B. 1238**, AN ACT TO ALLOW THE PURCHASE OF WITHDRAWN SERVICE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, TO CORRECT THE CALCULATION OF BENEFITS FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM WHO PURCHASE WITHDRAWN SERVICE, AND TO INCREASE APPROPRIATIONS TO THE RETIREMENT SYSTEMS DIVISION. (S.L. 2002-153)

**H.B. 1564**, AN ACT TO PROVIDE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES WITH EXPLICIT AUTHORITY TO ASSESS A CIVIL PENALTY FOR A VIOLATION INVOLVING A VOLUNTARY REMEDIAL ACTION UNDER THE INACTIVE HAZARDOUS SITES PROGRAM CONDUCTED BY A PRIVATE ENVIRONMENTAL CONSULTING OR ENGINEERING FIRM AND TO EXPAND THE ENVIRONMENTAL PERMIT WAIVER AUTHORITY UNDER THE PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 2002-154)

**S.B. 1252**, AN ACT TO AMEND THE LAND CONSERVATION STATUTES OF THE STATE OF NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 2002-155)

**H.B. 1523**, AN ACT TO AMEND VARIOUS PROPERTY TAX LAWS. (S.L. 2002-156)

**H.B. 1501**, AN ACT CONCERNING UNLAWFUL ACCESS OR DAMAGE TO A GOVERNMENT COMPUTER OR CAUSING DENIAL OF SERVICE AFFECTING A GOVERNMENT COMPUTER. (S.L. 2002-157)

October 10, 2002

**S.B. 1054**, AN ACT TO ESTABLISH A NONPARTISAN METHOD OF ELECTING SUPREME COURT JUSTICES AND COURT OF APPEALS JUDGES BEGINNING IN 2004; TO SET \$1,000 CONTRIBUTION LIMITS (\$2,000 FROM FAMILY MEMBERS) FOR JUDICIAL CAMPAIGNS BEGINNING IN 2004; TO ESTABLISH A PUBLIC CAMPAIGN FINANCING FUND THAT PROVIDES APPELLATE JUDICIAL CANDIDATES WHO AGREE TO CONTRIBUTION AND EXPENDITURE RESTRICTIONS WITH AN ALTERNATIVE MEANS OF FINANCING THEIR CAMPAIGNS BEGINNING IN 2004; TO SAFEGUARD CANDIDATES WHO OPT TO USE THAT SYSTEM BY PROHIBITING CERTAIN CONTRIBUTIONS TO THEIR OPPONENTS DURING THE TWENTY-ONE DAYS BEFORE AN ELECTION AND BY PROVIDING RESCUE MONEY WHEN THEY FACE LARGE EXPENDITURES BY OPPONENTS OR LARGE INDEPENDENT EXPENDITURES; TO PROVIDE A JUDICIAL VOTER GUIDE TO BE FINANCED BY THE FUND; TO PROVIDE THAT THE FUND SHALL BE ADMINISTERED BY THE STATE BOARD OF ELECTIONS ASSISTED BY AN ADVISORY COUNCIL; AND TO PROVIDE THAT THE FUND SHALL BE FINANCED BY METHODS INCLUDING A POSITIVE \$3 CHECK-OFF ON THE NORTH CAROLINA INCOME TAX AND A \$50 CONTRIBUTION BY ATTORNEYS WHEN THEY PAY THEIR PRIVILEGE LICENSE TAX. (S.L. 2002-158)

October 11, 2002

**S.B. 1217**, AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; TO RESTORE THE DEFINITION OF FAMILY CARE HOME TO ITS ORIGINAL LANGUAGE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS. (S.L. 2002-159)

October 17, 2002

**H.B. 1777**, AN ACT TO DELAY THE EFFECTIVE DATE OF CERTAIN ADMINISTRATIVE RULES GOVERNING SANITATION OF HOSPITALS, NURSING HOMES, REST HOMES, AND OTHER INSTITUTIONS; TO PROVIDE FOR A FIELD TEST OF THOSE RULES; TO AUTHORIZE THE COMMISSION FOR HEALTH SERVICES TO ADOPT TEMPORARY AND PERMANENT RULES TO AMEND THOSE RULES; TO AUTHORIZE THE MEDICAL CARE COMMISSION TO ADOPT TEMPORARY AND PERMANENT RULES GOVERNING LICENSING OF FAMILY CARE HOMES AND HOMES FOR THE AGED AND INFIRM; AND TO REQUIRE THE SECRETARY OF HEALTH AND HUMAN SERVICES AND THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO DEVELOP A PROCESS FOR EXPEDITING REVIEW OF REQUESTS FOR WAIVERS FROM RULES PERTAINING TO MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES. (S.L. 2002-160)

**H.B. 623**, AN ACT TO PROMOTE ENERGY EFFICIENCY IN STATE-OWNED BUILDINGS. (S.L. 2002-161)

**H.B. 1245**, 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 AND TO MAKE STATEWIDE A LOCAL ACT TO PERMIT THE REMOVAL OF FILED DD FORM 214 AND OTHER DISCHARGE PAPERS OR FOR THE REDACTING OF THE FORM OR FORMS WHEN A COPY IS REQUESTED BY PERSONS OTHER THAN THE FILER OR A MEMBER OF HIS FAMILY, WHICH CURRENTLY APPLIES ONLY IN CRAVEN, NASH, AND PAMLICO COUNTIES. (S.L. 2002-162)

**S.B. 866**, AN ACT TO MAKE CHANGES TO THE PERSONS WITH DISABILITIES PROTECTION ACT. (S.L. 2002-163)

October 23, 2002

**S.B. 163**, AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION'S STUDY COMMITTEE ON GROUP HOMES TO ADDRESS LICENSURE ISSUES AND THE NEEDS OF LOCAL SCHOOL ADMINISTRATIVE

UNITS IN WHICH GROUP HOMES FOR CHILDREN ARE LOCATED.  
(S.L. 2002-164)

**H.B. 1007**, AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, PUBLIC HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (S.L. 2002-165)

**H.B. 1641**, AN ACT TO ADOPT THE PROVISIONS OF THE REVISED INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS AND TO PROVIDE FOR NORTH CAROLINA TO PARTICIPATE IN THE INTERNATIONAL PRISONER TRANSFER PROGRAM ADMINISTERED BY THE UNITED STATES DEPARTMENT OF JUSTICE. (S.L. 2002-166)

**H.B. 1215**, AN ACT TO DIRECT UNITS OF LOCAL GOVERNMENT TO EVALUATE THEIR EFFORTS TO CONSERVE WATER, TO DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT RULES GOVERNING WATER CONSERVATION AND WATER REUSE, TO ESTABLISH A GOAL TO REDUCE WATER CONSUMPTION BY STATE AGENCIES BY AT LEAST TEN PERCENT, TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO EVALUATE WATER CONSERVATION AND WATER EFFICIENCY PROGRAMS IN THE STATE, AND TO DIRECT THE UTILITIES COMMISSION TO STUDY METHODS TO FUND AND PROMOTE THE DEVELOPMENT OF GREEN POWER IN NORTH CAROLINA. (S.L. 2002-167)

**S.B. 1281**, AN ACT TO CLARIFY TORT CLAIM AND DUTY TO DEFEND EMPLOYEES LIABILITY OF OCCUPATIONAL LICENSING BOARDS; TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING THE REAL ESTATE COMMISSION; TO AUTHORIZE THE BOARD OF LANDSCAPE ARCHITECTS TO RETAIN PRIVATE COUNSEL; AND TO REQUIRE PROFESSIONAL EMPLOYER ORGANIZATIONS TO REGISTER WITH THE DEPARTMENT OF INSURANCE. (S.L. 2002-168)

**H.B. 1307**, AN ACT TO AMEND THE MORTGAGE LENDING ACT TO AUTHORIZE LICENSURE OF EXCLUSIVE MORTGAGE BROKERS UNDER CERTAIN CIRCUMSTANCES, TO REQUIRE CRIMINAL HISTORY BACKGROUND CHECKS ON APPLICANTS AND

LICENSEES UNDER THE MORTGAGE LENDING ACT, AND TO PROVIDE FOR THE APPROVAL OF EDUCATIONAL COURSES UNDER THE MORTGAGE LENDING ACT. (S.L. 2002-169)

**H.B. 1516**, AN ACT TO AMEND THE LAW GOVERNING PLANNING BY THE DEPARTMENT OF TRANSPORTATION, AND TO REQUIRE THE BOARD OF TRANSPORTATION TO REDESIGNATE NC 136 IN IREDELL AND CABARRUS COUNTIES AS NC 3 TO HONOR DALE EARNHARDT. (S.L. 2002-170)

October 31, 2002

**H.B. 1402**, AN ACT TO ESTABLISH AN ADDRESS CONFIDENTIALITY PROGRAM FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL OFFENSE, AND STALKING. (S.L. 2002-171)

**H.B. 1734**, AN ACT TO ESTABLISH AND MODIFY VARIOUS ECONOMIC INCENTIVE PROGRAMS FOR BUSINESS AND INDUSTRY; TO AMEND PROVISIONS RELATING TO INDUSTRIAL AND POLLUTION CONTROL FACILITIES FINANCING; TO AUTHORIZE PLANNING AND DEVELOPMENT FOR A BIOPHARMACEUTICAL TRAINING CENTER AND A CANCER REHABILITATION TREATMENT CENTER; AND TO MAKE TECHNICAL AND CONFORMING CHANGES. (S.L. 2002-172)

**H.B. 1726**, 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. (S.L. 2002-173)

**S.B. 1443**, AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL TEACHERS AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATED TO EMPLOYEE BENEFITS FOR SCHOOL EMPLOYEES, COMMUNITY COLLEGE EMPLOYEES, AND STATE EMPLOYEES IN JOB-SHARING AND PART-TIME POSITIONS. (S.L. 2002-174)

**H.B. 1100**, AN ACT TO PROVIDE CONSUMERS AND FINANCIAL INSTITUTIONS GREATER PROTECTION FROM FRAUDULENT FINANCIAL TRANSACTIONS. (S.L. 2002-175)

**H.B. 1537**, AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS TO: (1) EXTEND THE PILOT PROGRAM FOR INSPECTION

OF ANIMAL WASTE MANAGEMENT SYSTEMS AND TO AMEND THE REPORTING REQUIREMENT FOR THE PILOT PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION; (2) PROVIDE THAT MEMBERS OF THE SOIL AND WATER CONSERVATION COMMISSION MAY HOLD CONCURRENT OFFICES CONSISTENT WITH THE PROVISIONS OF THE CONSTITUTION OF NORTH CAROLINA; (3) AUTHORIZE THE SOIL AND WATER CONSERVATION COMMISSION TO APPROVE GRANTS FOR SMALL WATERSHED PROJECTS RELATED TO DAM REHABILITATION AND IMPROVEMENT; (4) PROVIDE THAT MEMBERS OF THE ENVIRONMENTAL REVIEW COMMISSION WHO ARE NOT REELECTED TO THE GENERAL ASSEMBLY MAY COMPLETE THEIR TERM OF SERVICE ON THE COMMISSION; (5) PROVIDE THAT THE EASTERN BAND OF CHEROKEE INDIANS IN NORTH CAROLINA MAY RECEIVE FUNDS FROM THE CLEAN WATER REVOLVING LOAN AND GRANT FUND; (6) AUTHORIZE THE STATE INFRASTRUCTURE COUNCIL TO MEET IN THE LEGISLATIVE BUILDING AND LEGISLATIVE OFFICE BUILDING IN CERTAIN CIRCUMSTANCES; AND (7) AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRANSFER FUNDS FROM THE GENERAL WATER SUPPLY REVOLVING LOAN AND GRANT ACCOUNT TO THE EMERGENCY WATER SUPPLY REVOLVING LOAN ACCOUNT IN ORDER TO ASSIST WATER SUPPLY SYSTEMS EXPERIENCING A DROUGHT EMERGENCY. (S.L. 2002-176)

**S.B. 204**, AN ACT TO ESTABLISH THE ROANOKE RIVER BASIN BI-STATE COMMISSION AND ROANOKE RIVER BASIN ADVISORY COMMITTEE. (S.L. 2002-177)

**S.B. 1275**, AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A PLAN TO IMPROVE THE STATE'S TRACKING OF DROPOUT DATA, TO EXAMINE THE ACCOUNTABILITY FORMULA TO REWARD HIGH SCHOOLS FOR REDUCING THEIR DROPOUT RATE, TO IDENTIFY CURRENT STATE TECHNICAL HIGH SCHOOLS AND CAREER CENTERS AND TO COOPERATE WITH THE STATE BOARD OF COMMUNITY COLLEGES TO ENCOURAGE CONCURRENT ENROLLMENT, TO STUDY THE RELATIONSHIP BETWEEN ACADEMIC RIGOR AND REDUCING THE DROPOUT RATE, TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO PLACE EXCELLENT, EXPERIENCED TEACHERS IN GRADES SEVEN THROUGH NINE, TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY WHETHER RAISING THE COMPULSORY ATTENDANCE AGE TO

EIGHTEEN WILL REDUCE THE DROPOUT RATE, TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT A POLICY TO REQUIRE KINDERGARTEN THROUGH EIGHTH GRADE TEACHERS TO TAKE THREE RENEWAL CREDITS IN READING METHODS COURSES, TO DIRECT THE UNC BOARD OF GOVERNORS TO STUDY WHETHER TO REQUIRE AT LEAST TWO READING METHODS COURSES FOR ALL ELEMENTARY EDUCATION MAJORS AND AT LEAST ONE READING METHODS COURSE FOR ALL MIDDLE GRADES EDUCATION MAJORS, TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE FISCAL AND INSTRUCTIONAL ACCOUNTABILITY OF LOCAL SCHOOL ADMINISTRATIVE UNITS, AND TO DIRECT THE STATE BOARD OF EDUCATION TO TAKE OVER ALL POWERS AND DUTIES RELATED TO A SCHOOL WHEN THAT SCHOOL AND ITS LOCAL BOARD OF EDUCATION FAIL TO IMPLEMENT RECOMMENDATIONS OF AN ASSISTANCE TEAM ASSIGNED TO THAT SCHOOL. (S.L. 2002-178)

**H.B. 1508**, AN ACT TO PROMOTE READINESS FOR AND TO IMPROVE MANAGEMENT OF A PUBLIC HEALTH THREAT THAT MAY RESULT FROM A TERRORIST INCIDENT USING NUCLEAR, BIOLOGICAL, OR CHEMICAL AGENTS AND TO AMEND THE NORTH CAROLINA MEDICAL CARE COMMISSION'S RULE-MAKING AUTHORITY REGARDING STANDARDS AND CRITERIA FOR THE EDUCATION AND CREDENTIALING OF PERSONS TO ADMINISTER TREATMENT FOR ANAPHYLAXIS, AND TO PROVIDE THAT MEDICAL REVIEW CONFIDENTIALITY APPLIES TO AMBULATORY SURGICAL CENTERS, AND TO AMEND THE NORTH CAROLINA HAZARDOUS MATERIALS EMERGENCY ACT TO PROVIDE FOR REGIONAL RESPONSES TO TERRORIST INCIDENTS. (S.L. 2002-179)

**S.B. 98**, AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND EXTEND VARIOUS STUDY COMMITTEES AND COMMISSIONS, AND TO AUTHORIZE OR DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES. (S.L. 2002-180)

**S.B. 832**, AN ACT TO PROVIDE FOR CONTRACT FINANCING AND SURETY BONDS FOR SMALL BUSINESSES THAT CONTRACT WITH GOVERNMENTAL AGENCIES. (S.L. 2002-181)

**H.B. 1313**, AN ACT TO ESTABLISH THE INTERPRETER AND TRANSLITERATOR LICENSURE ACT FOR PERSONS WHO ARE



DEAF OR HARD-OF-HEARING AND TO MAKE CONFORMING CHANGES TO CHAPTER 8B AND CHAPTER 143B. (S.L. 2002-182)

**S.B. 910**, AN ACT TO MAKE IT A CRIMINAL OFFENSE TO DEFRAUD DRUG OR ALCOHOL SCREENING TESTS. (S.L. 2002-183)

**S.B. 1161**, AN ACT TO AMEND THE PRESENT-USE VALUE STATUTES, TO CREATE A PROPERTY TAX SUBCOMMITTEE OF THE REVENUE LAWS STUDY COMMITTEE, TO CLARIFY THE SALES AND USE TAX EXEMPTION REGARDING CERTAIN AGRICULTURAL SUBSTANCES, AND TO MAKE VARIOUS ADMINISTRATIVE CHANGES IN THE TAX LAWS. (S.L. 2002-184)

**H.B. 1120**, AN ACT TO REQUIRE THE BEACH PLAN TO ISSUE A HOMEOWNERS' INSURANCE POLICY; REQUIRE A STUDY OF THE BEACH AND FAIR PLANS; PROVIDE FOR IMMEDIATE TEMPORARY BINDING AUTHORITY OF AGENTS ACCEPTING APPLICATIONS TO THE BEACH PLAN; REQUIRE THE BEACH AND FAIR PLANS TO MAINTAIN UNEARNED PREMIUM RESERVES AND RESERVES FOR LOSSES; MAKE TECHNICAL CORRECTIONS TO THE APPOINTMENT PROVISIONS FOR THE MOTOR VEHICLE REINSURANCE FACILITY BOARD OF GOVERNORS; CLARIFY THAT THE BEACH AND FAIR PLANS ARE SUBJECT TO THE OPEN MEETINGS ACT; AND AMEND THE INSURANCE LAW PERTAINING TO SPECIAL DEPOSITS TO PERMIT HARDSHIP PAYMENTS UNDER WORKERS' COMPENSATION POLICIES. (S.L. 2002-185)

**S.B. 347**, AN ACT REGARDING THE USE OF STATE-OWNED PROPERTY IN THE BLOUNT STREET HISTORIC DISTRICT. (S.L. 2002-186)

**H.B. 760**, AN ACT TO CLARIFY THE MOTOR VEHICLE REINSURANCE FACILITY AND BEACH AND FAIR PLAN LAWS; AMEND LAWS REGARDING DEPARTMENT OF INSURANCE OVERSIGHT OF INSURANCE COMPANY SOLVENCY; AMEND THE MANAGED CARE EXTERNAL REVIEW LAW TO PROVIDE FOR CLARITY IN MAILING NOTICES, THE SAME IMMUNITY TO MEDICAL PROFESSIONALS ADVISING THE COMMISSIONER AS PROVIDED TO EXTERNAL REVIEWERS, AND CONFIDENTIALITY OF CREDENTIALING INFORMATION IN THE POSSESSION OF THE COMMISSIONER; EXTEND THE RATE HEARING TIMETABLES FOR HOMEOWNERS' AND WORKERS' COMPENSATION INSURANCE; CLARIFY THE NORTH CAROLINA HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT; EXTEND THE TIME

FOR PREMIUM FINANCE COMPANY PREMIUM REFUNDS FOR AUDITED POLICIES; AMEND THE TITLE INSURANCE RESERVE LAWS TO ENHANCE INSOLVENCY PROTECTION; AND REDUCE THE NONFORFEITURE INTEREST RATE FOR INDIVIDUAL ANNUITIES. (S.L. 2002-187)

**S.B. 70**, AN ACT AMENDING THE DEFINITION OF A CONVENTION CENTER IN THE STATE'S ABC LAW. (S.L. 2002-188)

**S.B. 1455**, AN ACT TO AUTHORIZE THE GENERAL STATUTES COMMISSION AND OTHER INTERESTED PARTIES TO STUDY THE PROVISIONS OF SENATE BILL 1455, 4TH EDITION, STRENGTHEN SECURITIES FRAUD ENFORCEMENT LAWS, INTRODUCED IN THE 2001 GENERAL ASSEMBLY, AND TO MAKE RECOMMENDATIONS TO THE 2003 REGULAR SESSION OF THE 2003 GENERAL ASSEMBLY; TO INCREASE CERTAIN FILING AND RENEWAL FEES WITH THE SECRETARY OF STATE; TO FUND ADDITIONAL SECURITIES INVESTIGATOR POSITIONS; TO PROHIBIT THE STATE FROM CONTRACTING WITH BUSINESSES THAT HAVE ANY OFFICERS OR DIRECTORS WHO HAVE BEEN CONVICTED OF SECURITIES FRAUD; TO PROHIBIT THE STATE FROM CONTRACTING WITH VENDORS THAT ARE INCORPORATED IN A TAX HAVEN COUNTRY BUT THE UNITED STATES IS THE PRINCIPAL MARKET FOR THE PUBLIC TRADING OF THEIR CORPORATION'S STOCK; AND TO AUTHORIZE THE STATE TREASURER, IN CONSULTATION WITH THE SECRETARY OF STATE, AND THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE CREATION OF A PENSION ASSURANCE FUND TO PROTECT THE RETIREMENT SAVINGS AND INVESTMENTS OF THE CITIZENS OF NORTH CAROLINA. (S.L. 2002-189)

**H.B. 314**, AN ACT TO TRANSFER THE DMV MOTOR VEHICLES ENFORCEMENT SECTION FROM THE DEPARTMENT OF TRANSPORTATION TO THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY. (S.L. 2002-190)

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It will be noted that a number of bills and resolutions passed second reading and then were read a third time on the same day.

Rule 41(b) states:

No bill shall be read more than once in the same day without the concurrence of two-thirds (2/3) of the Members present and voting.

In order to comply with this Rule, no bill which has passed its second reading is read a third time except:

- (1) When a Member moves that the Rule be suspended, and this motion carries by at least a two-thirds vote of the Members present.
- (2) When the Chair determines that there is no objection from any Member present. This constitutes unanimous consent of those Members present that Rule 41(b) be suspended.

In these cases, the bill is read a third time.

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In accordance with Rule 2, the Speaker, or his designee, shall lead the Members in the Pledge of Allegiance to the American Flag at the convening hour on the first day of each legislative week.

Generally, the Pledge of Allegiance was recited during the Extra Session, since that Session was held before the Regular Session. There is no reference to the recital of the Pledge of Allegiance at the beginning of the journal in those instances.

Denise G. Weeks  
*Principal Clerk*

**TWO HUNDRED FIFTY-SEVENTH DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, November 13, 2002

Pursuant to a call of His Excellency, Governor Michael F. Easley, hereinafter recorded, the House of Representatives of the General Assembly of North Carolina convenes in its Hall in Reconvened Session, at the hour of one-thirty o'clock, Wednesday, November 13, 2002, and is called to order by the Speaker of the House, James B. Black.

The following prayer is offered by the Reverend Jim Harry, House Chaplain:

"Almighty God:

"Throughout the history of Your people You have always found a way to lead us through uncharted territory. When the land ran into the sea, You parted the waters so we could walk across dry ground. When we complained about not having enough to drink, You turned a rock into a gushing spring. Never have we been left alone to find our own way unless we simply turned our hearts away from Thy guiding hand. So it is that now, once again, we turn our eyes heavenward to seek Your direction to walk toward a place that we have never walked before. Take our eyes and see through them. Take our feet and walk in them. Take our minds and think through them. Take our lips and speak through them. Take our hearts and set them ablaze so that only good and justice can roll down like thunder. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

The Reading Clerk reads the following proclamation by the Governor.

**PROCLAMATION OF RECONVENED SESSION**

Pursuant to the authority vested in the Governor by Article III, Section 5(11) of the Constitution of North Carolina, and as required by Article II, Section 22(7), the General Assembly shall reconvene on **November 13, 2002** at 1:30 p.m. to reconsider Senate Bill 1283 which was vetoed on November 3, 2002.

November 13, 2002

Done in Raleigh, North Carolina, on November 11, 2002.

S/ Michael Easley  
*Governor*

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

**THE APPOINTMENT OF CAROLYN JUSTUS**

**2001-2002**

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

**A PROCLAMATION**

WHEREAS, the Honorable Larry T. Justus, elected Representative from the North Carolina House District 50 has died in office; and

WHEREAS, the provisions of General Statute § 163-11 require that the vacancy created by the death of the Honorable Larry T. Justus be filled by appointment of the person recommended by the North Carolina House District 50 Republican Party Executive Committee; and

WHEREAS, the North Carolina House District 50 Republican Party Executive Committee has notified me of its recommendation of Carolyn Justus of Henderson County, North Carolina, to fill the unexpired term,

I do by these presents appoint

CAROLYN JUSTUS

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 8<sup>th</sup> Day of November, 2002.

November 13, 2002

S/ Michael Easley  
*Governor*

ATTEST:

S/ Elaine F. Marshall  
*Secretary of State*  
by and through  
Rodney Maddox  
*Chief Deputy Secretary*

The following oath of office was administered to Carolyn Justus by the Honorable Thomas H. Thompson, Clerk of Court, Henderson County, on November 11, 2002.

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

"I, Carolyn Justus, 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 Chair states that Representative Justus will occupy Seat 13 and appoints her to the following committees: Appropriations; Appropriations Subcommittee on Capital; Appropriations Subcommittee on Justice and Public Safety; Election Law and Campaign Finance Reform; Health; Insurance; Judiciary II; Legislative Redistricting; Rules, Calendar and Operations of the House; University Board of Governors Nominating.

The Speaker orders a Special Message sent to the Senate notifying them that the House has reconvened pursuant to the Call of the Governor and of the seating of Representative Justus.

Leaves of absence are granted Representatives Barefoot, M. Crawford, Gillespie, McCombs, Thompson, and Yongue for today.

Pursuant to Rule 54, the Principal Clerk, Denise G. Weeks, is excused for the day.

November 13, 2002

**SPECIAL MESSAGE FROM THE SENATE****2001 GENERAL ASSEMBLY  
SECOND SESSION 2002  
Reconvened**

Senate Chamber  
November 13, 2002

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that pursuant to the Proclamation issued by Governor Michael F. Easley on November 11, 2002, reconvening the 2002 Session of the General Assembly to reconsider Senate Bill 1283 which was vetoed on November 3, 2002, the Senate is ready to proceed with its business.

Respectfully,  
S/ Janet Pruitt  
*Principal Clerk*

**SPECIAL MESSAGE FROM THE SENATE**

The following Special Message is received from the Senate:

**S.J.R. 1480**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE RECONVENED SESSION.

Without objection, the resolution is placed on the Calendar for immediate consideration.

The resolution passes its second reading and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

**ENROLLED BILLS**

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

November 13, 2002

**S.J.R. 1480**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE RECONVENED SESSION. (RESOLUTION 2002-19)

Representative Culpepper moves, seconded by Representative Easterling, that the 2001 House of Representatives meeting in reconvened session under Call of the Governor, adjourn *sine die*. The motion carries.

The Speaker orders a Special Message sent to the Senate informing that Honorable Body that the House has concluded its business and stands ready to adjourn *sine die*.

**SPECIAL MESSAGE FROM THE SENATE**

**2001 GENERAL ASSEMBLY  
SECOND SESSION 2002  
Reconvened**

Senate Chamber  
November 13, 2002

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives respectfully advising that the Senate of the 2001 General Assembly has concluded its business of the reconvened 2002 Session, and pursuant to **S.J.R. 1480**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE RECONVENED SESSION, is adjourning *sine die*.

Respectfully,  
S/ Janet Pruitt  
*Principal Clerk*

The House stands adjourned *sine die* at 2:52 p.m.

Denise G. Weeks  
*Principal Clerk*

November 13, 2002



**A P P E N D I X**  
**SECOND SESSION 2002**



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**H.R. 1775, A HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE PLEDGE OF ALLEGIANCE.**

Whereas, this country was founded on religious freedom by founders, many of whom were deeply religious; and

Whereas, the First Amendment to the Constitution embodies principles intended to guarantee freedom of religion both through the free exercise thereof and by prohibiting the government establishing a religion; and

Whereas, the Pledge of Allegiance was written by Francis Bellamy, a Baptist Minister, and first published in the September 8, 1892, issue of the Youth's Companion; and

Whereas, Congress in 1954 added the words "under God" to the Pledge of Allegiance; and

Whereas, the Pledge of Allegiance has for almost 50 years included references to the U.S. flag, the country, to our country having been established as a union "under God" and to this country being dedicated to securing "liberty and justice for all;" and

Whereas, the Congress in 1954 believed it was acting constitutionally when it revised the Pledge of Allegiance; and

Whereas, this House of Representatives believes that the Pledge of Allegiance is not an unconstitutional expression of patriotism; and

Whereas, House Rule 2 provides that at the convening hour on the first day of each legislative week, the Speaker or his designee, shall lead the members in the Pledge of Allegiance to the American Flag; and

Whereas, patriotic songs, engravings on U.S. legal tender, engravings on federal buildings also contain general references to "God"; and

Whereas, in accordance with decisions of the U.S. Supreme Court, public school students cannot be forced to recite the Pledge of Allegiance without violating their First Amendment rights; and

Whereas, the Congress expects that the U.S. Court of Appeals for the Ninth Circuit will rehear the case of *Newdow v. U.S. Congress*, en banc; Now, therefore,

Be it resolved by the House of Representatives:

**SECTION 1.** The House of Representatives expresses its collective outrage at the Court of Appeals' decision, urges all appropriate action be taken to reverse this decision, and encourages our Attorney General to file an amicus brief urging reversal.

**SECTION 2.** This resolution is effective upon adoption.

**H.R. 1776, A HOUSE RESOLUTION RECOGNIZING THE IMPORTANCE TO THE ECONOMY OF THE STATE OF NORTH CAROLINA OF BIOBASED AND VALUE-ADDED AGRIBUSINESS.**

Whereas, North Carolina's agricultural production is one of the highest in the nation; and

Whereas, North Carolina's transportation infrastructure offers excellent support for agribusiness by way of highway, rail, and ocean delivery systems; and

Whereas, North Carolina's State and county governments have demonstrated strong support for new and expanding commercial enterprises; and

Whereas, North Carolina has historically offered agriculture and businesses an excellent and productive labor force; and

Whereas, biobased and value-added products are rapidly replacing petroleum-based products with fuels, feeds, medicines, and other materials from renewable plant resources that create less pollution, are more biodegradable, and generally have fewer harmful environmental impacts; Now, therefore,

Be it resolved by the House of Representatives:

**SECTION 1.** The House of Representatives of the State of North Carolina supports business and agency efforts to increase North Carolina's position in utilizing the State's productivity in agriculture and forestry by expanding biobased and value-added products.

**SECTION 2.** The House of Representatives of the State of North Carolina encourages the North Carolina Department of Agriculture and Consumer Services to take the lead in expanding biobased and value-added production using current crops and fiber and exploring new production opportunities for the State's farmers.

**SECTION 3.** The House of Representatives of the State of North Carolina requests that the United States Department of Agriculture provide suitable funding to North Carolina from the 2002 Farm Bill Value-Added Agriculture Product Market Development Grants to assist independent producers, farmer cooperatives, and others in further refining agricultural commodities and biobased opportunities.

**SECTION 4.** The Principal Clerk shall send a copy of this resolution to the North Carolina Department of Agriculture and Consumer Services and to the United States Department of Agriculture.

**SECTION 5.** This resolution is effective upon adoption.

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**H.R. 1780, A HOUSE RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES AND THE PRESIDENT TO ENACT LEGISLATION TO ESTABLISH A FEDERAL/STATE PARTNERSHIP**

TO USE LOCAL COUNTY VETERANS SERVICE OFFICERS TO ASSIST THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS IN ELIMINATING THE VETERANS CLAIMS PROCESSING BACKLOG.

Whereas, the United States presently has a population of over 25 million veterans from its previous wars, with the majority of that veteran population from World War II and the Korean War; and

Whereas, the World War II and Korean War veteran population is presently over 70 years of age, and that group is passing away at the rate of 1,000 veterans per day; and

Whereas, the United States government has acknowledged its responsibility to provide medical care or compensation for medical problems, as well as other benefits, to those veterans who served their country in time of war; and

Whereas, the United States Department of Veterans Affairs is charged with administering the federal benefits program for veterans; and

Whereas, there presently exists a backlog of over 601,000 claims, some of which have been outstanding for one year or more; and

Whereas, a significant portion of these claims involve World War II and Korean War veterans, and despite determined efforts by the United States Department of Veterans Affairs to eliminate this backlog, the backlog continues; and

Whereas, there exists a trained group of individuals known as county veterans service officers located in 37 of the 50 states, representing 700 counties and a workforce of over 2,400 full-time local government employees; and

Whereas, these county veterans service officers were established in 1945 after World War II for the purpose of helping returning veterans reenter civilian life, and have continued to do so for all veterans of all wars since then; and

Whereas, these county veterans service officers are highly trained individuals who have continued to provide assistance to all veterans for over 50 years and are already familiar with the United States Department of Veterans Affairs claim policies and procedures; and

Whereas, for example, in North Carolina county veterans service officers annually assist North Carolina veterans obtain monetary benefits in excess of \$812,000,000 by assisting these veterans in filing over 50,000 claims annually with the United States Department of Veterans Affairs; and

Whereas, this claims processing backlog needs to be urgently reduced while our World War II and Korean War veterans are still with us; and

Whereas, the United States Department of Veterans Affairs could enter into a partnership with state and local governments to utilize these highly trained county veterans service officers to eliminate the present

claims processing backlog by expanding the county veterans service officers' roles; and

Whereas, this would be a cost-effective way of reducing the claims processing backlog by eliminating the need for a substantial increase in federal employees; and

Whereas, these county veterans service officers, as represented by the North Carolina Association of County Veterans Service Officers and the National Association of County Veterans Service Officers, have offered to assist the United States Department of Veterans Affairs in exchange for block grants to the various states based upon each state's veteran population to compensate county veterans service officers for their expanded role; Now, therefore,

Be it resolved by the House of Representatives:

**SECTION 1.** The House of Representatives urges the Congress of the United States and the President to support and enact legislation that would establish a federal/state partnership to use the knowledge and skills of the local county veterans service officers to assist the United States Department of Veterans Affairs in eliminating the veterans claims processing backlog in order that America's veterans can take advantage of the benefits that the United States has authorized for them for their faithful and loyal service to a grateful nation.

**SECTION 2.** The Principal Clerk shall transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, the Majority Leader of the Senate, and to each Senator and Representative from North Carolina in the Congress of the United States.

**SECTION 3.** This resolution is effective upon adoption.

---

**H.R. 1782, A HOUSE RESOLUTION HONORING THE ACHIEVEMENTS OF THE 2002 WINTER OLYMPIANS.**

Whereas, the 2002 Winter Olympics was held in Salt Lake City, Utah; and

Whereas, some of the finest athletes in the world came together for 17 days, to compete in this event; and

Whereas, the United States Olympic team won 34 medals and placed second in the total medal count; and

Whereas, the members of the United States Olympic team included athletes from across the country, including North Carolina; and

Whereas, first-time Olympian, Joey Cheek, a Greensboro native, competed in several speed skating events; and

Whereas, three-time Olympian, Randy Jones, a Winston-Salem native, competed in the four-man bobsled event; and

Whereas, Randy Jones and teammates, Todd Hayes, Bill Schuffenhauer, and Garrett Hines, won the silver medal in the bobsled event; and

Whereas, Randy Jones and Garrett Hines earned the distinction of being the first African-American men to win a medal in a Winter Olympics; and

Whereas, the United States Olympic team earned the respect and admiration of the nation for their accomplishments and competitive spirit, as well as, their superior sportsmanship that was demonstrated throughout the games; Now, therefore,

Be it resolved by the House of Representatives:

**SECTION 1.** The House of Representatives congratulates the United States Olympic team for its performance in the 2002 Winter Olympics.

**SECTION 2.** The House of Representatives recognizes the extraordinary achievements of native sons, Joey Cheek and Randy Jones.

**SECTION 3.** The Principal Clerk shall transmit a certified copy of this resolution to Joey Cheek and Randy Jones.

**SECTION 4.** This resolution is effective upon adoption.

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**H.R. 1784, A HOUSE RESOLUTION HONORING THE CAROLINA COURAGE WOMEN'S SOCCER TEAM.**

Whereas, the 2002 Carolina Courage won the Women's United Soccer Association (WUSA) national championship Founders Cup II on Saturday, August 24, 2002; and

Whereas, the Carolina Courage also claimed the WUSA 2002 regular season title; and

Whereas, the Carolina Courage had an outstanding season, setting the WUSA league records for the most wins and points, and tying the league record for goals scored; and

Whereas, the Carolina Courage also earned individual awards this season, including WUSA Goalkeeper of the Year (Kristin Luckenbill); WUSA Defender of the Year (Danielle Slaton); and Most Valuable Player of the WUSA Championship Game (Birgit Prinz); and

Whereas, team members Kristin Luckenbill, Birgit Prinz, Hege Riise, Danielle Slaton, and Danielle Fotopoulos were selected as members of All WUSA Teams; and

Whereas, the accomplishments of the Carolina Courage brought great honor and distinction to the State of North Carolina and helped generate an enormous amount of interest in the State in professional soccer; and

Whereas, the members of the Carolina Courage should also be commended for being active participants in the community and serving as role models for children across the State and nation; Now, therefore, Be it resolved by the House of Representatives:

**SECTION 1.** The House of Representatives expresses the appreciation and admiration of the people of this State to the Carolina Courage soccer team on winning the 2002 WUSA national championship.

**SECTION 2.** The House of Representatives recognizes the achievements of the Carolina Courage team: players Meghan Anderson, Katie Barnes, Erin Baxter, Staci Burt, Nel Fettig, Danielle Fotopoulos, Tracy Grose, Venus James, Unni Lehn, Kristin Luckenbill, Brooke O'Hanley, Emily Oleksiuk, Carla Overbeck, Julie Podhrasky, Birgit Prinz, Hege Riise, Tiffany Roberts, Stacy Roeck, Danielle Slaton, Staci Wilson, and Kim Yankowski; head coach Marcia McDermott; assistant coach Susan Ellis; goalkeeper coach Scott Calabrese; strength and conditioning coach Ann Hacker; head trainer Cody Malley; and other members of the Carolina Courage Organization.

**SECTION 3.** The Principal Clerk shall transmit a certified copy of this resolution to Coach Marcia McDermott and President Jerome Ramsey.

**SECTION 4.** This resolution is effective upon adoption.

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**HLR. 1786, A HOUSE RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES AND THE PRESIDENT TO SUPPORT AND ENACT LEGISLATION TO ESTABLISH A TOBACCO QUOTA BUYOUT PROGRAM.**

Whereas, the system of growing and marketing burley and flue-cured tobacco currently in place in the United States faces many challenges and changes due to contracting, lawsuits, governmental regulation, and foreign competition; and

Whereas, quota owners, tobacco growers, and the tobacco industry agree that a transition from the current system is needed to ensure continued tobacco production; and

Whereas, a plan of transition that is fair and equitable to all quota owners and tobacco growers is needed to provide stability, uniformity, and certainty for quota owners, growers, and the tobacco industry; and

Whereas, protecting family farmers and minority farmers and preserving the production of tobacco for economic viability in rural communities is an important goal of the State; and

Whereas, a buyout of the quota owners and tobacco growers would provide a significant and needed economic stimulus over a period of time in the State of North Carolina during a time of economic distress; Now, therefore,



Be it resolved by the House of Representatives:

**SECTION 1.** The House of Representatives urges the Congress of the United States and the President to support and enact legislation that would establish a fair and equitable transition program for quota owners and tobacco growers and the tobacco industry that would buy out quota owners and tobacco growers.

**SECTION 2.** The Principal Clerk shall transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from North Carolina in the Congress of the United States.

**SECTION 3.** This resolution is effective upon adoption.

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**H.R. 1787, A HOUSE RESOLUTION RECOGNIZING PARAMOUNT'S CAROWINDS THEME PARK FOR ITS NUMEROUS ACCOMPLISHMENTS IN ITS THIRTY-YEAR HISTORY.**

Whereas, Paramount's Carowinds theme park has been a vital part of the North Carolina tourism industry during the past 30 years; and

Whereas, Paramount's Carowinds has employed more than 80,000 individuals in its three-decade history in our State; and

Whereas, Paramount's Carowinds has continued to grow and expand the park for tourists visiting our State through capital improvements and additions that exceed \$108,000,000 in the past 30 years; and

Whereas, Paramount's Carowinds has been a generous supporter of numerous causes during the past 30 years, including the donation of more than \$2,000,000 in admission tickets in 2001, and throughout the years opening its doors and providing admission to numerous children and other guests who would not otherwise have the chance to experience such a theme park adventure; and

Whereas, Paramount's Carowinds will entertain its 40 millionth guest in 2002; and

Whereas, Paramount's Carowinds has established itself as the number one gated tourist attraction in North Carolina; Now, therefore,

Be it resolved by the House of Representatives:

**SECTION 1.** The House of Representatives recognizes Paramount's Carowinds for its numerous accomplishments and contributions to the State.

**SECTION 2.** The Principal Clerk shall transmit a certified copy of this resolution to Paramount's Carowinds, the Charlotte Chamber of Commerce, the Charlotte Convention and Visitors Bureau, the Greater Charlotte Hospitality and Tourism Alliance, the Mecklenburg County Board of Commissioners,

the Charlotte City Council, and the Office of the Mayor of the City of Charlotte.

**SECTION 3.** This resolution is effective upon adoption.

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**H.R. 1804,** A HOUSE RESOLUTION ENCOURAGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROTECTING OUR CHILDREN BY ESTABLISHING AN EXCLUSIVE WEB DOMAIN EXTENSION OF ".XXX" AND LIMITING THE POSTING AND DISSEMINATION OF OBSCENE OR PORNOGRAPHIC MATERIALS TO THE DESIGNATED DOMAIN.

Whereas, in recent years there has been a proliferation of pornographic web sites on the Internet; and

Whereas, these pornographic web sites are easily accessible by children who may be negatively impacted by the materials posted on the web sites; and

Whereas, Congress has sought legislative solutions to this growing epidemic through the Child Online Protection Act (47 USC 231) and the Children's Internet Protection Act (Pub. L. 106-554); and

Whereas, the Children's Internet Protection Act required that schools and libraries that receive specified federal funding certify that they have in place an Internet Safety Policy that includes monitoring the use of Internet access by children and implementation of technology that will filter out objectionable content; and

Whereas, House Bill 478 was introduced by Representative Sam Ellis and cosponsored by 75 other members of the House of Representatives in the North Carolina General Assembly on March 5, 2001, and referred to the House Committee on Science and Technology; and

Whereas, House Bill 478 would require that all libraries and public schools that provide minors access to the Internet use an Internet provider service that provides services to shield minors from obscene and violent material on all computers that are used by minors; and

Whereas, a three-judge panel sitting in the United States District Court for the Eastern District of Pennsylvania issued a decision on May 31, 2002, finding major provisions of the Children's Internet Protection Act facially unconstitutional and violative of the First Amendment and therefore permanently enjoined the government from enforcing those provisions; and

Whereas, other attempts to limit children's access to adult content through filtering software and on-line informational web sites designed by service providers have been largely unsuccessful; and

Whereas, the evolving of adult content production on the Internet has led to a situation in which legal standards regarding content can no longer be enforced effectively or affordably; and

Whereas, it would be in the best interests of our children and the entire nation to require the operators of any web site or on-line service whose primary business is making available material that is pornographic, obscene, or harmful to minors to register and operate such web site or on-line service only under a domain specifically designated for such materials; Now, therefore,

Be it resolved by the House of Representatives:

**SECTION 1.** The House of Representatives urges the Congress of the United States to support and enact legislation that would establish a ".XXX" Internet domain for the posting and dissemination of material that is pornographic, obscene, or harmful to minors and to limit such material to the designated domain.

**SECTION 2.** The Principal Clerk shall transmit copies of this resolution to the Speaker of the House of Representatives, the Majority Leader of the Senate, and to each Senator and Representative from North Carolina in the Congress of the United States.

**SECTION 3.** This resolution is effective upon adoption.

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**BOARDS AND COMMISSIONS  
APPOINTMENTS**

**(March 9, 2002 through December 31, 2002)**

**APPOINTED   EXPIRES**

**AGING, GOVERNOR'S ADVISORY COUNCIL, ON**

G.S. 143B-181

Mr. Daniel D. Mosca	12/15/2002	6/30/2006
(Public member 60 years of age or older position)		

**AGRICULTURE AND FORESTRY AWARENESS,  
STUDY COMMISSION**

G.S. 120-150(3),(4)

Rep. Dewey L. Hill, Co-Chair (Reappointment)	4/28/2002	9/30/2003
(Chairman of the House Agriculture Committee position)		
Rep. Charles F. Buchanan	4/28/2002	9/30/2003
(At-large)		
Rep. R. Phillip Haire	(Reappointment) 4/28/2002	9/30/2003
(At-large)		
Mr. Dennis Stone	(Reappointment) 4/28/2002	9/30/2003
(At-large)		

**AUCTIONEERS COMMISSION NORTH CAROLINA**

G.S. 85B-3(a)

Senator Jim Edwards 10/9/2002 6/30/2004

**BEACH AND COASTAL AREAS, INSURANCE AVAILABILITY  
HOUSE INTERIM STUDY COMMITTEE OF**

G.S. 120-19.6 (a1)

Rep. E. David Redwine, Chair	4/17/2002	Convening of
Rep. Andrew T. Dedmon	4/17/2002	2003 G.A.
Rep. John W. Hurley	4/17/2002	
Rep. Daniel F. McComas	4/17/2002	
Rep. Edd Nye	4/17/2002	
Rep. Ronald L. Smith	4/17/2002	
Rep. Thomas E. Wright	4/17/2002	

**CANCER COORDINATION AND CONTROL,  
ADVISORY COMMITTEE**

G.S. 130A-33.50(b)

Rep. Martha Alexander	(Reappointment) 12/15/2002	6/30/2005
Rep. Verla Insko	12/15/2002	6/30/2003
(filling unexpired term of Rep. Zeno Edwards)		
Ms. Sylvia Rountree	(Reappointment) 12/15/2002	6/30/2005
(Cancer survivor position)		

**CHEROKEE, NORTH CAROLINA ADVISORY COUNCIL  
ON EASTERN BAND OF THE**

G.S. 143B-411.1

Rep. R. Phillip Haire (Reappointment) 12/15/2002 6/30/2004

**CHILDREN WITH DISABILITIES FROM BIRTH TO AGE  
FIVE INTERAGENCY COORDINATING COUNCIL FOR**

G.S. 143B-179.5(b)

Rep. Martha Alexander	10/31/2002
Rep. Edith Warren	10/31/2002

**CHILDREN, COUNCIL ON EDUCATIONAL SERVICES  
FOR EXCEPTIONAL**

G.S. 115C-121(b)

Ms. Deborah D. Privette	6/18/2002	6/30/2003
(Parent of a child with a disability position)		

**CLEAN WATER MANAGEMENT TRUST FUND  
BOARD OF DIRECTORS**

G.S. 113-145.5(b)(21)

Mr. Tony Lathrop 10/17/2002 6/30/2006

**CORRECTIONS, CRIME CONTROL AND JUVENILE JUSTICE  
OVERSIGHT COMMITTEE JOINT LEGISLATIVE**

G.S. 120-70.93

Rep. William T. Culpepper, III, Co-Chair 10/14/2002 Convening of  
(Reappointment) 2003 G.A.

Rep. Philip A. Baddour, Jr. (Reappointment) 10/14/2002

Rep. Charles F. Buchanan 10/14/2002

Rep. Larry T. Justus (Reappointment) 10/14/2002

Rep. Paul Miller 10/14/2002

Rep. Gene Rogers 10/14/2002

Rep. Wilma M. Sherrill 10/14/2002

Rep. Edith D. Warren 10/14/2002

**COURTS COMMISSION, NORTH CAROLINA**

G.S. 7A-506(d)

Mr. Lewis B. Barnes 12/15/2002 6/30/2005  
(Non-attorney position)

Ms. Belinda J. Foster 12/15/2002 6/30/2005

Mr. Carroll Gray 5/16/2002 6/30/2005

(Public member who is not an officer or employee of the  
Judicial Department position)

Mr. R. Mitchel Tyler 12/15/2002 6/30/2005

**CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD, STATE**

G.S. 143B-273.6(b)(5)

Rep. R. Phillip Haire 12/15/2002 6/30/2003

Chief Robert L. Hunter 12/15/2002 6/30/2005

Hon. Bill Noland 12/15/2002 6/30/2004

(Rural county commissioner position)

**DEAF AND HARD OF HEARING, COUNCIL FOR THE**

G.S. 143B-216.32

Rep. Maggie Jeffus 12/15/2002 6/30/2005

**DISABILITIES, GOVERNOR'S ADVOCACY COUNCIL  
FOR PERSONS WITH**

G.S. 143B-403.2(a)(3)

Mr. Richard Greb 4/28/2002 6/30/2003

(filling unexpired term of Dr. Nancy McKeel)

(Person with mental illness position)

**ECONOMIC DEVELOPMENT CENTER, RURAL**

## By-Laws

Rep. Donald A. Bonner	(Reappointment)	4/1/2002	Pleasure of Appointing Authority
Rep. Charles F. Buchanan	(Reappointment)	4/1/2002	
Rep. Russell E. Tucker		4/1/2002	

(filling unexpired term of Rep. Gene Rogers)

**ECONOMIC INVESTMENT COMMITTEE**

G.S. 143B-437.48

Mr. Gene Miller, Sr.		12/17/2002	12/17/2004
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**ELECTION LAWS REVISION COMMISSION**

NC Senate Bill 166, Section 32.1(2)

Rep. Martha B. Alexander		12/15/2002	Final Report
(At-large position)			
Rep. Marvin W. Lucas		12/15/2002	
(At-large position)			
Mr. Michael Crowell		12/15/2002	
(At-large position)			
Mr. Michael Dickerson		12/15/2002	
(County elections director position)			

**ENVIRONMENTAL MANAGEMENT COMMISSION**

G.S. 143B-283(d)

Mr. Donnie Brewer		4/23/2002	6/30/2004
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**ENVIRONMENTAL RULES, HOUSE SELECT COMMITTEE ON VARIOUS**

Part XXV (Section 25.2) of 2001 Senate Bill 166

Rep. Larry T. Justus, Co-Chair		4/28/2002	Final Report
Rep. Nurham Warwick, Co-Chair		4/28/2002	
Rep. Charles F. Buchanan		4/28/2002	
Rep. Beverly M. Earle		4/28/2002	
Rep. Stanley H. Fox		4/28/2002	
Rep. Jim Gulley		4/28/2002	
Rep. Joe Hackney		4/28/2002	
Rep. Marvin W. Lucas		4/28/2002	
Rep. Paul Miller		4/28/2002	
Rep. Ronald L. Smith		4/28/2002	
Rep. Joe P. Tolson		4/28/2002	

**FIRST FLIGHT CENTENNIAL COMMISSION**

G.S. 143-640(c)(3)

Dr. Franklin S. Clark	(Reappointment)	12/15/2002	6/30/2004
Colonel William McArthur	(Reappointment)	12/15/2002	6/30/2004
Dr. Keats Sparrow	(Reappointment)	12/15/2002	6/30/2004

**FORESTRY ADVISORY COUNCIL**

G.S. 143B-309(a)(1)(4)(5)

Rep. Charles F. Buchanan		3/11/2002	6/30/2005
(Nonindustrial woodland owner position)			
Mr. Robert R. Emory, Jr.		3/11/2002	6/30/2005
(Registered forester position)			
Mr. Larry A. Nielsen		3/11/2002	6/30/2005
(Statewide environmental or wildlife conservation position)			

**GEOGRAPHIC INFORMATION COORDINATING COUNCIL,  
NORTH CAROLINA**

G.S. 143-726 (c); 2001-359 Session Laws (SB 895)

Mr. Terry Ellis	(Reappointment)	12/31/2002	12/31/2003
Mr. Jay C. Heavner	(Reappointment)	12/31/2002	12/31/2003
Mr. Kevin P. Higgins		12/31/2002	12/31/2003

**GOLDEN L.E.A.F. (Long-Term Economic Advancement Foundation)  
INC., BOARD OF DIRECTORS**

Senate Bill 6, Section 2(c) of Session Law 1999-2

Mr. Julius Chambers	(Reappointment)	12/16/2002	11/30/2006
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**GOVERNMENTAL OPERATIONS, JOINT LEGISLATIVE  
COMMISSION ON**

G.S. 120-74

Rep. Ronald L. Smith		11/19/2002	1/15/2003
(filling unexpired term of Rep. Larry Justus)			

**GOVERNMENTAL OPERATIONS - SUBCOMMITTEE ON  
JUSTICE AND PUBLIC SAFETY/INFORMATION TECHNOLOGY**

G.S. 120-74

Rep. Ronald L. Smith		11/19/2002	1/15/2003
(filling unexpired term of Rep. Larry Justus)			

**GOVERNMENTAL OPERATIONS - SUBCOMMITTEE ON  
STATEWIDE/CAPITAL/GENERAL GOVERNMENT**

G.S. 120-74

Rep. Wilma M. Sherrill		4/8/2002	1/15/2003
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**GOVERNMENTAL OPERATIONS - JOINT COMMISSION ON  
Statewide/Capital/General Government Subcommittee  
(Advisory - Non-Voting Members)**

Rep. William L. Wainwright 4/8/2002 1/15/2003

**GROWTH STRATEGIES OVERSIGHT COMMITTEE, JOINT  
LEGISLATIVE**

G.S. 120-70.120(2) (Session Law 2001-491; Section 3.1)

Rep. Joe Hackney, Co-Chair 10/14/2002 Convening of  
the 2003 G.A.

Rep. Andrew T. Dedmon 10/14/2002

Rep. Pryor A. Gibson, III 10/14/2002

Rep. Marian N. McLawhorn 10/14/2002

Rep. Richard T. Morgan 10/14/2002

Rep. Drew P. Saunders 10/14/2002

**HEALTH AND WELLNESS TRUST FUND COMMISSION**

G.S. 147-86.32(b)(3)(a)

Mr. Paul Wiles 12/15/2002 6/30/2006  
(Person involved with health policy trends position)

**HEALTH CARE OVERSIGHT COMMITTEE,  
JOINT LEGISLATIVE**

G.S. 120-70.110

Rep. Thomas E. Wright, Co-Chair 10/14/2002 Convening of

Rep. Charles F. Buchanan 10/14/2002 the 2003 G.A.

Rep. William T. Culpepper, III 10/14/2002

Rep. Larry T. Justus 10/14/2002

Rep. Verla C. Insko 10/14/2002

Rep. Edd Nye 10/14/2002

Rep. Wilma M. Sherrill 10/14/2002

Rep. William L. Wainwright 10/14/2002

**HEALTHY CAROLINIANS, GOVERNOR'S TASK FORCE FOR**

Executive Order 13

Rep. Beverly M. Earle 3/11/2002 12/31/2005

Rep. Jennifer Weiss 3/11/2002 12/31/2005

(Public health committee member position)



**HIGHWAY TRUST FUND, STUDY COMMISSION**

S.B. 1005

Rep. James W. Crawford, Jr., Chair	4/2/2002	Final Report
Rep. E. Nelson Cole, Vice Chair	4/2/2002	
Rep. Cary D. Allred	4/2/2002	
Rep. Walter G. Church, Sr.	4/2/2002	
Rep. Drew P. Saunders	4/30/2002	
Ms. Christie B. Barbee	4/2/2002	
Hon. Lee Myers	4/2/2002	
Mr. Allen Tate	4/2/2002	

**HOLOCAUST, NORTH CAROLINA COUNCIL ON THE**

G.S. 143B-216.21

Rep. Jennifer Weiss	12/15/2002	6/30/2003
Ms. Julie Caccamise (Reappointment)	12/15/2002	6/30/2003
Mrs. Joanne Fox	12/15/2002	6/30/2003
Mr. Deborah Miles (Reappointment)	12/15/2002	6/30/2003
Ms. Frances L. Ramsey (Reappointment)	12/15/2002	6/30/2003
Dr. Donna Glee Williams	12/15/2002	6/30/2003

**HOMELESS PROGRAMS, NORTH CAROLINA INTERAGENCY COUNCIL FOR COORDINATING**

Executive Order 14

Rep. Beverly M. Earle	5/24/2002	Pleasure of the Appointing Authority
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**HUMAN RELATIONS COMMISSION, NORTH CAROLINA**

G.S. 143B-392(a)

Mr. Phillip Harris	12/15/2002	6/30/2006
Mrs. Julie Mills Perry	12/15/2002	6/30/2006

**INCENTIVE BONUS REVIEW COMMITTEE**

G.S. 143-345.24(a)(7)

Mrs. Laura H. DeVivo	6/23/2002	Pleasure of the Appointing Authority
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**LOCKSMITH LICENSING BOARD, NORTH CAROLINA**

G.S. 74F-5(a)(2)

Mr. Thomas F. Compion	4/3/2002	12/31/2004
Mr. Ralph Fuller	4/3/2002	12/31/2003
Mr. Dennis N. Green	4/3/2002	12/31/2005

**MILITARY AFFAIRS, NORTH CAROLINA ADVISORY COMMISSION**

G.S. 127C-2(e)(I)

Mr. Paul G. Butler	5/1/2002	12/31/2003
Mr. Preston Franklin Garris	5/1/2002	12/31/2003
Mr. F. Stephen Glass	5/1/2002	12/31/2003

**MINORITY HEALTH ADVISORY COUNCIL**

G.S. 130A-33.44(a)(2)

Rep. Beverly M. Earle	12/15/2002	6/30/2004
Rep. Thomas E. Wright (Reappointment)	12/15/2002	6/30/2004
Ms. Renee Stewart Hannah (Public health representative position)	12/15/2002	6/30/2006
Ms. Nancy H. McAllister	12/15/2002	6/30/2006

**MORTUARY SCIENCE, NORTH CAROLINA BOARD OF**

G.S. 90-210.18(b)(2)

Mr. George S. Parrott	10/18/2002	6/30/2006
Mr. Rodney Robinson	10/8/2002	6/30/2003

**PERFORMING ARTS CENTER FOUNDATION, NORTH CAROLINA BLUMENTHAL**

Bylaws

Ms. Pat Cotham	3/11/2002	11/30/2004
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**PHYSICAL FITNESS AND HEALTH, GOVERNOR'S COUNCIL ON**

G.S. 130A-33.41(1)

Rep. G. Wayne Goodwin (Reappointment)	3/11/2002	6/30/2003
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**PROFESSIONAL TEACHING STANDARDS COMMISSION, NORTH CAROLINA**

G.S. 115C-295.1(c)(3)

Ms. Michelle Aydlett (Reappointment) (At-large position)	12/15/2002	8/31/2006
Ms. Joan Celestino (Reappointment) (Middle school teacher position)	12/15/2002	8/31/2004
Ms. Judith Jones (Reappointment) (High school teacher position)	12/15/2002	8/31/2004
Ms. Melissa Oxendine (Elementary teacher position)	12/15/2002	8/31/2004

**PROGRESS BOARD, NORTH CAROLINA**

G.S. 143B-372.1(b)(3)

Mr. Rick Carlisle	12/15/2002	6/30/2003
(filling unexpired term of Governor Bob Scott)		
Mrs. Leigh Harvey McNairy	12/15/2002	6/30/2006

**PUBLIC EVENTS NETWORK COMMITTEE**

By-laws

Rep. Martha B. Alexander	12/15/2002	Pleasure of the Appointing Authority
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**PUBLIC HEALTH STUDY COMMISSION**

G.S. 120-197(a)

Rep. Lorene T. Coates	(Reappointment) 12/15/2002	6/30/2004
Rep. Beverly M. Earle	(Reappointment) 12/15/2002	6/30/2004
Rep. Edd Nye	12/15/2002	6/30/2004
Rep. Jennifer Weiss	(Reappointment) 12/15/2002	6/30/2004
Rep. Thomas Wright	(Reappointment) 12/15/2002	6/30/2004
Mr. Philip Harewood	12/15/2002	6/30/2004
(Member of the North Carolina Primary Health Care Association position)		
Ms. Rachel H. Stevens	(Reappointment) 12/15/2002	6/30/2004
(Member from the UNC School of Public Health position)		

**PUBLIC SCHOOL FORUM OF NORTH CAROLINA  
BOARD OF DIRECTORS**

Bylaws

Rep. Alex Warner	(Reappointment) 12/31/2002	12/31/2004
Rep. Douglas Yongue	(Reappointment) 12/31/2002	12/31/2004
Rep. Warren C. Oldham	(Reappointment) 12/31/2002	12/31/2004

**RAILROAD STUDY COMMISSION, FUTURE OF  
THE NORTH CAROLINA**

G.S. 120-246(1)

Rep. Walter G. Church, Sr., Co-Chair	3/4/2002	1/14/2003
(Reappointment)		
Rep. Cary D. Allred	(Reappointment) 3/4/2002	1/14/2003
Rep. Charles F. Buchanan	(Reappointment) 3/4/2002	1/14/2003
Rep. E. Nelson Cole	(Reappointment) 3/4/2002	1/14/2003
Rep. James W. Crawford, Jr.	(Reappointment) 3/4/2002	1/14/2003
Rep. W. Pete Cunningham	(Reappointment) 3/4/2002	1/14/2003
Rep. Dewey L. Hill	(Reappointment) 3/4/2002	1/14/2003
Rep. Mary L. Jarrell	3/4/2002	1/14/2003
Rep. Drew P. Saunders	3/4/2002	1/14/2003

**REVENUE LAWS STUDY COMMITTEE**

G.S. 120-70.105(a)(2)

Rep. Paul Luebke, Co-Chair (Reappointment)	3/11/2002	1/14/2003
Rep. Gordon P. Allen (Reappointment)	3/11/2002	1/14/2003
Rep. Charles F. Buchanan	3/11/2002	1/14/2003
Rep. Dewey L. Hill (Reappointment)	3/11/2002	1/14/2003
Rep. L. Hugh Holliman	3/11/2002	1/14/2003
Rep. Mary L. Jarrell (Reappointment)	3/11/2002	1/14/2003
Rep. Daniel F. McComas	3/11/2002	1/14/2003
Rep. William L. Wainwright	3/11/2002	1/14/2003

**SCHOOL TECHNOLOGY, COMMISSION ON**

G.S. 115C-102.5(b)(7)

Mrs. Kit Cramer	12/15/2002	6/30/2003
(filling unexpired term of Eric Smith)		

**SOUTHERN GROWTH POLICIES BOARD**

G.S. 143-492(b)(2)

Rep. Paul Miller (Reappointment)	12/31/2002	12/31/2004
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**STATE INFRASTRUCTURE COUNCIL**

G.S. 143B-344.30(c)(3)

Rep. Marvin W. Lucas	12/15/2002	6/30/2003
Rep. William C. Owens, Jr. (Reappointment)	12/15/2002	6/30/2004
Rep. Russell E. Tucker	12/15/2002	6/30/2004
Mr. C. L. Gobble	12/15/2002	6/30/2003
Mr. Richard N. Hicks	12/15/2002	6/30/2003

**STRUCTURAL PEST CONTROL COMMITTEE**

G.S. 106-65.23(c)

Mr. Harold Allen Langley	11/8/2002	6/30/2006
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**TAX POLICY COMMISSION, NORTH CAROLINA**

Pursuant to Part XXIX (Section 29.2) of 2001 Senate Bill 166

Hon. George W. Miller, Jr., Co-Chair	4/28/2002	Final Report
(Reappointment)		
Rep. Gordon P. Allen (Reappointment)	4/28/2002	
Rep. Walter G. Church, Sr.	4/28/2002	
Dr. William C. Friday (Reappointment)	4/28/2002	
Mr. Richard J. Gossin (Reappointment)	4/28/2002	
(Representative of a business taxpayer position)		
Hon. Brenda A. Oliver (Reappointment)	4/28/2002	
(Nominated by the NC League of Municipalities position)		

**TOBACCO TRUST FUND COMMISSION**

G.S. 143-717(b)(3)(a)(f)

Mr. William Carter	(Reappointment)	12/15/2002	6/30/2006
(Flue-cured tobacco farmer position)			
Mr. Larry Eugene Jacobs	(Reappointment)	12/15/2002	6/30/2006
(At-large position)			

**TRAVEL AND TOURISM BOARD OF NORTH CAROLINA**

G.S. 143B-434.1(c)(11)(13)(15)

Rep. Wilma M. Sherrill	(Reappointment)	12/30/2002	12/31/2004
Rep. Thomas E. Wright		12/30/2002	12/31/2004
Mr. John G. Burton		12/30/2002	12/31/2004
Mr. Mohammad Jenatian		12/30/2002	12/31/2004
(Person associated with tourism attractions in North Carolina)			
Hon. Hank Kahn	(Reappointment)	12/30/2002	12/31/2004

**UNC BOARD OF GOVERNORS STUDY COMMISSION**

Senate Bill 166 Section 31.1

Rep. Joe Hackney, Co-Chair	4/18/2002	Final Report
Rep. Philip A. Baddour, Jr., Vice Chair	4/18/2002	
Rep. Beverly M. Earle	4/18/2002	
Rep. Marian N. McLawhorn	4/18/2002	
Rep. David M. Miner	4/18/2002	

**VETERINARY MEDICAL BOARD, NORTH CAROLINA**

G.S. 90-182(a)

Ms. Nancy Robinson	4/3/2002	6/30/2006
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**VOCATIONAL REHABILITATION ADVISORY COUNCIL**

G.S. 143-548(a)(2)

Ms. Patricia Eure Hussey	12/15/2002	6/30/2005
(Person representing a disability advocacy group position)		
Ms. Freda Lee	12/15/2002	6/30/2005
(North Carolina Department of Public Instruction representative position)		
Ms. Janet Schanzenbach	12/15/2002	6/30/2004
(Person representing a disability advocacy group position)		
Ms. Betty Zimmerman	12/15/2002	6/30/2005
(Labor representative position)		

**HOUSE SELECT/INTERIM STUDY COMMITTEES  
APPOINTED BY SPEAKER JAMES B. BLACK**

**TO:** Appointees

**FROM:** Speaker Jim Black

**CC:** Boards / Commissions Contacts

**DATE:** December 31, 2002

**REGARDING:** Senate Bill 98, the Studies Act of 2002  
Senate Bill 1115, the Appropriations Act of 2002  
Senate Bill 166, the Studies Act of 2001  
House Interim Committee on Motorcycle Safety  
House Interim Committee on State Government Efficiency  
House Interim Committee on Highway Trust Fund

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Pursuant to the authority granted to me in Senate Bill 98, Senate Bill 166, Senate Bill 1115, and pursuant to the authority vested in me by Rule 26 (a) of the Rules of the House of Representatives of the 2001 General Assembly as contained in Section 1 of Resolution 49 of the 2001 Session of the North Carolina House of Representatives, and by North Carolina General Statute (G.S.) 120-19.6, I am pleased to appoint the following to various study commissions:

**Senate Bill 98**

**Part III**

Representative Thomas Wright's, Ms. Lottie Clinton's, and Mr. Alfred Thomas' terms on the 1898 Wilmington Race Commission are extended to December 31, 2004

**Part IV**

On-Line Voting Study Commission: Representatives Alexander and Baddour, Michael G. Dickerson, Director of Mecklenburg Elections, and Kevin Oakley

**Part VI**

Legislative Study Commissions on Companion Animals: Representatives Allred and Culpepper. Section 6.2 (4)a Sharon Parrish; (4)b Barbara A. Cassidy, Director; (4)c Clarice Cato Goodyear and Natalie J. Beason; (4)d Dr. Carol Woodlief; (4)e Dr. Lee Hunter

**Part XI**

Legislative Study Commission on the Horace Williams Airport: Representatives Culpepper, Gibson, and Hackney. Advisory members: Chris Hudson, Robert Epting, and the Honorable Lee Myers

**Part XII**

Legislative Study Commission on the Teachers' and State Employees Retirement System: Section 12.2(2) Representative Edd Nye (co-chair) and Barbara Burke

**Part XIV**

State Disability Income Plan Study Commission: Section 14.2(2) Representative Edd Nye (co-chair) and Ed Barnes

**Part XV**

Statewide Emergency Preparedness Study Commission: Section 15.2(3) Representatives Alexander, Insko and Warner. Representative Thomas Wright (co chair) is appointed in the EMS administrator/educator position. Dr. Jay Wayne Meredith is appointed to the American College of Surgeons' Committee on Trauma position

**Part XVI**

Legislative Study Commission on Securities Fraud Enforcement Laws: Section 16.2(2): Representatives Culpepper (co chair), Gibson, and Owens; Section 16.2(3): The Honorable Elaine Marshall and David Massey; Section 16.2(4) Robert Cordle

**Part XIX**

House Select Committee on Video Gaming Machines: Representatives: G. Allen, Cole, Culpepper (co chair), Cunningham, Hill, Hunter, Mitchell,

Owens (co chair), Sherrill, Sutton, and Warren. Public Members: Bill Brooks, Jim Melton, Mark Poovey, Sheriff Worth Hill

## **Part XX**

Legislative Regional Economic Development Commission Reporting Requirements Study Commission: Section 20.2(1) Rick Watson, Tom Greenwood, Paul Butler, Michael Almond, Don Kirkman, Charles Hayes, and Dale Carroll; Section 20.2(2): Representatives Owens (co chair) and Fox

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## **Senate Bill 1115, the Appropriations Act of 2002**

### **Section 26.2**

Highway Trust Fund Study Committee Continued: Section 27.6(b)(1) of Session Law 2001-424: J. Crawford (co chair). Section 27.6(b)(2) of Session Law 2001-424: Representatives: Cole, Allred, Saunders, Bowie. Section 27.6(b)(2) of Session Law 2001-424: Public Members: Natalie English, The Honorable Lee Myers, Allen Tate, Christee Barbee

### **Section 26.15**

Commission to Study Commission Contracts for the Issuance of Motor Vehicle Registration Plates and Certificates: Section 26.15. (a)(1) Representatives: Cole, Crawford, Saunders, and Sherrill (co chair) (a)(2) Dan Johnston, Jr.

### **Section 29.3**

Joint Legislative Oversight Committee on Capital Improvements: §120-258(1) Jeffus, Sherrill (Vice Chair), Luebke, Hackney (Chair), West, Bell, Owens, McComas

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## **Senate Bill 166, The Studies Act of 2001**

### **Part III**

Joint Legislative Growth Strategies Oversight Committee: Gibson, Hackney (co chair) Luebke, McLawhorn, Owens, West



**Part IV**

Legislative Alcoholic Beverage Control Study Commission: Section 4.2(1): Representatives Gibson (co chair), Hall and Baker; Section 4.2(4): Bill Hester, filling the ABC matters position; and John Best, Jr. filling the municipal-elected official position

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December 31, 2002

**TO THE HONORABLE MEMBERS OF THE  
NORTH CAROLINA  
HOUSE OF REPRESENTATIVES**

**WHEREAS**, Motorcycling is an issue of continuing importance to the citizens of North Carolina;

**WHEREAS**, motorcycling continues to see increasing levels of ridership in North Carolina;

**WHEREAS**, North Carolina wishes to join in an effort to raise motorcycle awareness and protect motorcyclists on our highways and byways;

**WHEREAS**, some advocates suggest that the repealing of the North Carolina mandatory helmet law would bring about a favorable economic impact upon the state's tourism and also increase revenue due to growth in motorcycle registrations.

**NOW, THEREFORE;**

**Section 1.** Pursuant to the authority vested in me by Rule 26 (a) of the Rules of the House of Representatives of the 2001 General Assembly as contained in Section 1 of Resolution 49 of the 2001 Session of the North Carolina House of Representatives, and by North Carolina General Statute (G.S.) 120-19.6(a)(1), I hereby establish: **the interim House Study Committee on Motorcycle Safety**, hereafter referred to as "Study Committee."

**Section 2.** The following individuals are appointed as members of the Study Committee:

- 1) Representative Pryor Gibson, Co-Chair
- 2) Representative Rex Baker, Co-Chair

- 3) Representative Dewey Hill, Vice Chair
- 4) Representative Rick Eddins
- 5) Representative Hugh Holliman
- 6) Representative Walter Church
- 7) Representative Beverly Earle
- 8) Public Member: Andy Phillips
- 9) Public Member: Darlene Kimsey
- 10) Public Member: Joy Barbour
- 11) Public Member: Richard Mynatt

**Section 3.** The Study Committee shall consult persons in government and the private sector interested in motorcycle safety in the course of its work. The Study Committee may propose recommendations and legislation that will improve motorcycle safety in the State.

**Section 4.** The Study Committee shall report on the results of its study, including any proposed legislation to the members of the House of Representatives, to the 2003 General Assembly, by filing one or more reports with the House Principal Clerk and the Legislative Library.

**Section 5.** The Study Committee is authorized to meet during the interim periods between sessions, upon the call of its chair.

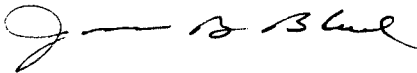
**Section 6.** The Study Committee is vested with the authority contained in Article 5A of Chapter 120 of the General Statutes including, but not limited to, the authority to administer oaths, examine under oath, issue subpoenas pursuant to G.S. 120-19.2(c), and request data and information pursuant to G.S. 120-19.

**Section 7.** Members of the Study Committee shall receive per diem, subsistence, and travel allowance at the rate established in G.S. 120-3.1.

**Section 8.** The expenses of the Study Committee including per diem, subsistence, travel allowances, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker pursuant to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the House of Representatives for its operations.

**Section 9.** The members of the Study Committee serve at the pleasure of the Speaker of the House. The Speaker of the House may dissolve the Study Committee at any time.

Effective immediately.



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James B. Black  
Speaker, North Carolina House of Representatives

Attest:  
*Denise Weeks (MP)*  
Denise Weeks  
Principal Clerk

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December 31, 2002

**TO THE HONORABLE MEMBERS OF THE  
NORTH CAROLINA  
HOUSE OF REPRESENTATIVES**

**WHEREAS**, North Carolina has, over the last three years, experienced unemployment, loss of manufacturing jobs and weak economic growth that has diminished State government tax revenue; and

**WHEREAS**, the Governor's Office of State Budget and Management and the General Assembly's Fiscal Research Division, at this time, project a State budget shortfall of expenditures over revenues of from \$1.5 to \$1.8 billion for the 2003-2004 fiscal year; and

**WHEREAS**, the Governor, by Executive Order Number 22 extending Executive Order 19, has implemented economies in State expenditures to insure that the State does not operate at a deficit during the 2002-2003 fiscal year by exercising the powers granted him under Article III, Section 5(3) of the State Constitution; and

**WHEREAS**, the Governor, by Executive Order Number 17, has created the Commission to Promote Government Efficiency Savings on State Spending (hereafter referred to as "Commission") and has appointed leading citizens of the State to serve on that Commission; and

**WHEREAS**, the Commission is undertaking a review of all aspects of State and local government in order to recommend changes that will increase efficiency; and

**WHEREAS**, the State must be a wise steward of the funds entrusted to it by effectuating those recommendations of the Commission and of the State's citizens that will reduce inefficiency and duplication of effort and ensure that the maximum benefit is obtained for the people of North Carolina in the proper use of revenues; and

**WHEREAS**, the House Select Committee on State Government Efficiency created in June 2002 and scheduled to terminate on December 31, 2002, has been meeting to review these issues;

**NOW, THEREFORE;**

**Section 1.** Pursuant to the authority vested in me by North Carolina General Statute (G.S.) 120-19.6, I hereby establish: **the House Interim Committee on State Government Efficiency** hereafter referred to as "Interim Committee."

**Section 2.** The individuals, listed below and appointed as members of the 2002 House Select Committee on State Government Efficiency, are appointed as members of the Interim Committee:

- 12) Representative James W. Crawford, Co-Chair
- 13) Representative William C. Owens, Jr., Co-Chair
- 14) Representative Richard T. Morgan, Vice Chair
- 15) Representative Walter G. Church, Sr.
- 16) Representative Beverly M. Earle
- 17) Representative Drew P. Saunders
- 18) Representative Stanley H. Fox
- 19) Representative Charles F. Buchanan
- 20) Representative Wilma M. Sherrill
- 21) Representative E. Nelson Cole

**Section 3.** The Interim Committee shall review the work, conclusions, and recommendations of the:

- (a) Commission to Promote Government Efficiency Savings on State Spending,
- (b) Study and standing committees of the General Assembly and non-governmental groups proposing efficiencies in State government, including but not limited to, the recommendations of the Government Performance Audit Commission (GPAC),

- (c) Governor's Efficiency and Loophole-Closing Commission of 2001, and
- (d) 2002 House Select Committee on State Government Efficiency.

The Interim Committee shall propose legislation that will result in the most efficient use of funds entrusted to State government.

**Section 4.** The Interim Committee shall report on the results of its study, including any proposed legislation to the members of the House of Representatives, on or before the convening of the 2003 Regular Session of the North Carolina General Assembly, by filing one or more reports with the House Principal Clerk and the Legislative Library. The Interim Committee shall terminate upon the convening of the 2003 Regular Session of the North Carolina General Assembly.

**Section 5.** The Interim Committee will meet at the call of its co-chairs.

**Section 6.** The Interim Committee is vested with the authority contained in Article 5A of Chapter 120 of the General Statutes including, but not limited to, the authority to administer oaths, examine under oath, issue subpoenas pursuant to G.S. 120-19.2(c), and request data and information pursuant to G.S. 120-19.

**Section 7.** Members of the Interim Committee shall receive per diem, subsistence, and travel allowance at the rate established in G.S. 120-3.1, 138-5, or 138-6, as appropriate.

**Section 8.** The expenses of the Interim Committee including per diem, subsistence, travel allowances, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker pursuant to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the House of Representatives for its operations.

**Section 9.** The members of the Interim Committee serve at the pleasure of the Speaker of the House. The Speaker of the House may dissolve the Interim Committee at any time.

Effective immediately.



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James B. Black  
Speaker, North Carolina House of Representatives

Attest:

*Denise Weeks (MP)*

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Denise Weeks  
Principal Clerk

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December 31, 2002

**TO THE HONORABLE MEMBERS OF THE  
NORTH CAROLINA  
HOUSE OF REPRESENTATIVES**

**Creation of the  
House Interim Committee on the Highway Trust Fund**

**Section 1.** Pursuant to the authority vested in me by North Carolina General Statute (G.S.) 120-19.6, I hereby establish the: **House Interim Committee on the Highway Trust Fund**, hereafter referred to as "Interim Committee."

**Section 2.** The Interim Committee shall be composed of 10 members as follows:

- (1) Representative James W. Crawford
- (2) Representative E. Nelson Cole
- (3) Representative Cary D. Allred
- (4) Representative Drew P. Saunders
- (5) Representative Joanne W. Bowie
- (6) Natalie English
- (7) The Honorable Lee Myers
- (8) Allen Tate
- (9) Christee Barbee
- (10) Charles Knox

**Section 3.** The Interim Committee may study all aspects of the Highway Trust Fund. The study shall include the examination of all the following:

- (1) The current status, cost estimates, and feasibility of Highway Trust Fund projects currently listed in Article 14 of Chapter 136 of the General Statutes.
- (2) Unanticipated problems with the structure of the Highway Trust Fund.
- (3) The gap between transportation funding structures and the actual transportation needs of the State.
- (4) Allocation issues raised by the structure of the transportation funding equity distribution formula in G.S. 136-17.2A.
- (5) The feasibility of altering the project eligibility requirements of the Highway Trust Fund, including permitting the Department of Transportation to add projects as long as adding those projects does not delay projects already to be funded by the Highway Trust Fund, and projects scheduled under the 2002-2008 Transportation Improvement Program; and does not impair the cash flow provisions of G.S. 136-176(a1).
- (6) The feasibility of altering the funding allocation structure of the Highway Trust Fund, including the possible use of the Highway Trust Fund to provide the State match for available federal aid highway funds as long as using the funds in this matter does not delay projects already funded by the Highway Trust Fund, and projects scheduled under the 2002-2008 Transportation Improvement Program; and does not impair the cash-flow provisions of G.S. 136-176 (a1).
- (7) Any other issue related to the Highway Trust Fund or transportation funding.

**Section 3.** The Chair of the Interim Committee shall be the House Co-chair of the Joint Legislative Transportation Oversight Committee. The Interim Committee shall meet upon the call of its Chair. A quorum of the Interim Committee shall be six members.

**Section 4.** The expenses of the Interim Committee including per diem, subsistence, travel allowances, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker

pursuant to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the House of Representatives for its operations.

**Section 5.** The members of the Interim Committee serve at the pleasure of the Speaker of the House. The Speaker of the House may dissolve the Interim Committee at any time.

**Section 6.** Staff. – The Legislative Services Office shall assign professional and clerical staff to the assist the Interim Committee in its work.

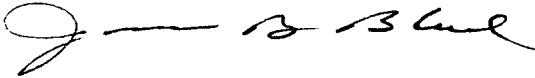
**Section 7.** The Interim Committee may hire consultants to examine specific issues and subjects related to the study, in accordance with G.S. 120-32.02.

**Section 8** The Interim Committee may meet at various locations around the State in order to promote greater public participation in its deliberations. The Legislative Services Commission shall grant adequate meeting space to the Interim Committee in the State Legislative Building or the Legislative Office Building.

**Section 9.** The Interim Committee is authorized to meet jointly with a similarly authorized committee of the Senate to conduct this study.

**Section 10.** The Interim Committee shall report the findings and conclusions of its study to the Joint Legislative Transportation Oversight Committee no later than the first day of the 2003 Session of the General Assembly. Upon the filing of its final report, the Interim Committee shall terminate.

Effective immediately.



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James B. Black  
Speaker, North Carolina House of Representatives

Attest:

*Denise Weeks (MP)*

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Denise Weeks  
Principal Clerk



**HOUSE SELECT COMMITTEE ON STATE  
GOVERNMENT EFFICIENCY**

September 5, 2002

The Honorable E. Nelson Cole  
North Carolina House of Representatives  
Legislative Building  
Room 1218  
Raleigh, North Carolina 27601-1096

Dear Nelson:

Pursuant to the authority vested in me by Rule 26 (a) of the Rules of the House of Representatives of the 2001 General Assembly as contained in Section 1 of Resolution 49 of the 2001 Session of the North Carolina House of Representatives, and by North Carolina General Statute (G.S.) 120-19.6, I am pleased to appoint you to the House Select Committee on State Government Efficiency. Your appointment is effective immediately and will expire December 31, 2002.

Thank you for your willingness to serve the State of North Carolina. I am deeply grateful for people like you who are willing to give their time and talent to move North Carolina forward. I know that you will have much to offer the House Select Committee on State Government Efficiency and will be effective and diligent in your service to our State.

Sincerely,  
S/ James B. Black  
Speaker, North Carolina House

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**CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 623**

**H623-CCSRU~~x~~-2.** A BILL TO BE ENTITLED AN ACT TO PROMOTE ENERGY EFFICIENCY IN STATE-OWNED BUILDINGS.

The General Assembly of North Carolina enacts:

**SECTION 1.** The title of Part 2 of Article 3B of Chapter 143 of the General Statutes reads as rewritten:

"Part 2. Guaranteed Energy Savings Contracts for ~~Local~~  
Governmental Units."

**SECTION 2.** G.S. 143-64.17 reads as rewritten:

**"§ 143-64.17. Definitions.**

As used in this Part:

- (1) "Energy conservation measure" means a facility alteration, training, or services related to the operation of the facility, when the alteration, training, or services provide anticipated energy savings. Energy conservation measure includes any of the following:
  - a. Insulation of the building structure and systems within the building.
  - b. Storm windows or doors, caulking, weatherstripping, multiglazed windows or doors, heat-absorbing or heat-reflective glazed or coated window or door systems, additional glazing, reductions in glass area, or other window or door system modifications that reduce energy consumption.
  - c. Automatic energy control systems.
  - d. Heating, ventilating, or air-conditioning system modifications or replacements.
  - e. Replacement or modification of lighting fixtures to increase the energy efficiency of a lighting system without increasing the overall illumination of a facility, unless an increase in illumination is necessary to conform to the applicable State or local building code or is required by the light system after the proposed modifications are made.
  - f. Energy recovery systems.
  - g. Cogeneration systems that produce steam or forms of energy such as heat, as well as electricity, for use primarily within a building or complex of buildings.
  - h. Other energy conservation measures.
- (2) "Energy savings" means a measured reduction in fuel costs, energy costs, or operating costs created from the implementation of one or more energy conservation measures when compared with an established baseline of previous fuel costs, energy costs, or operating costs developed by the ~~local~~ governmental unit.
- (2a) "Governmental unit" means either a local governmental unit or a State governmental unit.
- (3) "Guaranteed energy savings contract" means a contract for the evaluation, recommendation, or implementation of energy conservation measures, including the design and installation of equipment or the repair or replacement of existing equipment, in which all payments, except obligations on termination of the contract before its expiration, are to

- be made over time, and in which energy savings are guaranteed to exceed costs.
- (4) "Local governmental unit" means any board or governing body of a political subdivision of the State, including any board of a community college, any school board, or an agency, commission, or authority of a political subdivision of the State.
  - (5) "Qualified provider" means a person or business experienced in the design, implementation, and installation of energy conservation measures.
  - (6) "Request for proposals" means a negotiated procurement initiated by a ~~local~~-governmental unit by way of a published notice that includes the following:
    - a. The name and address of the ~~local~~-governmental unit.
    - b. The name, address, title, and telephone number of a contact person in the ~~local~~-governmental unit.
    - c. Notice indicating that the ~~local~~-governmental unit is requesting qualified providers to propose energy conservation measures through a guaranteed energy savings contract.
    - d. The date, time, and place where proposals must be received.
    - e. The evaluation criteria for assessing the proposals.
    - f. A statement reserving the right of the ~~local~~-governmental unit to reject any or all the proposals.
    - g. Any other stipulations and clarifications the ~~local~~-governmental unit may require.
  - (7) "State governmental unit" means the State or a department, an agency, a board, or a commission of the State, including the Board of Governors of The University of North Carolina and its constituent institutions."

**SECTION 3.** G.S. 143-64.17A reads as rewritten:

**"§ 143-64.17A. Solicitation of guaranteed energy savings contracts.**

(a) Before entering into a guaranteed energy savings contract, a ~~local~~-governmental unit shall issue a request for proposals. Notice of the request shall be published at least 15 days in advance of the time specified for opening of the proposals in at least one newspaper of general circulation in the geographic area for which the local governmental unit is ~~responsible~~-responsible or, in the case of a State governmental unit, in which the facility or facilities are located. No guaranteed energy savings contract shall be awarded by any ~~governing body~~-governmental unit unless at least two proposals have been received from qualified providers. Provided that if after the publication of the notice of the request for proposals, fewer than two proposals have been received from qualified

providers, the ~~governing body of the local~~ governmental unit shall again publish notice of the request and if as a result of the second notice, one or more proposals by qualified providers are received, the ~~governing body~~ governmental unit may then open the proposals and select a qualified provider even if only one proposal is received.

(b) The ~~local~~ governmental unit shall evaluate a sealed proposal from any qualified provider. Proposals shall contain estimates of all costs of installation, modification, or remodeling, including costs of design, engineering, installation, maintenance, repairs, ~~and~~ debt service, and estimates of energy savings.

(c) ~~Proposals~~ In the case of a local governmental unit, proposals received pursuant to this section shall be opened by a member or an employee of the governing body of the local governmental unit at a public opening at which the contents of the proposals shall be announced and recorded in the minutes of the governing body. Proposals shall be evaluated for the local governmental unit by a licensed architect or engineer on the basis of:

- (1) The information required in subsection (b) of this section; and
- (2) The criteria stated in the request for proposals.

The local governmental unit may require a qualified provider to include in calculating the cost of a proposal for a guaranteed energy savings contract any reasonable fee payable by the local governmental unit for evaluation of the proposal by a licensed architect or professional engineer not employed as a member of the staff of the local governmental unit or the qualified provider.

(c1) In the case of a State governmental unit, proposals received pursuant to this section shall be opened by a member or an employee of the State governmental unit at a public opening and the contents of the proposals shall be announced at this opening. Proposals shall be evaluated for the State governmental unit by a licensed architect or engineer who is either privately retained, employed with the Department of Administration, or employed as a member of the staff of the State governmental unit. The proposal shall be evaluated on the basis of the information required in subsection (b) of this section and the criteria stated in the request for proposals.

The State governmental unit shall require a qualified provider to include in calculating the cost of a proposal for a guaranteed energy savings contract any reasonable fee payable by the State governmental unit for evaluation of the proposal by a licensed architect or professional engineer not employed as a member of the staff of the State governmental unit or the qualified provider. The Department of Administration may charge the State governmental unit a reasonable fee for the evaluation of the proposal if the Department's services are used for the evaluation and the cost paid by the

State governmental unit to the Department of Administration shall be calculated in the cost of the proposal under this subsection.

(d) The ~~local~~ governmental unit shall select the qualified provider that it determines to best meet the needs of the ~~local~~ governmental unit by evaluating all of the following:

- (1) Prices ~~offered;~~offered.
- (2) Proposed costs of construction, financing, maintenance, and ~~training;~~training.
- (3) Quality of the products ~~proposed;~~proposed.
- (4) Amount of energy ~~savings;~~savings.
- (5) General reputation and performance capabilities of the qualified ~~providers;~~providers.
- (6) Substantial conformity with the specifications and other conditions set forth in the request for ~~proposals;~~proposals.
- (7) Time specified in the proposals for the performance of the ~~contract; and~~contract.
- (8) Any other factors the ~~local~~ governmental unit deems necessary, which factors shall be made a matter of record.

(e) Nothing in this section shall limit the authority of ~~local~~ governmental units as set forth in Article 3D of this Chapter."

**SECTION 4.** G.S. 143-64.17B reads as rewritten:

"§ 143-64.17B. **Guaranteed energy savings contracts.**

(a) A ~~local~~ governmental unit may enter into a guaranteed energy savings contract with a qualified provider if all of the following apply:

- (1) The term of the contract does not exceed 12 years from the date of the installation and acceptance by the ~~local~~ governmental unit of the energy conservation measures provided for under the contract.
- (2) The ~~local~~ governmental unit finds that the energy savings resulting from the performance of the contract will equal or exceed the total cost of the contract.
- (3) The energy conservation measures to be installed under the contract are for an existing building.

(b) Before entering into a guaranteed energy savings contract, the ~~local~~ governmental unit shall provide published notice of the time and place or of the meeting at which it proposes to award the contract, the names of the parties to the proposed contract, and the contract's purpose. The notice must be published at least 15 days before the date of the proposed award or meeting.

(c) A qualified provider entering into a guaranteed energy savings contract under this Part shall provide a bond to the ~~local~~ governmental unit in the amount equal to one hundred percent (100%) of the total cost of the guaranteed energy savings contract to assure the provider's faithful performance. Any bonds required by this subsection shall be subject to the

provisions of Article 3 of Chapter 44A of the General Statutes. If the savings resulting from a guaranteed energy savings contract are not as great as projected under the contract and all required shortfall payments to the ~~local~~-governmental unit have not been made, the ~~local~~-governmental unit may terminate the contract without incurring any additional obligation to the qualified provider.

(d) As used in this section, "total cost" shall include, but not be limited to, costs of construction, costs of financing, and costs of maintenance and training during the term of the contract. "Total cost" does not include any obligations on termination of the contract before its expiration, provided that those obligations are disclosed when the contract is executed.

(e) A guaranteed energy savings contract may not require the ~~local~~ governmental unit to purchase a maintenance contract or other maintenance agreement from the qualified provider who installs energy conservation measures under the contract if the ~~local~~-unit of government takes appropriate action to budget for its own forces or another provider to maintain new systems installed and existing systems affected by the guaranteed energy savings contract."

**SECTION 5.** G.S. 143-64.17C is repealed.

**SECTION 6.** G.S. 143-64.17D reads as rewritten:

**"§ 143-64.17D. Contract continuance.**

A guaranteed energy savings contract may extend beyond the fiscal year in which it becomes effective. Such a contract shall stipulate that it does not constitute a ~~debt, liability, or obligation of any local governmental unit or a direct or indirect pledge of the taxing power or full faith and credit of any unit of local government.~~ governmental unit."

**SECTION 7.** Part 2 of Article 3B of Chapter 143 of the General Statutes is amended by adding the following new section to read:

**"§ 143-64.17F. State agencies to use contracts when feasible.**

State governmental units shall evaluate the use of guaranteed energy savings contracts in reducing energy costs and may use those contracts when feasible and practical. The Department of Administration, through the State Energy Office, shall adopt rules for agency evaluation of guaranteed energy savings contracts. Prior to adopting any rules pursuant to this section, the Department shall consult with and obtain approval of those rules from the State Treasurer."

**SECTION 8.** Part 2 of Article 3B of Chapter 143 of the General Statutes is amended by adding the following new sections to read:

**"§ 143-64.17H. Guaranteed energy savings contract reporting requirements.**

A State governmental unit that enters into a guaranteed energy savings contract must report the contract and the terms of the contract to the State Energy Office of the Department of Administration within 30 days of the date the contract is entered into. In addition, within 60 days after each annual anniversary date of a guaranteed energy savings contract, the State

governmental unit must report the status of the contract to the State Energy Office, including any details required by the State Energy Office. The State Energy Office shall compile the information for each fiscal year and report it to the Joint Legislative Commission on Governmental Operations and to the Local Government Commission annually by December 1. In compiling the information, the State Energy Office shall include information on the energy savings expected to be realized from a contract and shall evaluate whether expected savings have in fact been realized.

**"§ 143-64.17I. Installment and lease purchase contracts.**

A local governmental unit may provide for the acquisition, installation, or maintenance of energy conservation measures acquired pursuant to this Part by installment or lease purchase contracts in accordance with and subject to the provisions of G.S. 160A-20 and G.S. 160A-19, as applicable.

**"§ 143-64.17J. Financing by State governmental units.**

State governmental units may finance the acquisition, installation, or maintenance of energy conservation measures acquired pursuant to this Part in the manner and to the extent set forth in Article 8 of Chapter 142 of the General Statutes or as otherwise authorized by law.

**"§ 143-64.17K. Inspection and compliance certification for State governmental units.**

The provisions of G.S. 143-341(3) shall not apply to any energy conservation measure for State governmental units provided pursuant to this Part, except as specifically set forth in this section. Except as otherwise exempt under G.S. 116-31.11, the following shall apply to all energy conservation measures provided to State governmental units pursuant to this Part:

- (1) The provisions of G.S. 133-1.1.
- (2) Inspection and certification by:
  - a. The applicable local building inspector under Part 4 of Article 18 of Chapter 153A of the General Statutes or Part 5 of Article 19 of Chapter 160A of the General Statutes; or
  - b. At the election of the State governmental unit, the Department of Administration under G.S. 143-341(3)d.

The cost of compliance with this section may be included in the cost of the project in accordance with G.S. 143-64.17A(c1) and may be included in the cost financed under Article 8 of Chapter 142 of the General Statutes."

**SECTION 9.** Chapter 142 of the General Statutes is amended by adding a new Article to read:

"Article 8.

"State Energy Conservation Finance Act.

**"§ 142-60. Short Title.**

This Article is the State Energy Conservation Finance Act.

**"§ 142-61. Definitions.**

The following definitions apply in this Article:

- (1) Certificates of participation. - Certificates or other instruments delivered by a special corporation as provided in this Article evidencing the assignment of proportionate and undivided interests in the rights to receive payments to be made by the State pursuant to one or more financing contracts.
- (2) Cost. - The term includes:
  - a. The cost of construction, modification, rehabilitation, renovation, improvement, acquisition, or installation in connection with an energy conservation measure.
  - b. The cost of engineering, architectural, and other consulting services as may be required, including the cost of performing the technical analysis in accordance with G.S. 143-64.17A and inspection and certification in accordance with G.S. 143-64.17K.
  - c. Finance charges, reserves for debt service and other types of reserves required pursuant to a financing contract or any other related documentation, and interest prior to and during construction, and, if deemed advisable by the State Treasurer, for a period not exceeding two years after the estimated date of completion of construction.
  - d. Administrative expenses and charges.
  - e. The cost of bond insurance, investment contracts, credit and liquidity facilities, interest rate swap agreements and other derivative products, financial and legal consultants, and related costs of the incurrence or issuance of the financing contract to the extent and as determined by the State Treasurer.
  - f. The cost of reimbursing the State for payments made for any costs described in this subdivision.
  - g. Any other costs and expenses necessary or incidental to implementing the purposes of this Article.
- (3) Credit facility. - An agreement that:
  - a. Is entered into by the State with a bank, savings and loan association, or other banking institution, an insurance company, reinsurance company, surety company or other insurance institution, a corporation, investment banking firm or other investment institution, or any financial institution or other similar provider of a credit facility, which provider may be located within or without the United States of America; and



- b. Provides for prompt payment of all or any part of the principal or purchase price (whether at maturity, presentment or tender for purchase, redemption, or acceleration), redemption premium, if any, and interest with respect to any financing contract payable on demand or tender by the owner in consideration of the State agreeing to repay the provider of the credit facility in accordance with the terms and provisions of the agreement.
- (4) Energy conservation measure. - Defined in G.S. 143-64.17.
- (5) Energy conservation property. - Buildings, equipment, or other property with respect to which an energy conservation measure is undertaken.
- (6) Financing contract. - An installment financing contract entered into pursuant to the provisions of this Article to finance the cost of an energy conservation measure.
- (7) Person. - An individual, a firm, a partnership, an association, a corporation, a limited liability company, or any other organization or group acting as a unit.
- (8) Special corporation. - A nonprofit corporation created under Chapter 55A of the General Statutes for the purpose of facilitating the incurrence of certificates of participation indebtedness by the State under this Article.
- (9) State governmental unit. - Defined in G.S. 143-64.17.
- (10) State Treasurer. - The incumbent Treasurer, from time to time, of the State.

**"§ 142-63. Authorization of financing contract.**

Subject to the terms and conditions set forth in this Article, a State governmental unit that has solicited a guaranteed energy conservation measure pursuant to G.S. 143-64.17A or G.S. 143-64.17B or the State Treasurer, as designated by the Council of State, is authorized to execute and deliver, for and on behalf of the State of North Carolina, a financing contract to finance the costs of the energy conservation measure. The aggregate principal amount payable by the State under financing contracts entered pursuant to this Article shall not exceed fifty million dollars (\$50,000,000) at any one time.

**"§ 142-64. Procedure for incurrence or issuance of financing contract.**

(a) When a State governmental unit has solicited a guaranteed energy conservation measure, the State governmental unit shall request that the State Treasurer approve the State governmental unit's entering into a financing contract to finance the cost of the energy conservation measure. In connection with the request, the State governmental unit shall provide to the State Treasurer any information the State Treasurer requests in order to evaluate the request. In the event that the State Treasurer determines that financing efficiencies will be realized through the combining of financing

contracts, then the State Treasurer is authorized to execute and deliver, for and on behalf of the State of North Carolina, subject to the terms and conditions set forth in this Article, a financing contract for the purpose of financing the cost of the multiple energy conservation measures.

(b) A financing contract may be entered into pursuant to this Article only after all of the following conditions are met:

- (1) The Office of State Budget and Management has certified that resources are expected to be available to the State to pay the payments to fall due under the financing contract as they become due and payable.
- (2) The Council of State has approved the execution and delivery of the financing contract by resolution that sets forth all of the following:
  - a. The not-to-exceed term or final maturity of the financing contract, which shall be no later than 12 years from the date the financing contract is entered.
  - b. The not-to-exceed interest rate or rates (or the equivalent thereof), which may be fixed or vary over a period of time, with respect to the financing contract.
  - c. The appropriate officers of the State to execute and deliver the financing contract and all other documentation relating to it.
- (3) The State Treasurer has approved the financing contract and all other documentation related to it, including any deed of trust, security agreement, trust agreement or any credit facility.

The resolution of the Council of State shall include any other matters the Council of State considers appropriate.

(c) In determining whether to approve a financing contract under subdivision (b)(3) of this section, the State Treasurer may consider the factors the State Treasurer considers relevant in order to find and determine all of the following:

- (1) The principal amount to be advanced to the State under the financing contract is adequate and not excessive for the purpose of paying the cost of the energy conservation measure.
- (2) The increase, if any, in State revenues necessary to pay the sums to become due under the financing contract are not excessive.
- (3) The financing contract can be entered into on terms desirable to the State.
- (4) In the case of delivery of certificates of participation, the sale of certificates of participation will not have an

adverse effect upon any scheduled or proposed sale of obligations of the State or any State agency.

(d) The Office of State Budget and Management is authorized to certify that funds are expected to be available to the State to make the payments due under a financing contract entered into under the provisions of this section as the payments become due and payable. In so certifying, the Office of State Budget and Management may take into account expected decreases in appropriations to the State governmental unit that will offset payments expected to be made under the financing contract.

**"§ 142-65. Security; other requirements.**

(a) In order to secure the performance by the State of its obligations under a financing contract or any other related documentation, the State may grant a lien on, or security interest in, all or any part of the energy conservation property or the land upon which the energy conservation property is or will be located.

(b) No deficiency judgment may be rendered against the State or any State governmental unit in any action for breach of any obligation contained in a financing contract or any other related documentation, and the taxing power of the State is not and may not be pledged directly or indirectly to secure any moneys due under a financing contract or any other related documentation. In the event that the General Assembly does not appropriate funds sufficient to make payments required under a financing contract or any other related documentation, the net proceeds received from the sale, lease, or other disposition of the property subject to the lien or security interest created pursuant to subsection (a) of this section shall be applied to satisfy these payment obligations in accordance with the deed of trust, security agreement, or other documentation creating the lien or security interest. These net proceeds are hereby appropriated for the purpose of making these payments. Any net proceeds in excess of the amount required to satisfy the obligations of the State under the financing contract or any other related documentation shall be paid to the State Treasurer for deposit to the General Fund of the State.

(c) Neither a financing contract nor any other related documentation shall contain a nonsubstitution clause that restricts the right of the State to (i) continue to provide a service or conduct an activity or (ii) replace or provide a substitute for any State property that is the subject of an energy conservation measure.

(d) A financing contract may include provisions requesting the Governor to submit in the Governor's budget proposal, or any amendments or supplements to it, appropriations necessary to make the payments required under the financing contract.

(e) A financing contract may contain any provisions for protecting and enforcing the rights and remedies of the person advancing moneys or providing funds under the financing contract that are reasonable and not in

violation of law, including covenants setting forth the duties of the State in respect of the purposes to which the funds advanced under a financing contract may be applied, and the duties of the State with respect to the property subject to the lien or security interest created pursuant to subsection (a) of this section, including, without limitation, provisions relating to insuring and maintaining any property and the custody, safeguarding, investment, and application of moneys.

(f) The interest component of the installment payments to be made under a financing contract may be calculated based upon a fixed or variable interest rate or rates as determined by the State Treasurer.

(g) If the State Treasurer determines that it is in the best interest of the State, the State may enter into, or arrange for the delivery of, a credit facility to secure payment of the payments due under a financing contract or to secure payment of the purchase price of any certificates of participation delivered as provided in this Article.

**"§ 142-66. Payment provisions.**

The payment of amounts payable by the State under a financing contract and any other related documentation during any fiscal biennium or fiscal year shall be limited to funds appropriated for that purpose by the General Assembly in its discretion. No provision of this Article and no financing contract or any other related documentation shall be construed or interpreted as creating a pledge of the faith and credit of the State or any agency, department, or commission of the State within the meaning of any constitutional debt limitation.

**"§ 142-67. Certificates of participation.**

(a) If the State Treasurer determines that the State would realize debt service savings under one or more financing contracts if certificates of participation are issued with respect to the rights to receive payments under the financing contract, then the State Treasurer is authorized to take actions, with the consent of the Council of State, that will effectuate the delivery of certificates of participation for that purpose.

(b) Terms; Interest. - Certificates of participation may be sold by the State Treasurer in the manner, either at public or private sale, and for any price or prices that the State Treasurer determines to be in the best interest of the State and to effect the purposes of this Article, except that the terms of the sale must also be approved by the special corporation. Interest payable with respect to certificates of participation shall accrue at the rate or rates determined by the State Treasurer with the approval of the special corporation.

(c) Trust Agreement. - Certificates of participation may be delivered pursuant to a trust agreement or similar instrument with a corporate trustee approved by the State Treasurer.

**"§ 142-68. Tax exemption.**

Any financing contract entered pursuant to this Article, and any certificates of participation relating to it, shall at all times be free from taxation by the State or any political subdivision or any of their agencies, excepting estate, inheritance, and gift taxes; income taxes on the gain from the transfer of the financing contract or certificates of participation; and franchise taxes. The interest component of the installment payments made by the State under the financing contract, including the interest component of any certificates of participation, is not subject to taxation as income.

**"§ 142-69. Other agreements.**

The State Treasurer may authorize, execute, obtain, or otherwise provide for bond insurance, investment contracts, credit and liquidity facilities, credit enhancement facilities, interest rate swap agreements and other derivative products, and any other related instruments and matters the State Treasurer determines are desirable in connection with entering into financing contracts and issuing certificates of participation pursuant to this Article. The State Treasurer is authorized to employ and designate any financial consultants, underwriters, fiduciaries, and bond attorneys to be associated with any financing contracts or certificates of participation under this Article as the State Treasurer considers appropriate.

**"§ 142-70. Investment eligibility.**

Financing contracts entered into pursuant to this Article, and any certificates of participation relating to them, are securities or obligations in which all of the following may invest, including capital in their control or belonging to them: public officers, agencies, and public bodies of the State and its political subdivisions; insurance companies, trust companies, investment companies, banks, savings banks, savings and loan associations, credit unions, pension or retirement funds, and other financial institutions engaged in business in the State; and executors, administrators, trustees, and other fiduciaries. Financing contracts entered pursuant to this Article, and any certificates of participation relating to them, are securities or obligations that may properly and legally be deposited with and received by any officer or agency of the State or any political subdivision of the State for any purpose for which the deposit of bonds, notes, or obligations of the State or any political subdivision is now or may later be authorized by law."

**SECTION 10.** G.S. 160A-20(h) reads as rewritten:

"(h) As used in this section, the term 'unit of local government' means any of the following:

- (1) A county.
- (2) A city.
- (3) A water and sewer authority created under Article 1 of Chapter 162A of the General Statutes.
- (3a) A metropolitan sewerage district created under Article 5 of Chapter 162A of the General Statutes.

- (3b) A sanitary district created under Part 2 of Article 2 of Chapter 130A of the General Statutes.
- (4) An airport authority whose situs is entirely within a county that has (i) a population of over 120,000 according to the most recent federal decennial census and (ii) an area of less than 200 square miles.
- (5) An airport authority in a county in which there are two incorporated municipalities with a population of more than 65,000 according to the most recent federal decennial census.
- (5a) An airport board or commission authorized by agreement between two cities pursuant to G.S. 63-56, one of which is located partially but not wholly in the county in which the jointly owned airport is located, and where the board or commission provided water and wastewater services off the airport premises before January 1, ~~1995~~; ~~provided 1995, except~~ that the authority granted by this ~~section~~ subdivision may be exercised by such a board or commission with respect to water and wastewater systems or improvements only.
- (6) A local school administrative unit whose board of education is authorized to levy a school tax.
- (6a) Any other local school administrative unit, but only for the purpose of financing energy conservation measures acquired pursuant to Part 2 of Article 3B of Chapter 143 of the General Statutes.
- (6b) A community college, but only for the purpose of financing energy conservation measures acquired pursuant to Part 2 of Article 3B of Chapter 143 of the General Statutes.
- (7) An area mental health, developmental disabilities, and substance abuse authority, acting in accordance with G.S. 122C-147.
- (8) A consolidated city-county, as defined by G.S. 160B-2(1).
- (9) Repealed by Session Laws 2001-414, s. 52, effective September 14, 2001.
- (10) A regional natural gas district, as defined by Article 28 of this Chapter.
- (11) A regional public transportation authority or a regional transportation authority created pursuant to Article 26 or Article 27 of this Chapter.
- (12) A nonprofit corporation or association operating or leasing a public hospital as defined in G.S. 159-39."

**SECTION 11.** G.S. 143-129.4 reads as rewritten:

**"§ 143-129.4. Guaranteed energy savings contracts.**

The solicitation and evaluation of proposals for guaranteed energy savings contracts, as defined in Part 2 of Article 3B of this Chapter, and the letting of contracts for these proposals are ~~governed solely~~ not governed by this Article but instead are governed by the provisions of that Part; except that guaranteed energy savings contracts are subject to the requirements of ~~G.S. 143-128.2~~ G.S. 143-128.2 and G.S. 143-135.3."

**SECTION 11.1.** G.S. 133-4.1 reads as rewritten:

**"§ 133-4.1. Guaranteed energy savings contracts.**

Except for ~~G.S. 133-1.1~~ G.S. 133-1 and 133-1.1, the provisions of this Article shall not apply to energy conservation measures undertaken as part of a guaranteed energy savings contract entered into pursuant to the provisions of Part 2 of Article 3B of Chapter 143 of the General Statutes."

**SECTION 12.** Nothing in this act limits the use of any method of contracting authorized by local law or other applicable laws.

**SECTION 13.** This act becomes effective January 1, 2003, and applies to contracts entered into on or after that date.

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**CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 644**

**H644-CCSSU-1.** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC TOLL ROADS AND BRIDGES IN NORTH CAROLINA AND THE CREATION OF A TURNPIKE AUTHORITY.

The General Assembly of North Carolina enacts:

**SECTION 1.** Chapter 136 of the General Statutes is amended by adding a new Article to read:

"Article 6H.

"Public Toll Roads and Bridges.

**"§ 136-89.180. Legislative findings.**

The General Assembly finds that the existing State road system is becoming increasingly congested and overburdened with traffic in many areas of the State; that the sharp surge of vehicle miles traveled is overwhelming the State's ability to build and pay for adequate road improvements; and that an adequate answer to this challenge will require the State to be innovative and utilize several new approaches to transportation improvements in North Carolina.

Toll funding of highway and bridge construction is feasible in North Carolina and can contribute to addressing the critical transportation needs of the State. A toll program can speed the implementation of needed transportation improvements by funding some projects with tolls.

**"§ 136-89.181. Definitions.**

The following definitions apply to this Article:

- (1) "Department" means the North Carolina Department of Transportation.
- (2) "Turnpike Authority" means the public agency created by this Article.
- (3) "Authority Board" means the governing board of the Turnpike Authority.
- (4) "Turnpike Project" means a road, bridge, or tunnel project planned, or planned and constructed, in accordance with the provisions of this Article.
- (5) "Turnpike System" means collectively all Turnpike Projects developed in accordance with the provisions of this Article.

**"§ 136-89.182. North Carolina Turnpike Authority.**

(a) Creation. - There is created a body politic and corporate to be known as the "North Carolina Turnpike Authority". The Authority is constituted as a public agency, and the exercise by the Authority of the powers conferred by this Article in the construction, operation, and maintenance of toll roads and bridges shall be deemed and held to be the performance of an essential governmental function.

(b) Administrative Placement. - The Authority shall be located within the Department of Transportation for administrative purposes but shall exercise all of its powers independently of the Department of Transportation except as otherwise specified in this Article.

(c) Authority Board. - The North Carolina Turnpike Authority shall be governed by a nine-member Authority Board consisting of two members appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121, two members appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121, four members appointed by the Governor, and the Secretary of Transportation. Each appointing authority shall appoint members who reside in diverse regions of the State. The Chair of the Authority shall be selected by the Authority Board.

(d) Board of Transportation Members. - No more than two members of the North Carolina Board of Transportation may serve as members of the Authority Board.

(e) Staggered Terms. - One of the initial appointments to the Authority Board by the General Assembly upon the recommendation of the President Pro Tempore of the Senate, one of the initial appointments to the Authority Board by the General Assembly upon the recommendation of the Speaker of the House of Representatives, and three of the initial appointments of the Governor shall be appointed to terms ending January 14, 2007. One of the initial appointments to the Authority Board by the



General Assembly upon the recommendation of the President Pro Tempore of the Senate, one of the initial appointments to the Authority Board by the General Assembly upon the recommendation of the Speaker of the House of Representatives, and one of the initial appointments of the Governor shall be appointed to terms ending January 14, 2005. The Secretary of Transportation shall serve as an ex officio voting member of the Board. Thereafter, at the expiration of each stipulated term of office, all appointments shall be to a term of four years from the date of the expiration of the term.

(f) Vacancies. - All members of the Authority Board shall remain in office until their successors are appointed and qualified. The original appointing authority may appoint a member to serve out the unexpired term of any member.

(g) Removal of Board Members. - Each member of the Authority Board, notwithstanding subsection (e) of this section, shall serve at the pleasure of the appointing authority. The Chair of the Authority serves at the pleasure of the Authority Board.

(h) Conflicts of Interest, Ethics. - Members of the Authority Board shall be subject to the provisions of G.S. 136-13, 136-13.1, and 136-14.

(i) Compensation. - The appointed members of the Authority Board shall receive no salary for their services but shall be entitled to receive per diem and travel allowances in accordance with the provisions of G.S. 138-5 and G.S. 138-6 as appropriate.

(j) Bylaws. - The Authority Board shall adopt, change, or amend bylaws with respect to the calling of meetings, quorums, voting procedures, the keeping of records, and other organizational, staffing, and administrative matters as the Authority Board may determine. Any bylaws, or subsequent changes or amendments to the bylaws, shall be submitted to the Board of Transportation and the Joint Legislative Transportation Oversight Committee for review and comment at least 45 days prior to adoption by the Authority Board.

(k) Executive Director and Administrative Employees. - The Authority Board shall appoint an Executive Director, whose salary shall be fixed by the Authority, to serve at its pleasure. The Executive Director shall be the Authority's chief administrative officer and shall be responsible for the daily administration of the toll roads and bridges constructed, maintained, or operated pursuant to this Article. The Executive Director or his designee shall appoint, employ, dismiss, and, within the limits approved by the Authority Board, fix the compensation of administrative employees as the Executive Director deems necessary to carry out this Article. The Authority shall report the hiring of all administrative employees to the Joint Legislative Transportation Oversight Committee within 30 days of the date of employment.

(l) Office. - The offices of the Authority may be housed in one or more facilities of the Department of Transportation.

**"§ 136-89.183. Powers of the Authority.**

(a) The Authority shall have all of the powers necessary to execute the provisions of this Article, including the following:

- (1) The powers of a corporate body, including the power to sue and be sued, to make contracts, to adopt and use a common seal, and to alter the adopted seal as needed.
- (2) To study, plan, develop, design, establish, purchase, construct, operate, and maintain three Turnpike Projects, either on its own initiative or at the request of the Board of Transportation. One of the Turnpike Projects shall be located in whole or in part in a county with a population equal to or greater than 650,000 persons, according to the latest decennial census, and one Turnpike Project shall be located in a county or counties that each have a population of fewer than 650,000 persons, according to the latest decennial census. A Turnpike Project selected for construction by the Turnpike Authority shall be included in any applicable locally adopted comprehensive transportation plans and shall be shown in the current State Transportation Improvement Plan prior to the letting of a contract for the Turnpike Project.
- (3) To study, plan, develop and undertake preliminary design work on three Turnpike Projects, in addition to the three turnpike projects described in subdivision (2) of this subsection, either on its own initiative or at the request of the Board of Transportation. The Authority shall take no further action on a project described by this subdivision unless authorized to do so by Statute.
- (4) To rent, lease, purchase, acquire, own, encumber, dispose of, or mortgage real or personal property, including the power to acquire property by eminent domain pursuant to G.S. 136-89.184.
- (5) To fix, revise, charge, and collect tolls and fees for the use of the Turnpike Projects. Prior to the effective date of any toll or fee for use of a Turnpike Facility, the Authority shall submit a description of the proposed toll or fee to the Board of Transportation, the Joint Legislative Transportation Oversight Committee and the Joint Legislative Commission on Governmental Operations for review.
- (6) To issue bonds or notes of the Authority as provided in this Article.
- (7) To establish, construct, purchase, maintain, equip, and operate any structure or facilities associated with the Turnpike System.

- (8) To pay all necessary costs and expenses in the formation, organization, administration, and operation of the Authority.
- (9) To apply for, accept, and administer loans and grants of money or real or personal property from any federal agency, the State or its political subdivisions, local governments, or any other public or private sources available.
- (10) To adopt, alter, or repeal its own bylaws or rules implementing the provisions of this Article, in accordance with the review and comment requirements of G.S. 136-89.182(j).
- (11) To utilize employees of the Department; to contract for the services of consulting engineers, architects, attorneys, real estate counselors, appraisers, and other consultants; to employ administrative staff as may be required in the judgment of the Authority; and to fix and pay fees or compensation to the Department, contractors, and administrative employees from funds available to the Authority.
- (12) To receive and use appropriations from the State and federal government.
- (13) To adopt procedures to govern its procurement of services and delivery of Turnpike Projects.
- (14) To perform or procure any portion of services required by the Authority.
- (15) To use officers, employees, agents, and facilities of the Department for the purposes and upon the terms as may be mutually agreeable.
- (16) To contract for the construction, maintenance, and operation of a Turnpike Project.
- (17) To enter into partnership agreements, agreements with political subdivisions of the State, and agreements with private entities, and to expend such funds as it deems necessary, pursuant to such agreements, for the purpose of financing the cost of acquiring, constructing, equipping, operating, or maintaining any Turnpike Project.

(b) To execute the powers provided in subsection (a) of this section, the Authority shall determine its policies by majority vote of the members of the Authority Board present and voting, a quorum having been established. Once a policy is established, the Authority Board shall communicate it to the Executive Director or the Executive Director's designee, who shall have the sole and exclusive authority to execute the policy of the Authority. No member of the Authority Board shall have the responsibility or authority to give operational directives to any employee of the Authority other than the Executive Director or the Director's designee.

**"§ 136-89.184. Acquisition of real property.**

(a) General. - The Authority may acquire public or private real property by purchase, negotiation, gift, or devise, or condemnation that it determines to be necessary and convenient for the construction, expansion, enlargement, extension, improvement, or operation of a Turnpike Project. When the Authority acquires real property owned by the State, the Secretary of the Department of Administration shall execute and deliver to the Authority a deed transferring fee simple title to the property to the Authority.

(b) Condemnation. - To exercise the power of eminent domain, the Authority shall commence a proceeding in its name and shall follow the procedure set forth in Article 9 of Chapter 136 of the General Statutes.

**"§ 136-89.185. Taxation of property of Authority.**

Property owned by the Authority is exempt from taxation in accordance with Section 2 of Article V of the North Carolina Constitution.

**"§ 136-89.186. Audit.**

The operations of the Authority shall be subject to the oversight of the State Auditor pursuant to Article 5A of Chapter 147 of the General Statutes.

**"§ 136-89.187. Conversion of free highways prohibited.**

The Authority Board is prohibited from converting any segment of the nontolled State highway system to a toll facility.

**"§ 136-89.188. Use of revenues.**

(a) Revenues derived from Turnpike Projects authorized under this Article shall be used only for Authority administration costs; Turnpike Project development, right-of-way acquisition, construction, operation, and maintenance; and debt service on the Authority's revenue bonds or related purposes such as the establishment of debt service reserve funds.

(b) The Authority may use up to one hundred percent (100%) of the revenue derived from a Turnpike Project for debt service on the Authority's revenue bonds or for a combination of debt service and operation and maintenance expenses of the Turnpike Projects.

(c) The Authority shall use not more than five percent (5%) of total revenue derived from all Turnpike Projects for Authority administration costs.

**"§ 136-89.189. Turnpike Authority revenue bonds.**

The Authority shall be a municipality for purposes of Article 5 of Chapter 159 of the General Statutes, the State and Local Government Revenue Bond Act, and may issue revenue bonds pursuant to that Act to pay all or a portion of the cost of a Turnpike Project or to refund any previously issued bonds. In connection with the issuance of revenue bonds, the Authority shall have all powers of a municipality under the State and Local Government Revenue Bond Act, and revenue bonds issued by the

Authority shall be entitled to the protection of all provisions of the State and Local Government Revenue Bond Act.

**"§ 136-89.190. Sale of Turnpike Authority revenue bonds.**

Revenue bonds of the Authority issued pursuant to G.S. 136-89.189 and the State and Local Government Revenue Bond Act shall be sold in accordance with and pursuant to Article 7 of Chapter 159 of the General Statutes.

**"§ 136-89.191. Cost participation by Department of Transportation.**

The Department of Transportation may participate in the cost of preconstruction activities, construction, maintenance, or operation of a Turnpike Project.

**"§ 136-89.192. Equity distribution formula.**

Only those funds applied to a Turnpike Project from the State Highway Fund, State Highway Trust Fund, or federal-aid funds that might otherwise be used for other roadway projects within the State, and are otherwise already subject to the distribution formula under G.S. 136-17.2A, shall be included in the distribution formula.

Other revenue from the sale of the Authority's bonds or notes, project loans, or toll collections shall not be included in the distribution formula.

**"§ 136-89.193. Annual plan of work; annual and quarterly reports.**

(a) Annual Plan of Work. - The Authority shall annually develop a plan of work for the fiscal year, describing the activities and projects to be undertaken, accompanied by a budget. This annual plan of work shall be subject to the concurrence of the Board of Transportation.

(b) Annual Reports. - The Authority shall, promptly following the close of each fiscal year, submit an annual report of its activities for the preceding year to the Governor, the General Assembly, and the Department of Transportation. Each report shall be accompanied by an audit of its books and accounts.

(c) Semiannual Reports. - The Authority shall submit semiannual reports to the Joint Legislative Transportation Oversight Committee, and more frequent reports if requested. The reports shall summarize the Authority's activities during the preceding six months, and shall contain any information about the Authority's activities that is requested by the Committee.

(d) Report Prior to Let of Contracts. - The Authority shall consult with and report to the Joint Legislative Transportation Oversight Committee and the Joint Legislative Commission on Governmental Operations prior to the letting of any contract for Turnpike Project construction authorized under G.S. 136-183(a)(2).

(e) Report Prior to Study and Design - The Authority shall consult with and report to the Joint Legislative Transportation Oversight Committee and the Joint Legislative Commission on Governmental Operations prior to the study, planning, development or design of any Turnpike Project authorized under G.S. 136-89.183(a)(3).

**"§ 136-89.194. Laws applicable to the Authority; exceptions.**

(a) Motor Vehicle Laws. - The Turnpike System shall be considered a "highway" as defined in G.S. 20-4.01(13) and a "public vehicular area" as defined in G.S. 20-4.01(32). All law enforcement and emergency personnel, including the State Highway Patrol and the Division of Motor Vehicles, shall have the same powers and duties on the Turnpike System as on any other highway or public vehicular area.

(b) Contracting. - For the purposes of implementing this Article, the Authority shall solicit competitive proposals for the construction of Turnpike Projects in accordance with the provisions of Article 2 of this Chapter. Contracts for professional engineering services and other kinds of professional or specialized services necessary in connection with construction of Turnpike Projects shall be solicited in accordance with procedures utilized by the Department of Transportation.

(c) Alternative Contracting Methods. - Notwithstanding the provisions of subsection (b) of this section, the Authority may authorize the use of alternative contracting methods if:

- (1) The authorization applies to an individual project;
- (2) The Authority has concluded, and documented in writing, that the alternative contracting method is necessary because the project cannot be completed utilizing the procedures of Article 2 of this Chapter within the necessary time frame or available funding or for other reasons the Authority deems in the public interest;
- (3) The Authority has provided, to the extent possible, for the solicitation of competitive proposals prior to awarding a contract; and
- (4) The approved alternative contracting method provides for reasonable compliance with the disadvantaged business participation goals of G.S. 136-28.4.

**"§ 136-89.195. Internet report of funds expended.**

The Department shall publish and update annually on its Internet web site a record of all expenditures of the Authority for highway construction, maintenance, and administration. The record shall include a total expenditure amount by county. For each Turnpike Project, the record shall include a readily identifiable project name or location, the nature of the project, the amount of the project, the contractor for the project, the date of project letting, and the actual or expected project completion date.

**"§ 136-89.196. Removal of tolls.**

The Authority shall, upon fulfillment of and subject to any restrictions included in the agreements entered into by the Authority in connection with the issuance of the Authority's revenue bonds, remove tolls from a Turnpike Project.

**"§ 136-89.197. Maintenance of nontoll routes.**

The Department shall maintain an existing, alternate, comparable nontoll route corresponding to each Turnpike Project constructed pursuant to this Article."

**SECTION 2.** Chapter 20 of the General Statutes is amended by adding a new section to read:

**"§ 20-158.2. Control of vehicles on Turnpike System.**

The North Carolina Turnpike Authority may control vehicles at appropriate places by erecting traffic control devices to collect tolls."

**SECTION 3.** G.S. 136-176(b) reads as rewritten:

"(b) Funds in the Trust Fund are annually appropriated to the Department of Transportation to be allocated and used as provided in this subsection. A sum, not to exceed four and one-half percent (4.5%) of the amount of revenue deposited in the Trust Fund under subdivisions (a)(1), (2), and (3) of this section, may be used each fiscal year by the Department for expenses to administer the Trust Fund. Operation and project development costs of the North Carolina Turnpike Authority are eligible administrative expenses under this subsection. Any funds allocated to the Authority pursuant to this subsection shall be repaid by the Authority from its toll revenue as soon as possible, subject to any restrictions included in the agreements entered into by the Authority in connection with the issuance of the Authority's revenue bonds. Beginning one year after the Authority begins collecting tolls on a completed Turnpike Project, interest shall accrue on any unpaid balance owed to the Highway Trust Fund at a rate equal to the State Treasurer's average annual yield on its investment of Highway Trust Fund funds pursuant to G.S. 147-6.1. Interest earned on the unpaid balance shall be deposited in the Highway Trust Fund upon repayment. The rest of the funds in the Trust Fund shall be allocated and used as follows:

- (1) Sixty-one and ninety-five hundredths percent (61.95%) to plan, design, and construct the projects of the Intrastate System described in G.S. 136-179 and to pay debt service on highway bonds and notes that are issued under the State Highway Bond Act of 1996 and whose proceeds are applied to these projects.
- (2) Twenty-five and five hundredths percent (25.05%) to plan, design, and construct the urban loops described in G.S. 136-180 and to pay debt service on highway bonds and notes that are issued under the State Highway Bond Act of 1996 and whose proceeds are applied to these urban loops.
- (3) Six and one-half percent (6.5%) to supplement the appropriation to cities for city streets under G.S. 136-181.

- (4) Six and one-half percent (6.5%) for secondary road construction as provided in G.S. 136-182 and to pay debt service on highway bonds and notes that are issued under the State Highway Bond Act of 1996 and whose proceeds are applied to secondary road construction.

The Department must administer funds allocated under subdivisions (1), (2), and (4) of this subsection in a manner that ensures that sufficient funds are available to make the debt service payments on bonds issued under the State Highway Bond Act of 1996 as they become due."

**SECTION 4.** G.S. 126-5(c1) is amended by adding a new subdivision to read:

"(c1) Except as to the provisions of Articles 6 and 7 of this Chapter, the provisions of this Chapter shall not apply to:

...

(21) Employees of the North Carolina Turnpike Authority."

**SECTION 5.** G.S. 120-123 is amended by adding a new subdivision to read:

**"§ 120-123. Service by members of the General Assembly on certain boards and commissions.**

No member of the General Assembly may serve on any of the following boards or commissions:

...

(75) The North Carolina Turnpike Authority."

**SECTION 6.** G.S. 159-81(1) reads as rewritten:

"(1) 'Municipality' means a county, city, town, incorporated village, sanitary district, metropolitan sewerage district, metropolitan water district, county water and sewer district, water and sewer authority, hospital authority, hospital district, parking authority, special airport district, regional public transportation authority, regional transportation authority, regional natural gas district, regional sports authority, airport authority, joint agency created pursuant to Part 1 of Article 20 of Chapter 160A of the General Statutes, ~~and a joint agency authorized by agreement between two cities to operate an airport pursuant to G.S. 63-56, and the North Carolina Turnpike Authority created pursuant to Article 6H of Chapter 136 of the General Statutes,~~ but not any other forms of State or local government."

**SECTION 7.** G.S. 159-81(3) read as rewritten:

"(3) 'Revenue bond project' means any undertaking for the acquisition, construction, reconstruction, improvement, enlargement, betterment, or extension of any one or combination of the following revenue-producing utility or



public service enterprise facilities or systems owned or leased as lessee by the issuing unit, to be financed through the issuance of revenue bonds, thereby providing funds to pay the costs of the undertaking or to reimburse funds loaned or advanced by the State or a municipality to pay the costs of the undertaking:

- a. Water systems or facilities, including all plants, works, instrumentalities and properties used or useful in obtaining, conserving, treating, and distributing water for domestic or industrial use, irrigation, sanitation, fire protection, or any other public or private use.
- b. Sewage disposal systems or facilities, including all plants, works, instrumentalities, and properties used or useful in the collection, treatment, purification, or disposal of sewage.
- c. Systems or facilities for the generation, production, transmission, or distribution of gas (natural, artificial, or mixed) or electric energy for lighting, heating, or power for public and private uses, where gas systems shall include the purchase and/or lease of natural gas fields and natural gas reserves and the purchase of natural gas supplies, and where any parts of such gas systems may be located either within the State or without.
- d. Systems, facilities and equipment for the collection, treatment, or disposal of solid waste.
- e. Public transportation systems, facilities, or equipment, including but not limited to bus, truck, ferry, and railroad terminals, depots, trackages, vehicles, and ferries, and mass transit systems.
- f. Public parking lots, areas, garages, and other vehicular parking structures and facilities.
- g. Aeronautical facilities, including but not limited to airports, terminals, and hangars.
- h. Marine facilities, including but not limited to marinas, basins, docks, dry docks, piers, marine railways, wharves, harbors, warehouses, and terminals.
- i. Hospitals and other health-related facilities.
- j. Public auditoriums, gymnasiums, stadiums, and convention centers.
- k. Recreational facilities.
- l. In addition to the foregoing, in the case of the State of North Carolina, low-level radioactive waste facilities

developed pursuant to Chapter 104G of the General Statutes, hazardous waste facilities developed pursuant to Chapter 130B of the General Statutes, and any other project authorized by the General Assembly.

- m. Economic development projects, including the acquisition and development of industrial parks, the acquisition and resale of land suitable for industrial or commercial purposes, and the construction and lease or sale of shell buildings in order to provide employment opportunities for citizens of the municipality.
- n. Facilities for the use of any agency or agencies of the government of the United States of America.
- o. Structural and natural stormwater and drainage systems of all types.
- p. In the case of the North Carolina Turnpike Authority, a Turnpike Project, as defined in G.S. 136-89.181, including the planning and design of a Turnpike Project, that is designated by the Authority to be a revenue bond project.

The cost of an undertaking may include all property, both real and personal and improved and unimproved, plants, works, appurtenances, machinery, equipment, easements, water rights, air rights, franchises, and licenses used or useful in connection with any of the foregoing utilities and enterprises; the cost of demolishing or moving structures from land acquired and the cost of acquiring any lands to which such structures are to be moved; financing charges; the cost of plans, specifications, surveys, and estimates of cost and revenues; administrative and legal expenses; and any other expense necessary or incident to the project."

**SECTION 8.** G.S. 159-96 is amended by adding a new subsection to read:

"(e) In the case of a Turnpike Project of the North Carolina Turnpike Authority, the Turnpike Project may be located anywhere in the State the Authority is authorized to maintain a Turnpike Project."

**SECTION 9.** The Authority shall evaluate the feasibility of encouraging mass transit and ridesharing in its proposed toll road facilities.

**SECTION 10.** This act is effective when it becomes law.

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**CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 1734**

**H1734-CCSLY-3.** AN ACT TO ESTABLISH AND MODIFY VARIOUS ECONOMIC INCENTIVE PROGRAMS FOR BUSINESS AND INDUSTRY;

TO AMEND PROVISIONS RELATING TO INDUSTRIAL AND POLLUTION CONTROL FACILITIES FINANCING; TO AUTHORIZE PLANNING AND DEVELOPMENT FOR A BIOPHARMACEUTICAL TRAINING CENTER AND A CANCER REHABILITATION TREATMENT CENTER; AND TO MAKE TECHNICAL AND CONFORMING CHANGES.

The General Assembly of North Carolina enacts:

**PART 1. BILL LEE ACT**

**SECTION 1.1.** G.S. 105-129.9(a) and (c) read as rewritten:

"(a) General Credit. - If a taxpayer that has purchased or leased eligible machinery and equipment places them in service in this State during the taxable year, the taxpayer is allowed a credit equal to ~~seven percent (7%)~~ the applicable percentage of the excess of the eligible investment amount over the applicable threshold. Machinery and equipment are eligible if they are capitalized by the taxpayer for tax purposes under the Code and not leased to another party. In addition, in the case of a large investment, machinery and equipment that are not capitalized by the taxpayer are eligible if the taxpayer leases them from another party. The credit may not be taken for the taxable year in which the machinery and equipment are placed in service but shall be taken in equal installments over the seven years following the taxable year in which they are placed in service. The applicable percentage is as follows:

<u>Area Enterprise Tier</u>	<u>Applicable Percentage</u>
<u>Tier One</u>	<u>7%</u>
<u>Tier Two</u>	<u>7%</u>
<u>Tier Three</u>	<u>6%</u>
<u>Tier Four</u>	<u>5%</u>
<u>Tier Five</u>	<u>4%</u>

...

(c) Threshold. - The applicable threshold is the appropriate amount set out in the following table based on the enterprise tier where the eligible machinery and equipment are placed in service during the taxable year. If the taxpayer places eligible machinery and equipment in service at more than one establishment in an enterprise tier during the taxable year, the threshold applies separately to the eligible machinery and equipment placed in service at each establishment. If the taxpayer places eligible machinery and equipment in service at an establishment over the course of a two-year period, the applicable threshold for the second taxable year is reduced by the eligible investment amount for the previous taxable year.

<u>Area Enterprise Tier</u>	<u>Threshold</u>
<u>Tier One</u>	<u>\$ -0-</u>
<u>Tier Two</u>	<u>100,000</u>
<u>Tier Three</u>	<u>200,000</u>

Tier Four	500,000	1,000,000
Tier Five	1,000,000	2,000,000"

**SECTION 1.2.** G.S. 105-129.4 is amended by adding a new subsection to read:

"(b6) Overdue Tax Debts. - A taxpayer is not eligible for a credit allowed under this Article if, at the time the taxpayer claims an installment or carryforward of the credit, the taxpayer has received a notice of an overdue tax debt and that overdue tax debt has not been satisfied or otherwise resolved."

**SECTION 1.3.(a)** If House Bill 1665, 2001 General Assembly, does not become law, then G.S. 105-129.4(b) reads as rewritten:

"(b) Wage Standard. - A taxpayer is eligible for the credit for creating jobs ~~or the credit for worker training in an enterprise tier three, four, or five area~~ if, for the calendar year the jobs are ~~created or the worker training is provided,~~ created, the average wage of the jobs for which the credit is claimed meets the wage standard and the average wage of all jobs at the location with respect to which the credit is claimed meets the wage standard. No credit is allowed for jobs not included in the wage calculation. A taxpayer is eligible for the credit for investing in machinery and equipment, the credit for research and development, ~~or the credit for investing in real property for a central office or aircraft facility, or the credit for substantial investment in other property facility in a tier three, four, or five area~~ if, for the calendar year the taxpayer engages in the activity that qualifies for the credit, the average wage of all jobs at the location with respect to which the credit is claimed meets the wage standard. In making the wage calculation, the taxpayer must include any positions that were filled for at least 1,600 hours during the calendar year the taxpayer engages in the activity that qualifies for the credit even if those positions are not filled at the time the taxpayer claims the credit. For a taxpayer with a taxable year other than a calendar year, the taxpayer must use the wage standard for the calendar year in which the taxable year begins. No wage standard applies to credits for activities in an enterprise tier one or two area.

Jobs meet the wage standard if they pay an average weekly wage that is at least equal to ~~the applicable percentage times one hundred ten percent (110%)~~ of the applicable average weekly wage for the county in which the jobs will be located, as computed by the Secretary of Commerce from data compiled by the Employment Security Commission for the most recent period for which data are available. ~~The applicable percentage for jobs located in an enterprise tier one area is one hundred percent (100%). The applicable percentage for all other jobs is one hundred ten percent (110%).~~ The applicable average weekly wage is the lowest of the following: (i) the average wage for all insured private employers in the county, (ii) the average wage for all insured private employers in the State, and (iii) the average wage for all insured private employers in the county multiplied by

the county income/wage adjustment factor. The county income/wage adjustment factor is the county income/wage ratio divided by the State income/wage ratio. The county income/wage ratio is average per capita income in the county divided by the annualized average wage for all insured private employers in the county. The State income/wage ratio is the average per capita income in the State divided by the annualized average wage for all insured private employers in the State. The Department of Commerce must annually publish the wage standard for each county."

**SECTION 1.3.(b)** If House Bill 1665, 2001 General Assembly, becomes law, then G.S. 105-129.4(b) reads as rewritten:

"(b) Wage Standard. - A taxpayer is eligible for the credit for creating jobs ~~or the credit for worker training in an enterprise tier three, four, or five area~~ if, for the calendar year the jobs are ~~created or the worker training is provided,~~ created, the average wage of the jobs for which the credit is claimed meets the wage standard and the average wage of all jobs at the location with respect to which the credit is claimed meets the wage standard. No credit is allowed for jobs not included in the wage calculation. A taxpayer is eligible for the credit for investing in machinery and equipment, the credit for research and development, or the credit for investing in real property for a central office or aircraft facility, or the credit for substantial investment in other property facility in a tier three, four, or five area if, for the calendar year the taxpayer engages in the activity that qualifies for the credit, the average wage of all jobs at the location with respect to which the credit is claimed meets the wage standard. In making the wage calculation, the taxpayer must include any positions that were filled for at least 1,600 hours during the calendar year the taxpayer engages in the activity that qualifies for the credit even if those positions are not filled at the time the taxpayer claims the credit. For a taxpayer with a taxable year other than a calendar year, the taxpayer must use the wage standard for the calendar year in which the taxable year begins. No wage standard applies to credits for activities in an enterprise tier one or two area.

Part-time jobs for which the taxpayer provides health insurance as provided in subsection (b2) of this section are considered to have an average weekly wage at least equal to the applicable percentage times the applicable average weekly wage for the county in which the jobs will be located. There may be a period of up to 100 days between the time at which an employee begins a part-time job and the time at which the taxpayer begins to provide health insurance for that employee.

Jobs meet the wage standard if they pay an average weekly wage that is at least equal to ~~the applicable percentage times~~ one hundred ten percent (110%) of the applicable average weekly wage for the county in which the jobs will be located, as computed by the Secretary of Commerce from data compiled by the Employment Security Commission for the most recent period for which data are available. ~~The applicable percentage for jobs~~

located in an enterprise tier one area is one hundred percent (100%). The applicable percentage for all other jobs is one hundred ten percent (110%). The applicable average weekly wage is the lowest of the following: (i) the average wage for all insured private employers in the county, (ii) the average wage for all insured private employers in the State, and (iii) the average wage for all insured private employers in the county multiplied by the county income/wage adjustment factor. The county income/wage adjustment factor is the county income/wage ratio divided by the State income/wage ratio. The county income/wage ratio is average per capita income in the county divided by the annualized average wage for all insured private employers in the county. The State income/wage ratio is the average per capita income in the State divided by the annualized average wage for all insured private employers in the State. The Department of Commerce must annually publish the wage standard for each county."

**SECTION 1.4.** G.S. 105-129.3A is amended by adding a new subsection to read:

"(d) Parcel of Property Partially in a Development Zone. - For the purposes of this section, a parcel of property that is located partially within a development zone is considered entirely within the development zone if all of the following conditions are satisfied:

- (1) At least fifty percent (50%) of the parcel is located within the development zone.
- (2) The parcel was in existence and under common ownership prior to the most recent federal decennial census.
- (3) The parcel is a portion of land made up of one or more tracts or tax parcels of land that is surrounded by a continuous perimeter boundary."

**SECTION 1.5.** G.S. 105-129.2 is amended by adding a new subdivision to read:

**"§ 105-129.2. Definitions.**

The following definitions apply in this Article:

...

(17a) Overdue tax debt. - Defined in G.S. 105-243.1."

**SECTION 1.6.** In addition to heightening the incentive effect of the William S. Lee Quality Jobs and Business Expansion Act in lower-tiered counties, the changes in Section 1.1 of this act are intended to reduce the cost of the Act and make more revenues available to the State of North Carolina in future years. It is the intent of the General Assembly in making these changes to provide a source of funds that could be used in future years to support other, more targeted economic development programs aimed at helping create new jobs in North Carolina.

**SECTION 1.7.** Section 1.1 of this act is effective for taxable years beginning on or after January 1, 2003, and applies to business activities that occur on or after January 1, 2003, but does not apply to

business activities that occur on or after January 1, 2003, that are subject to a letter of commitment signed under G.S. 105-129.9 before January 1, 2003. Sections 1.2 through 1.5 of this act are effective for taxable years beginning on or after January 1, 2003. The remainder of this part is effective when it becomes law.

## **PART 2. JOB DEVELOPMENT INVESTMENT GRANT PROGRAM**

**SECTION 2.1.(a)** Article 10 of Chapter 143B of the General Statutes is amended by adding a new Part to read:

"Part 2F.

"Job Development Investment Grant Program.

### **"§ 143B-437.44. Legislative findings and purpose.**

The General Assembly finds that:

- (1) It is the policy of the State of North Carolina to stimulate economic activity and to create new jobs for the citizens of the State by encouraging and promoting the expansion of existing business and industry within the State and by recruiting and attracting new business and industry to the State.
- (2) Both short-term and long-term economic trends at the State, national, and international levels have made the successful implementation of the State's economic development policy and programs both more critical and more challenging; and the decline in the State's traditional industries, and the resulting adverse impact upon the State and its citizens, have been exacerbated in recent years by adverse national and State economic trends that contribute to the reduction in the State's industrial base and that inhibit the State's ability to sustain or attract new and expanding businesses.
- (3) The economic condition of the State is not static and recent changes in the State's economic condition have created economic distress that requires a reevaluation of certain existing State programs and the enactment of a new program as provided in this Part that are designed to stimulate new economic activity and to create new jobs within the State.
- (4) The enactment of this Part is necessary to stimulate the economy, facilitate economic recovery, and create new jobs in North Carolina; and this Part will promote the general welfare and confer, as its primary purpose and effect, benefits on citizens throughout the State through the creation of new jobs, an enlargement of the overall tax

- base, an expansion and diversification of the State's industrial base, and an increase in revenue to the State and its political subdivisions.
- (5) The purpose of this Part is to stimulate economic activity and to create new jobs within the State.
  - (6) It is not the intent of the General Assembly that grants provided through this Part be used as venture capital funds, business incubator funds, or business start-up funds or to otherwise fund the initial capitalization needs of new businesses.
  - (7) Nothing in this Part shall be construed to constitute a guarantee or assumption by the State of any debt of any business or to authorize the taxing power or the full faith and credit of the State to be pledged.

**"§ 143B-437.45. Definitions.**

The following definitions apply in this Part:

- (1) Agreement. - A community economic development agreement under G.S. 143B-437.51.
- (2) Base years. - The first two complete calendar years following the effective date of an agreement.
- (3) Business. - A corporation, sole proprietorship, cooperative association, partnership, S corporation, limited liability company, nonprofit corporation, or other form of business organization, located either within or outside this State.
- (4) Committee. - The Economic Investment Committee established pursuant to G.S. 143B-437.48.
- (5) Eligible position. - A position created by a business and filled by a new full-time employee in this State during the base years or in subsequent years of a grant.
- (6) Full-time employee. - A person who is employed for consideration for at least 35 hours a week, whose wages are subject to withholding under Article 4A of Chapter 105 of the General Statutes, and who is determined by the Committee to be employed in a permanent position according to criteria it develops in consultation with the Attorney General. The term does not include any person who works as an independent contractor or on a consulting basis for the business.
- (7) New employee. - A full-time employee who represents a net increase in the number of the business's employees statewide. The term includes an employee who previously filled an eligible position who is rehired or called back from a layoff that occurs during or following the base years to



a vacant position previously held by that employee or to a new position established during or following the base years.

- (8) Overdue tax debt. - Defined in G.S. 105-243.1.
- (9) Related member. - Defined in G.S. 105-130.7A.
- (10) Withholdings. - The amount withheld by a business from the wages of employees in eligible positions under Article 4A of Chapter 105 of the General Statutes.

**"§ 143B-437.46. Job Development Investment Grant Program.**

(a) Program. - There is established the Job Development Investment Grant Program to be administered by the Economic Investment Committee. In order to foster job creation and investment in the economy of this State, the Committee may enter into negotiated agreements with businesses to provide grants in accordance with the provisions of this Part. The Committee, in consultation with the Attorney General, shall develop criteria to be used in determining whether the conditions of this section are satisfied and whether the project described in the application is otherwise consistent with the purposes of this Part. Before entering into an agreement, the Committee must find that all the following conditions are met:

- (1) The project proposed by the business will create, during the term of the agreement, a net increase in employment in this State by the business.
- (2) The project will benefit the people of this State by increasing opportunities for employment and by strengthening this State's economy by, for example, providing worker training opportunities, constructing and enhancing critical infrastructure, increasing development in strategically important industries, or increasing the State and local tax base.
- (3) The project is consistent with economic development goals for the State and for the area where it will be located.
- (4) A grant under this Part is necessary for the completion of the project in this State.
- (5) The total benefits of the project to the State outweigh its costs and render the grant appropriate for the project.

(b) Cap. - The maximum number of agreements the Committee may enter into each calendar year is 15.

(c) Ceiling. - The maximum amount of total annual liability for grants for agreements entered into in any single calendar year may not exceed ten million dollars (\$10,000,000). No agreement may be entered into that, when considered together with other existing agreements entered into during that calendar year, could cause the State's potential total annual liability for grants entered into in that calendar year to exceed this amount.

**"§ 143B-437.47. Eligible projects.**

(a) Minimum Number of Eligible Positions. - A business may apply to the Committee for a grant for any project that creates the minimum

number of eligible positions as set out in the table below. If the project will be located in more than one enterprise tier area, the location with the highest enterprise tier area designation determines the minimum number of eligible positions that must be created.

<u>Enterprise Tier Area</u>	<u>Number of Eligible Positions</u>
<u>Tier One</u>	<u>10</u>
<u>Tier Two</u>	<u>10</u>
<u>Tier Three</u>	<u>10</u>
<u>Tier Four</u>	<u>20</u>
<u>Tier Five</u>	<u>20</u>

(b) Ineligible Businesses. - A project that consists solely of retail facilities is not eligible for a grant under this Part. If a project consists of both retail facilities and nonretail facilities, only the portion of the project consisting of nonretail facilities is eligible for a grant, and only the withholdings from employees in eligible positions that are employed exclusively in the portion of the project that represents nonretail facilities may be used to determine the amount of the grant. If a warehouse facility is part of a retail facility and supplies only that retail facility, the warehouse facility is not eligible for a grant. For the purposes of this Part, catalog distribution centers are not retail facilities.

A project that consists of a professional or semiprofessional sports team or club is not eligible for a grant under this Part.

(c) Health Insurance. - A business is eligible for a grant under this Part only if the business provides health insurance for all of the full-time employees of the project with respect to which the grant is made. For the purposes of this subsection, a business provides health insurance if it pays at least fifty percent (50%) of the premiums for health care coverage that equals or exceeds the minimum provisions of the basic health care plan of coverage recommended by the Small Employer Carrier Committee pursuant to G.S. 58-50-125.

Each year that a business receives a grant under this Part, the business must provide with the submission required under G.S. 143B-437.52 a certification that the business continues to provide health insurance for all full-time employees of the project with respect to which the grant is made. If the business ceases to provide health insurance to all full-time employees of the project with respect to which a grant is made, the Committee shall amend or terminate the agreement as provided in G.S. 143B-437.53.

(d) Wage Standard. - In order for a business to be eligible for a grant under this Part, the average wage of all jobs at the location with respect to which a grant is made must meet the wage standard set out in G.S. 105-129.4(b). If a project is to be located at more than one location, the average wage of all jobs at a location must meet the wage standard set out in G.S. 105-129.4(b) in order for that location to be included in the agreement.

(e) Safety and Health Programs. - In order for a business to be eligible for a grant under this Part, the business must have no citations under the Occupational Safety and Health Act that have become a final order within the past three years for willful serious violations or for failing to abate serious violations with respect to the location for which the grant is made. For the purposes of this subsection, "serious violation" has the same meaning as in G.S. 95-127.

**"§ 143B-437.48. Economic Investment Committee established.**

(a) Membership. - The Economic Investment Committee is established. The Committee consists of the following members:

- (1) The Secretary of Commerce.
- (2) The Secretary of Revenue.
- (3) The Director of the Office of State Budget and Management.
- (4) One member appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives.
- (5) One member appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate.

The members of the Committee appointed by the General Assembly may not be members of the General Assembly. The members of the Committee appointed by the General Assembly serve two-year terms that begin upon appointment.

(b) Decision Required. - The Committee may act only upon a decision of three of its five members.

(c) Conflict of Interest. - It is unlawful for a former member of the Committee to, within two years after the end of service on the Committee, provide services for compensation, as an employee, consultant, or otherwise, to any business or a related member of the business that was awarded a grant under this Part while the former member was serving on the Committee. Violation of this subsection is a Class 1 misdemeanor. In addition to the penalties imposed under G.S. 15A-1340.23, the court shall also make a finding as to what compensation was received by the defendant for services in violation of this section and shall order the defendant to forfeit that compensation.

If a person is convicted under this section, the person shall not provide services for compensation, as an employee, consultant, or otherwise, to any business or a related member of the business that was awarded a grant under this Part while the former member was serving on the Committee until two years after the person's conviction under this section.

(d) Public Notice. - The Committee shall do all of the following at least 15 business days prior to the adoption of or amendment to any proposed criteria:

- (1) Publish the proposed criteria on the Department of Commerce's web site.
- (2) Provide notice to persons who have requested notice of proposed criteria.
- (3) Accept oral and written comments on the proposed criteria.

(e) Sunshine. - Meetings of the Committee are subject to the open meetings requirements of Article 33C of Chapter 143 of the General Statutes. All documents of the Committee, including applications for grants, are public records governed by Chapter 132 of the General Statutes and any applicable provisions of the General Statutes protecting confidential information.

**"§ 143B-437.49. Applications; fees; reports; study.**

(a) Application. - A business shall apply, under oath, to the Committee for a grant on a form prescribed by the Committee that includes at least all of the following:

- (1) The name of the business, the proposed location of the project, and the type of activity in which the business will engage at the project site or sites.
- (2) The names and addresses of the principals or management of the business, the nature of the business, and the form of business organization under which it is operated.
- (3) The financial statements of the business prepared by a certified public accountant and any other financial information the Committee considers necessary.
- (4) The number of eligible positions proposed to be created during the base years and thereafter and the salaries for these positions.
- (5) An estimate of the total withholdings.
- (6) Certification that the business will provide health insurance to all full-time employees of the project.
- (7) Information concerning other locations, including locations in other states and countries, being considered for the project and the nature of any benefits that would accrue to the business if the project were to be located in one of those locations.
- (8) Information concerning any other State or local government incentives for which the business is applying or that it has an expectation of receiving.
- (9) Any other information necessary for the Committee to evaluate the application.

A business may apply, in one consolidated application in a form and manner determined by the Committee, for a grant on its own behalf as a business and for grants on behalf of the related members of the business who may qualify under this Part.

The Committee will consider an application by a business for grants on behalf of its related members only if the related members for whom the application is submitted have assigned to the business any claim of right the related members may have under this Part to apply for grants individually during the term of the agreement and have agreed to cooperate with the business in providing to the Committee all the information required for the initial application and the agreement, and any other information the Committee may require for the purposes of this Part. The applicant business is responsible for providing to the Committee all the information required under this Part.

If a business applies for a grant on behalf of its related members, the related members included in the application may be permitted to meet the qualifications for a grant collectively by participating in a project that meets the requirements of this Part. The amount of a grant may be calculated under the terms of this Part as if the related members were all collectively one business entity. Any conditions for a grant, other than the number of eligible positions created, apply to each related member who is listed in the application as participating in the project. The grants awarded shall be paid to the applicant business. A grant received under this Part by a business may be apportioned to the related members in a manner determined by the business. In order for an agreement to be executed, each related member included in the application must sign the agreement and agree to abide by its terms.

(b) Application Fee. - When filing an application under this section, the business must pay the Committee a fee of five thousand dollars (\$5,000). The fee is due at the time the application is filed. The Secretary of Commerce, the Secretary of Revenue, and the Director of the Office of State Budget and Management shall determine the allocation of the fee imposed by this section among their agencies. The proceeds of the fee are receipts of the agency to which they are credited.

(c) Annual Reports. - The Committee shall publish a report on the Job Development Investment Grant Program on or before April 30 of each year. The report shall include the following:

- (1) A listing of each community economic development agreement negotiated and entered into during the preceding calendar year, including the name of the business, the cost/benefit analysis conducted by the Committee during the application process, a description of the project, the term of the agreement, the percentage used to determine the amount of the grant, and the amount of the grant made under the agreement during that year.
- (2) An update on the status of projects under agreements entered into before the preceding calendar year.

- (3) The number and enterprise tier area of eligible positions created by projects with respect to which grants were awarded.
- (4) The wage levels of all eligible positions created by projects with respect to which grants are awarded, aggregated and listed in increments of five thousand dollars (\$5,000).
- (5) The amount of new income tax revenue received from withholdings related to the projects for which grants were awarded.
- (6) The criteria developed by the Committee, in consultation with the Attorney General, to implement this Part and any changes in those criteria from the previous calendar year.
- (7) The effectiveness of the program in recruiting new and expanding businesses.
- (8) The environmental impact of businesses that have received grants under the program.
- (9) The geographic distribution of grants, by number and amount, awarded under the program.
- (10) An explanation of whether the projects with respect to which agreements are entered into involve new businesses in the State or expanding existing businesses in the State.
- (11) A listing of all businesses making an application under this Part and an explanation of whether each business ultimately located the project in this State regardless of whether the business was awarded a grant for the project under this Part.
- (12) The division and use of fees collected by the Committee under this section and under G.S. 143B-437.52.

(d) Quarterly Reports. - The Committee shall publish a report on the Job Development Investment Grant Program within two months of the end of each quarter. This report shall include a listing of each community economic development agreement negotiated and entered into during the preceding quarter, including the name of the business, the cost/benefit analysis conducted by the Committee during the application process, a description of the project, and the amount of the grant expected to be made under the agreement during the current fiscal year.

(e) Study. - The Committee shall conduct a study to determine the minimum funding level required to implement the Job Development Investment Grant Program successfully. The Committee shall report the results of this study to the House of Representatives Finance Committee, the Senate Finance Committee, the House of Representatives Appropriations Subcommittee on Natural and Economic Resources, the Senate Appropriations Committee

on Natural and Economic Resources, and the Fiscal Research Division no later than March 1 of each year.

**"§ 143B-437.50. Calculation of minimum and maximum grants; factors considered.**

(a) Subject to the limitations of subsection (d) of this section, the amount of the grant awarded in each case shall be a percentage of the withholdings of eligible positions. The percentage shall be no less than ten percent (10%) and no more than seventy-five percent (75%) of the withholdings of the eligible positions for a period of years. The percentage used to determine the amount of the grant shall be based on criteria developed by the Committee, in consultation with the Attorney General, after considering at least the following:

- (1) The number of eligible positions to be created.
- (2) The expected duration of those positions.
- (3) The type of contribution the business can make to the long-term growth of the State's economy.
- (4) The amount of other financial assistance the project will receive from the State or local governments.
- (5) The total dollar investment the business is making in the project.
- (6) Whether the project utilizes existing infrastructure and resources in the community.
- (7) Whether the project is located in a development zone.
- (8) The number of eligible positions that would be filled by residents of a development zone.
- (9) The extent to which the project will mitigate unemployment in the State and locality.

(b) The term of the grant shall not exceed 12 years starting with the first year a grant is made.

(c) The grant may be based only on eligible positions created during the base years, unless the Committee makes an explicit determination that the grant shall also be based on additional eligible positions created during the remainder of the term of the grant.

(d) The percentage established in the agreement shall be reduced by one-fourth for any eligible position that is located in an enterprise tier four or five area.

(e) A business that is receiving any other grant by operation of State law may not receive an amount as a grant pursuant to this Part that, when combined with any other grants, exceeds seventy-five percent (75%) of the withholdings of the business, unless the Committee makes an explicit finding that the additional grant is necessary to secure the project.

(f) The amount of a grant associated with any specific eligible position may not exceed six thousand five hundred dollars (\$6,500) in any year.

**"§ 143B-437.51. Community economic development agreement.**

(a) Terms. - Each community economic development agreement shall include at least the following:

- (1) A detailed description of the proposed project that will result in job creation and the number of new employees to be hired in the base years and later years.
- (2) The term of the grant and the criteria used to determine the first year for which the grant may be claimed.
- (3) The number of eligible positions that are subjects of the grant and a description of those positions and the location of those positions.
- (4) The amount of the grant based on a percentage of withholdings.
- (5) A method for determining the number of new employees hired during a grant year.
- (6) A method for the business to report annually to the Committee the number of eligible positions for which the grant is to be made.
- (7) A requirement that the business report to the Committee annually the aggregate amount of withholdings during the grant year.
- (8) A provision permitting an audit of the payroll records of the business by the Committee from time to time as the Committee considers necessary.
- (9) A provision that requires the Committee to amend an agreement pursuant to G.S. 143B-437.53.
- (10) A provision that requires the business to maintain operations at the project location or another location approved by the Committee for at least one hundred fifty percent (150%) of the term of the grant and a provision to permit the Committee to recapture all or part of the grant at its discretion if the business does not remain at the site for the required term.
- (11) A provision that requires the business to maintain employment levels in this State at the level of the year immediately preceding the base years.
- (12) A provision establishing the conditions under which the grant agreement may be terminated, in addition to those under G.S. 143B-437.53, and under which grant funds may be recaptured by the Committee.
- (13) A provision stating that unless the agreement is amended or terminated pursuant to G.S. 143B-437.53, the agreement is binding and constitutes a continuing contractual obligation of the State and the business.



- (14) A provision setting out any allowed variation in the terms of the agreement that will not subject the business to amendment or termination of the agreement under G.S. 143B-437.53.
  - (15) A provision that prohibits the business from manipulating or attempting to manipulate employee withholdings with the purpose of increasing the amount of the grant and that requires the Committee to terminate the agreement and take action to recapture grant funds if the Committee finds that the business has manipulated or attempted to manipulate withholdings with the purpose of increasing the amount of the grant.
  - (16) A provision requiring that the business engage in fair employment practices as required by State and federal law and a provision encouraging the business to use small contractors, minority contractors, physically handicapped contractors, and women contractors whenever practicable in the conduct of its business.
  - (17) A provision encouraging the business to hire North Carolina residents.
  - (18) A provision encouraging the business to use the North Carolina State Ports.
  - (19) A provision stating that the State is not obligated to make any annual grant payment unless and until the State has received withholdings from the business in an amount that exceeds the amount of the grant payment.
  - (20) A provision describing the manner in which the amount of a grant will be measured and administered to ensure compliance with the provisions of G.S. 143B-437.46(c).
  - (21) A provision stating that any recapture of a grant and any amendment to an agreement reducing the amount of the grant or the term of the agreement must, at a minimum, be proportional to the failure to comply measured relative to the condition or criterion with respect to which the failure occurred.
  - (22) A provision stating that any disputes over interpretation of the agreement shall be submitted to binding arbitration.
  - (23) A provision stating that the amount of a grant associated with any specific eligible position may not exceed six thousand five hundred dollars (\$6,500) in any year.
  - (24) A provision stating that the business agrees to submit to an audit at any time that the Committee requires one.
- (b) Approval of Attorney General. - The Attorney General shall review the terms of all proposed agreements entered into by the Committee.

To be effective against the State, an agreement entered into under this Part must be signed personally by the Attorney General.

**"§ 143B-437.52. Grant recipient to submit records.**

(a) No later than February 1 of each year, for the preceding grant year, every business that is awarded a grant under this Part shall submit to the Committee a copy of its State and federal tax returns showing business and nonbusiness income and a report showing withholdings as a condition of its continuation in the grant program. In addition, the business shall submit to the Committee an annual payroll report showing the eligible positions that are created during the base years and the new eligible positions created during each subsequent year of the grant. When making a submission under this section, the business must pay the Committee a fee of one thousand five hundred dollars (\$1,500). The fee is due at the time the submission is made. The Secretary of Commerce, the Secretary of Revenue, and the Director of the Office of State Budget and Management shall determine the allocation of the fee imposed by this section among their agencies. The proceeds of the fee are receipts of the agency to which they are credited.

(b) The Committee may require any information that it considers necessary to effectuate the provisions of this Part.

(c) The Committee may require any business receiving a grant to submit to an audit at any time.

**"§ 143B-437.53. Failure to comply with agreement.**

(a) If the business receiving a grant fails to meet or comply with any condition or requirement set forth in an agreement or with criteria developed by the Committee in consultation with the Attorney General, the Committee shall amend the agreement to reduce the amount of the grant or the term of the agreement and may terminate the agreement. Any reduction of the grant is applicable to the grant year immediately following the grant year in which the Committee amends the agreement. The reduction in the amount or the term must, at a minimum, be proportional to the failure to comply measured relative to the condition or criterion with respect to which the failure occurred.

(b) If a business fails to maintain employment at the levels stipulated in the agreement or otherwise fails to comply with any condition of the agreement for any two consecutive years, the Committee shall terminate the agreement.

(c) Notwithstanding the provisions of subsections (a) and (b) of this section, if the Committee finds that the business has manipulated or attempted to manipulate employee withholdings with the purpose of increasing the amount of a grant, the Committee shall immediately terminate the agreement and take action to recapture any grant funds disbursed in any year in which the Committee finds the business manipulated or attempted to manipulate employee withholdings with the purpose of increasing the amount of the grant.

**"§ 143B-437.54. Disbursement of grant.**

A business may not receive an annual disbursement of a grant if, at the time of disbursement, the business has received a notice of an overdue tax debt and that overdue tax debt has not been satisfied or otherwise resolved. A business may receive an annual disbursement of a grant only after the Committee has certified to the State Controller that there are no outstanding overdue tax debts and that the business has met the terms and conditions of the agreement. No amount shall be disbursed to a business as a grant under this Part in any year until the Secretary of Revenue has certified to the Committee (i) that there are no outstanding overdue tax debts of the business and (ii) the amount of withholdings received in that year by the Department of Revenue from the business. A business that has met the terms of the agreement shall make an annual certification of this to the Committee. The Committee shall verify this information and certify to the State Controller that the terms of the agreement have been met. The Committee shall further certify to the State Controller the amount of a grant for which the business is eligible under the agreement and the amount of a grant for which the business would be eligible under the agreement without regard to G.S. 143B-437.50(d). The State Controller shall remit a check to the business in the amount of the certified grant amount within 90 days of receiving the certification of the Committee.

**"§ 143B-437.55. Transfer to Industrial Development Fund.**

At the time the State Controller remits a check to a business under G.S. 143B-437.54, the State Controller shall transfer to the Utility Account of the Industrial Development Fund an amount equal to the amount certified by the Committee as the difference between the amount of the grant and the amount of the grant for which the business would be eligible without regard to G.S. 143B-437.50(d).

**"§ 143B-437.56. Authority.**

The authority of the Committee to enter into new agreements begins January 1, 2003, and expires January 1, 2005."

**SECTION 2.1.(b)** In developing criteria under G.S. 143B-437.46 for the awarding of grants under Part 2F of Article 10 of Chapter 143B of the General Statutes and under G.S. 143B-437.50 for determining the percentage upon which the amount of a grant is based, the Economic Investment Committee, in consultation with the Attorney General, may consider criteria that address the following:

- (1) Factors related to the economic impact of the project, such as the following:
  - a. Impact on gross regional product and gross State product.
  - b. Costs and benefits of the project to the State, including the expected return on investment made in the project by the State.

- c. Number of direct jobs that will be created by the project, the wages of those jobs, and the total payroll for the project.
  - d. Number of induced short-term, project-related jobs expected to be generated by the project as well as the number of long-term permanent jobs expected to be generated indirectly in the economy as a result of the project.
  - e. Dollar value of the investment, including the size of the investment in real versus personal property and expected depreciation rates.
  - f. Economic circumstances of the county and region, including the extent to which the project will serve to mitigate unemployment.
  - g. The expected time frame during which the project is expected to pay back in State tax revenues the amount of any grants to be paid out.
  - h. The economic demands the project is expected to place upon the community or communities in which it will locate.
  - i. The number of eligible positions that would be filled by residents of development zones.
- (2) Factors related to the strategic importance of the project to the State, region, or locality, such as the following:
- a. The extent to which the project builds or enhances an industrial cluster.
  - b. The extent to which the project falls within a classification of business and industry that the Department of Commerce regards as a target for growth and expansion in the State.
  - c. The ability of the project to attract follow-on investment in the State by suppliers and vendors.
  - d. The extent to which the project serves to maintain and grow jobs in the State in a business undergoing an internal restructuring or rationalization process.
  - e. The extent to which the project can be expected to contribute significantly to and support the local community.
- (3) Factors related to the quality of jobs, such as the following:
- a. The wage level and status of the jobs to be created.
  - b. The quality and value of benefits offered by the company.
  - c. The potential for employee advancement.

- d. The extent of training programs offered by the company.
  - e. The sustainability of the jobs in the future.
  - f. The workplace safety record of the company.
- (4) Factors related to the quality of the industry and the project, such as the following:
- a. The nature of the project and the project's relationship to the larger business of the company.
  - b. The nature of the industrial classification of the project and the nature of the business of the company undertaking it.
  - c. The long-term prospects for growth at the project site or sites.
  - d. The long-term prospects for growth of the company and the industry within the United States.
  - e. The financial stability of the company associated with the project.
- (5) Factors related to the environmental impact of the project, such as the following:
- a. The nature of the business to be conducted.
  - b. The ability of the project to satisfy State, federal, and local environmental law and regulations.
- (6) The degree to which use of the program has been geographically dispersed among the various regions of the State and between rural and urban areas.
- (7) Other factors that the Economic Investment Committee considers relevant that are not inconsistent with this section and that the Committee determines will further the purposes of Part 2F of Article 10 of Chapter 143B of the General Statutes.

**SECTION 2.2.(a)** G.S. 143B-437.01(a)(1) reads as rewritten:

- "(1) The funds shall be used for (i) installation of or purchases of equipment for eligible industries, (ii) structural repairs, improvements, or renovations of existing buildings to be used for expansion of eligible industries, or (iii) construction of or improvements to new or existing water, sewer, gas, telecommunications, high-speed broadband, or electrical utility distribution lines or equipment for existing or new or proposed industrial buildings to be used for eligible industries. To be eligible for funding, the water, sewer, gas, telecommunications, high-speed broadband, or electrical utility lines or facilities shall be located on the site of the building or, if not located on the site, shall be directly

related to the operation of the specific eligible industrial activity."

**SECTION 2.2.(b)** G.S. 143B-437.01(b1) reads as rewritten:

"(b1) Utility Account. - There is created within the Industrial Development Fund a special account to be known as the Utility Account to provide funds to assist the local government units of enterprise tier ~~one and tier two~~ one, two, and three areas, as defined in G.S. 105-129.3, in creating jobs in eligible industries. The Department of Commerce shall adopt rules providing for the administration of the program. Except as otherwise provided in this subsection, those rules shall be consistent with the rules adopted with respect to the Industrial Development Fund. The rules shall provide that the funds in the Utility Account may be used only for construction of or improvements to new or existing water, sewer, gas, telecommunications, high-speed broadband, or electrical utility distribution lines or equipment for existing or new or proposed industrial buildings to be used for eligible industrial operations. To be eligible for funding, the water, sewer, gas, telecommunications, high-speed broadband, or electrical utility lines or facilities shall be located on the site of the building or, if not located on the site, shall be directly related to the operation of the specific industrial activity. There shall be no maximum funding amount per new job to be created or per project."

**SECTION 2.3.** G.S. 105-259(b), as amended by S.L. 2002-87, is amended by adding a new subdivision to read:

"(b) Disclosure Prohibited. - An officer, an employee, or an agent of the State who has access to tax information in the course of service to or employment by the State may not disclose the information to any other person unless the disclosure is made for one of the following purposes:

...  
 (29) To provide to the Economic Investment Committee established pursuant to G.S. 143B-437.48 information necessary to implement Part 2F of Article 10 of Chapter 143B of the General Statutes."

**SECTION 2.4.(a)** G.S. 153A-149(c)(10b) reads as rewritten:

"(c) Each county may levy property taxes for one or more of the purposes listed in this subsection up to a combined rate of one dollar and fifty cents (\$1.50) on the one hundred dollars (\$100.00) appraised value of property subject to taxation. Authorized purposes subject to the rate limitation are:

...  
 (10b) Economic Development. - To provide for economic development as authorized by G.S. 158-7.1 and G.S. 158-12."

**SECTION 2.4.(b)** G.S. 160A-209(c)(10b) reads as rewritten:

"(c) Each city may levy property taxes for one or more of the following purposes subject to the rate limitation set out in subsection (d):

...

(10b) Economic Development. - To provide for economic development as authorized by G.S. 158-7.1 and G.S. 158-12."

**SECTION 2.5.** G.S. 120-123 is amended by adding a new subdivision to read:

**"§ 120-123. Service by members of the General Assembly on certain boards and commissions.**

No member of the General Assembly may serve on any of the following boards or commissions:

...

(75) The Economic Investment Committee established under G.S. 143B-437.48."

**SECTION 2.6.** G.S. 150B-1(d) is amended by adding a new subdivision to read:

"(d) Exemptions from Rule Making. - Article 2A of this Chapter does not apply to the following:

...

(10) The Economic Investment Committee in developing criteria for the Job Development Investment Grant Program under Part 2F of Article 10 of Chapter 143B of the General Statutes."

**SECTION 2.7.** The Revenue Laws Study Committee created in Article 12L of Chapter 120 of the General Statutes shall study the use, the effectiveness, and the cost versus benefits of the Job Development Investment Grant Program created in this act, the Bill Lee Act credits in Chapter 105 of the General Statutes, and the Industrial Recruitment Competitive Fund. The Study Committee may report the results of its study and any recommendations to the 2004 Regular Session of the 2003 General Assembly and shall make a final report by March 15, 2005, to the 2005 General Assembly.

**SECTION 2.8.** This part is effective when it becomes law.

### **PART 3. FILM INDUSTRY INCENTIVES**

**SECTION 3.1.** G.S. 143B-434.3(a) reads as rewritten:

"(a) Creation and Purpose of Account. - There is created in the Department of Commerce, Division of Tourism, Film, and Sports Development, the Film Industry Development Account to provide annual grants as incentives to production companies that engage in production activities in this State. The Division of Tourism, Film, and Sports Development shall administer this program in accordance with the following provisions:

- (1) To be eligible for a grant, a production company must engage in production activities in this ~~State~~State with expenditures in this State of at least one million dollars (\$1,000,000). A grant may not be used for political or issue advertising.
- (2) A grant may not exceed fifteen percent (15%) of the amount the production company spends for goods and services in this State during the calendar year.
- (3) A grant may not exceed two hundred thousand dollars (\$200,000) per production."

**SECTION 3.2.** The Revenue Laws Study Committee created in Article 12L of Chapter 120 of the General Statutes shall study options for additional economic incentives for the film industry and shall make a report to the 2003 General Assembly on its findings, including any recommendations for legislative action.

**SECTION 3.3.** This part is effective when it becomes law.

#### **PART 4. NORTH CAROLINA RAILROAD CONDEMNATION AUTHORITY**

**SECTION 4.1.** G.S. 40A-3(a)(4) reads as rewritten:

"(a) Private Condemnors. - For the public use or benefit, the persons or organizations listed below shall have the power of eminent domain and may acquire by purchase or condemnation property for the stated purposes and other works which are authorized by law.

...

- (4) Any railroad company has the power of eminent domain for the purposes of: constructing union depots; maintaining, operating, improving or straightening lines or of altering its location; constructing double tracks; constructing and maintaining new yards and terminal facilities or enlarging its yard or terminal facilities; connecting two of its lines already in operation not more than six miles apart; or constructing an industrial ~~siding~~ siding ordered by the Utilities Commission as provided in G.S. 62-232-siding."

**SECTION 4.2.** This part is effective when it becomes law.

#### **PART 5. INDUSTRIAL AND POLLUTION CONTROL FACILITIES FINANCING**

**SECTION 5.1.** The General Assembly finds that there are small manufacturing companies in the State that are eligible for industrial development bond financing for capital improvements and expansions, but



are not able to take advantage of that financing because of the administrative costs involved. This problem can be addressed by reviving the composite bond program under Chapter 159D of the General Statutes, under which the North Carolina Capital Facilities Finance Agency could combine several series of bonds into a single bond offering, thereby reducing transaction costs and permitting eligible small manufacturers to access tax exempt financing for capital investments. The composite bond program would be facilitated by the changes proposed to Chapter 159D in this part that will streamline the procedures for composite issues by requiring only one public hearing and align the review standard for bonds issued as part of a composite bond program with the standard for bonds issued by county industrial development projects.

**SECTION 5.2.** G.S. 159D-7(d) reads as rewritten:

"(d) ~~Public Hearing.~~Hearing, Generally. - The Secretary of Commerce shall not approve any proposed project pursuant to this section unless the governing body of the county in which the project is located has first conducted a public hearing and, at or after the public hearing, approved in principle the issuance of bonds under this Article for the purpose of paying all or part of the cost of the proposed project. Notice of the public hearing shall be published at least once in at least one newspaper of general circulation in the county not less than 14 days before the public hearing. The notice shall describe generally the bonds proposed to be issued and the proposed project, including its general location, and any other information the governing body considers appropriate or the Secretary of Commerce prescribes for the purpose of providing the Secretary with the views of the community. The notice shall also state that following the public hearing the agency intends to file an application for approval of the proposed project with the Secretary of Commerce.

(d1) Public Hearing, Multiple Projects. - Notwithstanding subsection (d) of this section, in the event the bonds proposed to be issued are to finance more than one project, the public hearing shall be conducted by the agency or by a hearing officer designated by the agency to conduct public hearings. The public hearing may be held at any location designated by the agency. Notice of the public hearing shall be published at least once in at least one newspaper of general circulation in each county in which a proposed project is to be located not less than 14 days before the public hearing. The notice shall describe generally the bonds proposed to be issued and any proposed project in that county, including its general location, and any other information the agency considers appropriate or the Secretary of Commerce prescribes for the purpose of providing the Secretary with the views of the community. A copy of the notice of public hearing must be mailed to the board of county commissioners of any county in which a

proposed project is to be located and to the governing body of any municipality in which a proposed project is to be located."

**SECTION 5.3.** G.S. 159D-8(b) reads as rewritten:

"(b) In determining whether a proposed bond issue should be approved, the Local Government Commission may consider, without limitation, the following:

- (1) Whether the proposed operator and obligor have demonstrated or can demonstrate the financial responsibility and capability to fulfill their obligations with respect to the financing agreement. In making such determination, the commission may consider the operator's experience and the obligor's ratio of current assets to current liabilities, net worth, earnings trends and coverage of fixed charges, the nature of the industry or business involved and its stability and any additional security such as credit enhancement, insurance, guaranties or property to be pledged or secure such bonds.
- (2) Whether the political subdivisions in or near which the proposed project is to be located have the ability to cope satisfactorily with the impact of such project and to provide, or cause to be provided, the public facilities and services, including utilities, that will be necessary for such project and on account of any increase in population which are expected to result therefrom.
- (3) Whether the proposed date and manner of sale will have an adverse effect upon any scheduled or anticipated sale of obligations by the State or any political subdivision or any agency of either of them."

**SECTION 5.4.** This part becomes effective January 1, 2003.

#### **PART 6. CAPITAL PLANNING COSTS FOR BIOPHARMACEUTICAL TRAINING CENTER AND CANCER REHABILITATION TREATMENT CENTER.**

**SECTION 6.** The State Board of Community Colleges, the Board of Governors of The University of North Carolina, and the North Carolina Biotechnology Center are authorized to initiate planning and development of a new biopharmaceutical/bioprocess manufacturing training center to be centrally located and related training facilities to be located at various community colleges. The Board of Directors of the University of North Carolina Health Care System is authorized to initiate planning and

development of a new cancer rehabilitation and treatment center to be located at the University of North Carolina Hospitals at Chapel Hill.

## **PART 7. GENERAL PROVISIONS**

**SECTION 7.1.** The provisions of this act are severable. If any provision of this act is held invalid by a court of competent jurisdiction, the invalidity does not affect other provisions of the act that can be given effect without the invalid provision.

**SECTION 7.2.** Except as otherwise provided, this act is effective when it becomes law.

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### **CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE BILL 163**

**S163-CCSST-1.** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION'S STUDY COMMITTEE ON GROUP HOMES TO ADDRESS LICENSURE ISSUES AND THE NEEDS OF LOCAL SCHOOL ADMINISTRATIVE UNITS IN WHICH GROUP HOMES FOR CHILDREN ARE LOCATED.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** Section 21.60(g) of S.L. 2001-424 reads as rewritten:

"**SECTION 21.60.(g)** The Department of Health and Human Services, in conjunction with the Department of Juvenile Justice and Delinquency Prevention, the Department of Public Instruction, and other affected agencies, shall report on the following Program information:

- (1) The number and other demographic information of children served.
- (2) The amount and source of funds expended to implement the Program.
- (3) Information regarding the number of children screened, specific placement of children including the placement of children in programs or facilities outside of the child's home county, and treatment needs of children served.
- (4) The average length of stay in residential treatment, transition, and return to home.
- (5) The number of children diverted from institutions or other out-of-home placements such as training schools and State psychiatric hospitals and a description of the services provided.

- (6) Recommendations on other areas of the Program that need to be improved.
- (7) Other information relevant to successful implementation of the Program.
- (8) A method of identifying and tracking children placed outside of the family unit in group homes or therapeutic foster care home settings."

**SECTION 1.(b)** The Department of Health and Human Services, in conjunction with the Department of Juvenile Justice and Delinquency Prevention, the Department of Public Instruction, and other affected agencies, shall submit a report on April 1, 2003, on the method of identifying and tracking children placed outside of the family unit in group homes or therapeutic foster care home settings to the House of Representatives Appropriations Subcommittee on Health and Human Services, the Senate Appropriations Committee on Health and Human Services, and the Fiscal Research Division.

**SECTION 2.** G.S. 115C-140.1(a) reads as rewritten:

"(a) Notwithstanding the provisions of any other statute and without regard for the place of domicile of a parent or guardian, the cost of a free appropriate public education for a child with special needs who is placed in or assigned to a group home, foster home or other similar facility, pursuant to State and federal law, shall be borne by the local board of education in which the group home, foster home or other similar facility is located. However, the local school administrative unit in which a child is domiciled shall transfer to the local school administrative unit in which the institution is located an amount equal to the actual local cost in excess of State and federal funding required to educate that child in the local school administrative unit for the fiscal year. Nothing in this section obligates any local board of education to bear any cost for the care and maintenance of a child with special needs in a group home, foster home or other similar facility."

**SECTION 3.** The State Board of Education shall provide for a local school administrative unit to request funds from the Group Homes Program for Children with Disabilities if a child assigned to that unit was not in that unit's April headcount for exceptional children for the previous school year, even if the local school administrative unit received Group Homes Program funds for that child for a portion of the preceding school year.

**SECTION 4.1.** G.S. 122C-23 is amended by adding a new subsection (e1) to read:

"(e1) The Department shall not enroll any new provider for Medicaid Home or Community Based services or other Medicaid services, as defined in 42 C.F.R. 440.90, 42 C.F.R. 440.130(d), and 42 C.F.R. 440.180, or issue a license for a new facility or a new service to any applicant meeting any of the following criteria:

- (1) Was the owner, principal, or affiliate of a licensable facility under Chapter 122C or Chapter 131D that had its license revoked until 60 months after the date of the revocation.
- (2) Is the owner, principal, or affiliate of a licensable facility that was assessed a penalty for a Type A or Type B violation under Article 3 of this Chapter until 60 months after the date of the violation.
- (3) Is the owner, principal, or affiliate of a licensable facility that had its license summarily suspended or downgraded to provisional status as a result of violations under G.S. 122C-24.1(a) until 60 months after the date of reinstatement or restoration of the license.
- (4) Is the owner, principal, or affiliate of a licensable facility that had its license summarily suspended or downgraded to provisional status as a result of violations under Article 1A of Chapter 131D until 60 months after the date of reinstatement or restoration of the license."

**SECTION 4.2.** G.S. 122C-111 reads as rewritten:

**"§ 122C-111. (Effective July 1, 2002) Administration.**

The Secretary shall administer and enforce the provisions of this Chapter and the rules of the Commission and shall operate State facilities. An area director or program director shall administer the programs of the area authority or county program, as applicable, and enforce applicable State laws, rules of the Commission, and rules of the Secretary. The Secretary in cooperation with area and county program directors and State facility directors shall provide for the coordination of public services between area authorities, county programs, and State facilities. The area authority or county program shall monitor the provision of mental health, developmental disability, and substance abuse services for compliance with the law, which monitoring shall not supercede or duplicate the regulatory authority or functions of agencies of the Department."

**SECTION 4.3.** G.S. 122C-115.2(b)(2) is amended by adding a new subdivision i. to read:

- "i. The resources available and needed within the catchment area to prevent out-of-community placements and shall include input from the community public agencies."

**SECTION 4.4.** G.S. 131D-10.3 is amended by adding a new subsection (h) to read:

"(h) The Department shall not enroll any new provider for Medicaid Home or Community Based services or other Medicaid services, as defined in 42 C.F.R. 440.90, 42 C.F.R. 440.130(d), and 42 C.F.R. 440.180, or issue a license for a new facility or a new service to any applicant meeting any of the following criteria:

- (1) Was the owner, principal, or affiliate of a licensable facility under Chapter 122C or Chapter 131D that had its license revoked until 60 months after the date of the revocation.
- (2) Is the owner, principal, or affiliate of a licensable facility that was assessed a penalty for a Type A or Type B violation under Article 3 of Chapter 122C until 60 months after the date of the violation.
- (3) Is the owner, principal, or affiliate of a licensable facility that had its license summarily suspended or downgraded to provisional status as a result of violations under G.S. 122C-24.1(a) until 60 months after the date of reinstatement or restoration of the license.
- (4) Is the owner, principal, or affiliate of a licensable facility that had its license summarily suspended or downgraded to provisional status as a result of violations under Article 1A of Chapter 131D until 60 months after the date of reinstatement or restoration of the license."

**SECTION 4.5.** G.S. 143B-139.1 reads as rewritten:

**"§ 143B-139.1. Secretary of Health and Human Services to adopt rules applicable to local health and human services agencies.**

The Secretary of the Department of Health and Human Services may adopt rules applicable to local health and human services agencies for the purpose of program evaluation, fiscal audits, and collection of third-party payments. The Secretary may adopt and enforce rules governing:

- (1) The placement of individuals in licensable facilities located outside the individual's community and ability of the providers to return the individual to the individual's community as soon as possible without detriment to the individual or the community.
- (2) The monitoring of mental health, developmental disability, and substance abuse services.
- (3) The communication procedures between the area authority or county program, the local department of social services, the local education authority, and the criminal justice agency, if involved with the individual, regarding the placement of the individual outside the individual's community and the transfer of the individual's records in accordance with law.
- (4) The enrollment and revocation of enrollment of Medicaid providers who have been previously sanctioned by the Department and want to provide services under this Article."

**SECTION 4.6.** G.S. 150B-21.1 is amended by adding a new subsection (a10) to read:

"(a10) Notwithstanding the provisions of subsection (a) of this section, the Department of Health and Human Services may adopt temporary rules concerning the placement of individuals in facilities licensed under Article 2 of Chapter 122C of the General Statutes and the enrollment of providers of services to such individuals in the Medicaid program. After having the proposed temporary rule published in the North Carolina Register and at least 30 days prior to adopting a temporary rule pursuant to this subsection, the Department shall:

- (1) Notify persons on its mailing list maintained pursuant to G.S. 150B-21.2(d) and any other interested parties of its intent to adopt a temporary rule.
- (2) Accept oral and written comments on the proposed temporary rule.
- (3) Hold at least one public hearing on the proposed temporary rule.

When the Department adopts a temporary rule pursuant to this subsection, the Department shall submit a reference to this subsection as the Department's statement of need to the Codifier of Rules.

Notwithstanding any other provision of this Chapter, the Codifier of Rules shall publish in the North Carolina Register a proposed temporary rule received from the Department in accordance with this subsection."

**SECTION 4.7.** G.S. 7B-505 reads as rewritten:

**"§ 7B-505. Place of nonsecure custody.**

A juvenile meeting the criteria set out in G.S. 7B-503 may be placed in nonsecure custody with the department of social services or a person designated in the order for temporary residential placement in:

- (1) A licensed foster home or a home otherwise authorized by law to provide such care; or
- (2) A facility operated by the department of social services; or
- (3) Any other home or facility, including a relative's home approved by the court and designated in the order.

In placing a juvenile in nonsecure custody under this section, the court shall first consider whether a relative of the juvenile is willing and able to provide proper care and supervision of the juvenile in a safe home. If the court finds that the relative is willing and able to provide proper care and supervision in a safe home, then the court shall order placement of the juvenile with the relative unless the court finds that placement with the relative would be contrary to the best interests of the juvenile. In placing a juvenile in nonsecure custody under this section, the court shall also consider whether it is in the juvenile's best interest to remain in the juvenile's community of residence. In placing a juvenile in nonsecure custody under

this section, the court shall consider the Indian Child Welfare Act, Pub. L. No. 95-608, 25 U.S.C. §§ 1901, et seq., as amended, and the Howard M. Metzenbaum Multiethnic Placement Act of 1994, Pub. L. No. 103-382, 108 Stat. 4056, as amended, as they may apply. Placement of a juvenile with a relative outside of this State must be in accordance with the Interstate Compact on the Placement of Children, Article 38 of this Chapter."

**SECTION 4.8.** G.S. 7B-903(a)(2)c. reads as rewritten:

- "c. Place the juvenile in the custody of the department of social services in the county of the juvenile's residence, or in the case of a juvenile who has legal residence outside the State, in the physical custody of the department of social services in the county where the juvenile is found so that agency may return the juvenile to the responsible authorities in the juvenile's home state. The director may, unless otherwise ordered by the court, arrange for, provide, or consent to, needed routine or emergency medical or surgical care or treatment. In the case where the parent is unknown, unavailable, or unable to act on behalf of the juvenile, the director may, unless otherwise ordered by the court, arrange for, provide, or consent to any psychiatric, psychological, educational, or other remedial evaluations or treatment for the juvenile placed by a court or the court's designee in the custody or physical custody of a county department of social services under the authority of this or any other Chapter of the General Statutes. Prior to exercising this authority, the director shall make reasonable efforts to obtain consent from a parent or guardian of the affected juvenile. If the director cannot obtain such consent, the director shall promptly notify the parent or guardian that care or treatment has been provided and shall give the parent frequent status reports on the circumstances of the juvenile. Upon request of a parent or guardian of the affected juvenile, the results or records of the aforementioned evaluations, findings, or treatment shall be made available to such parent or guardian by the director unless prohibited by G.S. 122C-53(d). If a juvenile is removed from the home and placed in custody or placement responsibility of a county department of social services, the director shall not allow unsupervised visitation with, or return physical custody of



the juvenile to, the parent, guardian, custodian, or caretaker without a hearing at which the court finds that the juvenile will receive proper care and supervision in a safe home.

In placing a juvenile in out-of-home care under this section, the court shall first consider whether a relative of the juvenile is willing and able to provide proper care and supervision of the juvenile in a safe home. If the court finds that the relative is willing and able to provide proper care and supervision in a safe home, then the court shall order placement of the juvenile with the relative unless the court finds that the placement is contrary to the best interests of the juvenile. In placing a juvenile in out-of-home care under this section, the court shall also consider whether it is in the juvenile's best interest to remain in the juvenile's community of residence. Placement of a juvenile with a relative outside of this State must be in accordance with the Interstate Compact on the Placement of Children."

**SECTION 4.9.** G.S. 7B-2502(a) reads as rewritten:

"(a) In any case, the court may order that the juvenile be examined by a physician, psychiatrist, psychologist, or other qualified expert as may be needed for the court to determine the needs of the juvenile. In the case of a juvenile adjudicated delinquent for committing an offense that involves the possession, use, sale, or delivery of alcohol or a controlled substance, the court shall require the juvenile to be tested for the use of controlled substances or alcohol within 30 days of the adjudication. In the case of any juvenile adjudicated delinquent, the court may, if it deems it necessary, require the juvenile to be tested for the use of controlled substances or alcohol. The results of these initial tests conducted pursuant to this subsection shall be used for evaluation and treatment purposes only. In placing a juvenile in out-of-home care under this section, the court shall also consider whether it is in the juvenile's best interest to remain in the juvenile's community of residence."

**SECTION 4.10.** G.S. 7B-2503 reads as rewritten:

**"§ 7B-2503. Dispositional alternatives for undisciplined juveniles.**

The following alternatives for disposition shall be available to the court exercising jurisdiction over a juvenile who has been adjudicated undisciplined. In placing a juvenile in out-of-home care under this section, the court shall also consider whether it is in the juvenile's best interest to remain in the juvenile's community of residence. The court may combine any of the applicable alternatives when the court finds it to be in the best interests of the juvenile:

- (1) In the case of any juvenile who needs more adequate care or supervision or who needs placement, the judge may:
  - a. Require that the juvenile be supervised in the juvenile's own home by a department of social services in the juvenile's county of residence, a juvenile court counselor, or other personnel as may be available to the court, subject to conditions applicable to the parent, guardian, or custodian or the juvenile as the judge may specify; or
  - b. Place the juvenile in the custody of a parent, guardian, custodian, relative, private agency offering placement services, or some other suitable person; or
  - c. Place the juvenile in the custody of a department of social services in the county of the juvenile's residence, or in the case of a juvenile who has legal residence outside the State, in the physical custody of a department of social services in the county where the juvenile is found so that agency may return the juvenile to the responsible authorities in the juvenile's home state. An order placing a juvenile in the custody or placement responsibility of a county department of social services shall contain a finding that the juvenile's continuation in the juvenile's own home would be contrary to the juvenile's best interest. This placement shall be reviewed in accordance with G.S. 7B-906. The director may, unless otherwise ordered by the judge, arrange for, provide, or consent to, needed routine or emergency medical or surgical care or treatment. In the case where the parent is unknown, unavailable, or unable to act on behalf of the juvenile or juveniles, the director may, unless otherwise ordered by the judge, arrange for, provide or consent to any psychiatric, psychological, educational, or other remedial evaluations or treatment for the juvenile placed by a judge or the judge's designee in the custody or physical custody of a county department of social services under the authority of this or any other Chapter of the General Statutes. Prior to exercising this authority, the director shall make reasonable efforts to obtain consent from a parent, guardian, or custodian of the affected juvenile. If the director cannot obtain consent, the director shall promptly notify the parent, guardian, or custodian that care or treatment has been provided and shall

give the parent, guardian, or custodian frequent status reports on the circumstances of the juvenile. Upon request of a parent, guardian, or custodian of the affected juvenile, the results or records of the aforementioned evaluations, findings, or treatment shall be made available to the parent, guardian, or custodian by the director unless prohibited by G.S. 122C-53(d).

- (2) Place the juvenile under the protective supervision of a juvenile court counselor for a period of up to three months, with an extension of an additional three months in the discretion of the court.
- (3) Excuse the juvenile from compliance with the compulsory school attendance law when the court finds that suitable alternative plans can be arranged by the family through other community resources for one of the following:
  - a. An education related to the needs or abilities of the juvenile including vocational education or special education;
  - b. A suitable plan of supervision or placement; or
  - c. Some other plan that the court finds to be in the best interests of the juvenile."

**SECTION 4.11.** The Department of Health and Human Services shall report to the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services and to the Senate Health and Human Services Appropriations Subcommittee and the House of Representatives Appropriations Subcommittee on Health and Human Services by June 1, 2003, regarding the business plan information required by G.S. 122C-115.2(b), as amended by Section 4.3 of this act.

**SECTION 5.** Section 1 of this act becomes effective January 1, 2003. Sections 2 and 3 of this act become effective July 1, 2003. The remainder of this act is effective when it becomes law. Section 4.6 of this act expires on October 1, 2004.

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**CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE BILL 759**

**S759-CCSSL-3, A BILL TO BE ENTITLED AN ACT TO PROVIDE  
LIMITATIONS ON RAIL TRANSPORTATION LIABILITY.**

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 26 of Chapter 160A of the General Statutes is amended by adding a new section to read:

**"§ 160A-626. Limitations on rail transportation liability.**

(a) As used in this section:

(1) 'Claim' means a claim, action, suit, or request for damages, whether compensatory, punitive, or otherwise, made by any person or entity against:

a. The Authority, a railroad, or an operating rights railroad; or

b. An officer, director, trustee, employee, parent, subsidiary, or affiliated corporation as defined in G.S. 105-130.6, or agent of: the Authority, a railroad, or an operating rights railroad.

(2) 'Passenger rail services' means the transportation of rail passengers by or on behalf of the Authority and all services performed by a railroad pursuant to a contract with the Authority in connection with the transportation of rail passengers, including, but not limited to, the operation of trains; the use of right of way, trackage, public or private roadway and rail crossings, equipment, or station areas or appurtenant facilities; the design, construction, reconstruction, operation, or maintenance of rail-related equipment, tracks, and any appurtenant facilities; or the provision of access rights over or adjacent to lines owned by the Authority or a railroad, or otherwise occupied by the Authority or a railroad, pursuant to charter grant, fee-simple deed, lease, easement, license, trackage rights, or other form of ownership or authorized use.

(3) 'Railroad' means a railroad corporation or railroad company, including a State-Owned Railroad Company as defined in G.S. 124-11, that has entered into any contracts or operating agreements of any kind with the Authority concerning passenger rail services.

(4) 'Operating rights railroad' means a railroad corporation or railroad company that, prior to January 1, 2001, was granted operating rights by a State-Owned Railroad Company or operated over the property of a State-Owned Railroad Company under a claim of right over or adjacent to facilities used by or on behalf of the Authority.

(b) Contracts Allocating Financial Responsibility Authorized. - The Authority may contract with any railroad to allocate financial responsibility for passenger rail services claims, including, but not limited to, the execution of indemnity agreements, notwithstanding any other statutory, common law, public policy, or other prohibition against same, and regardless of the nature of the claim or the conduct giving rise to such claim.

(c) Insurance Required. -

- (1) If the Authority enters into any contract authorized by subsection (b) of this section, the contract shall require the Authority to secure and maintain, upon and after the commencement of the operation of trains by or on behalf of the Authority, a liability insurance policy covering the liability of the parties to the contract, a State-Owned Railroad Company as defined in G.S. 124-11 that owns or claims an interest in any real property subject to the contract, and any operating rights railroad for all claims for property damage, personal injury, bodily injury, and death arising out of or related to passenger rail services. The policy shall name the parties to the contract, a State-Owned Railroad Company as defined in G.S. 124-11 that owns or claims an interest in any real property subject to the contract, and any operating rights railroad as named insureds and shall have policy limits of not less than two hundred million dollars (\$200,000,000) per single accident or incident, and may include a self-insured retention in an amount of not more than five million dollars (\$5,000,000).
- (2) If the Authority does not enter into any contract authorized by subsection (b) of this section, upon and after the commencement of the operation of trains by or on behalf of the Authority, the Authority shall secure and maintain a liability insurance policy, with policy limits and a self-insured retention consistent with subdivision (1) of this subsection, for all claims for property damage, personal injury, bodily injury, and death arising out of or related to passenger rail services.

(d) Liability Limit. - The aggregate liability of the Authority, the parties to the contract or contracts authorized by subsection (b) of this section, a State-Owned Railroad Company as defined in G.S. 124-11, and any operating rights railroad for all claims arising from a single accident or incident related to passenger rail services for property damage, personal injury, bodily injury, and death is limited to two hundred million dollars (\$200,000,000) per single accident or incident or to any proceeds available under any insurance policy secured pursuant to subsection (c) of this section, whichever is greater.

(e) Effect on Other Laws. - This section shall not affect the damages that may be recovered under the Federal Employers' Liability Act, 45 U.S.C. § 51, et seq., (1908); or under Article 1 of Chapter 97 of the General Statutes."

**SECTION 2.** Chapter 153A of the General Statutes is amended by adding a new section to read:

**"§ 153A-279. Limitations on rail transportation liability.**

(a) As used in this section:

- (1) 'Claim' means a claim, action, suit, or request for damages, whether compensatory, punitive, or otherwise, made by any person or entity against:
  - a. The County, a railroad, or an operating rights railroad; or
  - b. An officer, director, trustee, employee, parent, subsidiary, or affiliated corporation as defined in G.S. 105-130.6, or agent of: the County, a railroad, or an operating rights railroad.
- (2) 'Passenger rail services' means the transportation of rail passengers by or on behalf of the County and all services performed by a railroad pursuant to a contract with the County in connection with the transportation of rail passengers, including, but not limited to, the operation of trains; the use of right-of-way, trackage, public or private roadway and rail crossings, equipment, or station areas or appurtenant facilities; the design, construction, reconstruction, operation, or maintenance of rail-related equipment, tracks, and any appurtenant facilities; or the provision of access rights over or adjacent to lines owned by the County or a railroad, or otherwise occupied by the County or a railroad, pursuant to charter grant, fee-simple deed, lease, easement, license, trackage rights, or other form of ownership or authorized use.
- (3) 'Railroad' means a railroad corporation or railroad company, including a State-Owned Railroad Company as defined in G.S. 124-11, that has entered into any contracts or operating agreements of any kind with the County concerning passenger rail services.
- (4) 'Operating rights railroad' means a railroad corporation or railroad company that, prior to January 1, 2001, was granted operating rights by a State-Owned Railroad Company or operated over the property of a State-owned railroad company under a claim of right over or adjacent to facilities used by or on behalf of the County.

(b) Contracts Allocating Financial Responsibility Authorized. - The County may contract with any railroad to allocate financial responsibility for passenger rail services claims, including, but not limited to, the execution of indemnity agreements, notwithstanding any other statutory,

common law, public policy, or other prohibition against same, and regardless of the nature of the claim or the conduct giving rise to such claim.

(c) Insurance Required. -

- (1) If the County enters into any contract authorized by subsection (b) of this section, the contract shall require the County to secure and maintain, upon and after the commencement of the operation of trains by or on behalf of the county, a liability insurance policy covering the liability of the parties to the contract, a State-Owned Railroad Company as defined in G.S. 124-11 that owns or claims an interest in any real property subject to the contract, and any operating rights railroad for all claims for property damage, personal injury, bodily injury, and death arising out of or related to passenger rail services. The policy shall name the parties to the contract, a State-Owned Railroad Company as defined in G.S. 124-11 that owns or claims an interest in any real property subject to the contract, and any operating rights railroad as named insureds and shall have policy limits of not less than two hundred million dollars (\$200,000,000) per single accident or incident, and may include a self-insured retention in an amount of not more than five million dollars (\$5,000,000).
- (2) If the County does not enter into any contract authorized by subsection (b) of this section, upon and after the commencement of the operation of trains by or on behalf of the County, the County shall secure and maintain a liability insurance policy, with policy limits and a self-insured retention consistent with subdivision (1) of this subsection, for all claims for property damage, personal injury, bodily injury, and death arising out of or related to passenger rail services.

(d) Liability Limit. - The aggregate liability of the County, the parties to the contract or contracts authorized by subsection (b) of this section, a State-Owned Railroad Company as defined in G.S. 124-11, and any operating rights railroad for all claims arising from a single accident or incident related to passenger rail services for property damage, personal injury, bodily injury, and death is limited to two hundred million dollars (\$200,000,000) per single accident or incident or to any proceeds available under any insurance policy secured pursuant to subsection (c) of this section, whichever is greater.

(e) Effect on Other Laws. - This section shall not affect the damages that may be recovered under the Federal Employers' Liability Act, 45 U.S.C. § 51, et seq., (1908); or under Article 1 of Chapter 97 of the General Statutes.

(f) Applicability. - This section shall apply only to counties that have entered into a transit governance interlocal agreement with, among other local governments, a city with a population of more than 500,000 persons."

**SECTION 3.** Chapter 160A of the General Statutes is amended by adding a new section to read:

**"§ 160A-326. Limitations on rail transportation liability.**

(a) As used in this section:

(1) 'Claim' means a claim, action, suit, or request for damages, whether compensatory, punitive, or otherwise, made by any person or entity against:

a. The City, a railroad, or an operating rights railroad; or

b. An officer, director, trustee, employee, parent, subsidiary, or affiliated corporation as defined in G.S. 105-130.6, or agent of: the City, a railroad, or an operating rights railroad.

(2) 'Passenger rail services' means the transportation of rail passengers by or on behalf of the City and all services performed by a railroad pursuant to a contract with the City in connection with the transportation of rail passengers, including, but not limited to, the operation of trains; the use of right-of-way, trackage, public or private roadway and rail crossings, equipment, or station areas or appurtenant facilities; the design, construction, reconstruction, operation, or maintenance of rail-related equipment, tracks, and any appurtenant facilities; or the provision of access rights over or adjacent to lines owned by the City or a railroad, or otherwise occupied by the City or a railroad, pursuant to charter grant, fee-simple deed, lease, easement, license, trackage rights, or other form of ownership or authorized use.

(3) 'Railroad' means a railroad corporation or railroad company, including a State-Owned Railroad Company as defined in G.S. 124-11, that has entered into any contracts or operating agreements of any kind with the City concerning passenger rail services.

(4) 'Operating rights railroad' means a railroad corporation or railroad company that, prior to January 1, 2001, was granted operating rights by a State-Owned Railroad Company or operated over the property of a State-Owned Railroad Company under a claim of right over or adjacent to facilities used by or on behalf of the City.

(b) Contracts Allocating Financial Responsibility Authorized. - The City may contract with any railroad to allocate financial responsibility for passenger rail services claims, including, but not limited to, the execution of



indemnity agreements, notwithstanding any other statutory, common law, public policy, or other prohibition against same, and regardless of the nature of the claim or the conduct giving rise to such claim.

(c) Insurance Required. -

- (1) If the City enters into any contract authorized by subsection (b) of this section, the contract shall require the City to secure and maintain, upon and after the commencement of the operation of trains by or on behalf of the City, a liability insurance policy covering the liability of the parties to the contract, a State-Owned Railroad Company as defined in G.S. 124-11 that owns or claims an interest in any real property subject to the contract, and any operating rights railroad for all claims for property damage, personal injury, bodily injury, and death arising out of or related to passenger rail services. The policy shall name the parties to the contract, a State-Owned Railroad Company as defined in G.S. 124-11 that owns or claims an interest in any real property subject to the contract, and any operating rights railroad as named insureds and shall have policy limits of not less than two hundred million dollars (\$200,000,000) per single accident or incident, and may include a self-insured retention in an amount of not more than five million dollars (\$5,000,000).
- (2) If the City does not enter into any contract authorized by subsection (b) of this section, upon and after the commencement of the operation of trains by or on behalf of the City, the City shall secure and maintain a liability insurance policy, with policy limits and a self-insured retention consistent with subdivision (1) of this subsection, for all claims for property damage, personal injury, bodily injury, and death arising out of or related to passenger rail services.

(d) Liability Limit. - The aggregate liability of the City, the parties to the contract or contracts authorized by subsection (b) of this section, a State-Owned Railroad Company as defined in G.S. 124-11, and any operating rights railroad for all claims arising from a single accident or incident related to passenger rail services for property damage, personal injury, bodily injury, and death is limited to two hundred million dollars (\$200,000,000) per single accident or incident or to any proceeds available under any insurance policy secured pursuant to subsection (c) of this section, whichever is greater.

(e) Effect on Other Laws. - This section shall not affect the damages that may be recovered under the Federal Employers' Liability Act, 45 U.S.C. § 51, et seq., (1908); or under Article 1 of Chapter 97 of the General Statutes.

(f) Applicability. - This section shall apply only to municipalities with a population of more than 500,000 persons, according to the latest decennial census, or to municipalities that have entered into a transit governance interlocal agreement with, among other local governments, a city with a population of more than 500,000 persons."

**SECTION 4.** If any provision of this act or its application is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provisions or applications, and to this end the provisions of this act are severable.

**SECTION 5.** This act is effective when it becomes law.

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**CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE BILL 1292**

**S1292-CCSLYx-1.** A BILL TO BE ENTITLED AN ACT TO ACCELERATE THE ADDITIONAL ONE-HALF CENT LOCAL OPTION SALES AND USE TAX AND TO MAKE CONFORMING AND TECHNICAL CHANGES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 105-517(c) reads as rewritten:

"(c) Effective Date. - A tax levied under this Article may not become effective before ~~July 1, 2003~~ December 1, 2002."

**SECTION 2.** G.S. 105-518(b) reads as rewritten:

"(b) Ballot Question. - The question to be presented on a ballot for a special election concerning the levy of the taxes authorized by this Article must be in the following form:

[ ] FOR [ ] AGAINST

one-half percent (½%) local sales and use taxes, ~~to replace the current one-half percent (½%) State sales and use taxes that end July 1, 2003.~~ in addition to all current State and local sales and use taxes.'"

**SECTION 3.** Section 34.14(b) of S.L. 2001-424 reads as rewritten:

"**SECTION 34.14.(b)** Notwithstanding the provisions of G.S. 105-466(c), a tax levied ~~during the 2003 calendar year~~ under Article 44 of Chapter 105 of the General Statutes, as enacted by this act, may become effective on ~~the first day of any calendar month beginning on or after July 1, 2003.~~ December 1, 2002. Notwithstanding the provisions of G.S. 105-466(c), if a county levies a tax ~~during the 2003 calendar year~~ under Article 44 of Chapter 105 of the General Statutes, as enacted by this act, that is to become effective on or before January 1, 2003, the county is required to give the Secretary of Revenue only 30 days' advance notice of the tax levy. For taxes ~~levied on or~~ that are to become effective after January 1, ~~2004, 2003,~~ the provisions of G.S. 105-466(c) apply."

**SECTION 4.** To the extent the Department of Revenue's nonrecurring costs of implementing and administering Article 44 of Chapter 105 of the General Statutes, as amended, exceed funds available in its budget for the 2002-2003 fiscal year, the Department may pay the excess cost by withholding up to two hundred seventy-five thousand dollars (\$275,000) from collections under Subchapter VIII of Chapter 105 of the General Statutes.

**SECTION 5.** The Department of Revenue may contract for supplies, materials, equipment, and contractual services related to the provision of notice, the creation of tax forms and instructions, and the development of computer software necessitated by the amendments in this act without being subject to the requirements of Article 3 or Article 8 of Chapter 143 of the General Statutes.

**SECTION 6.** Notwithstanding any other provision of law, a retailer is not liable for the additional one-half percent (½%) tax levied by counties effective December 1, 2002, that it fails to collect from purchasers due to an inadvertent error during the month of December 2002, if the retailer can demonstrate to the Secretary the reason for the inadvertent error. An example of an inadvertent error is a delay in reprogramming point-of-sale equipment.

**SECTION 7.(a)** The title of Article 39 of Chapter 105 of the General Statutes reads as rewritten:

"Article 39.

First One-Cent (1¢) Local Government Sales and Use Tax."

**SECTION 7.(b)** G.S. 105-463 reads as rewritten:

"§ 105-463. Short title.

This Article shall be known as the "~~Local~~First One-Cent (1¢) Local Government Sales and Use Tax Act." Act."

**SECTION 8.(a)** The title of Article 40 of Chapter 105 of the General Statutes reads as rewritten:

"Article 40.

~~Supplemental~~First One-Half Cent (1/2¢) Local Government Sales and Use Taxes. Tax."

**SECTION 8.(b)** G.S. 105-480 reads as rewritten:

"§ 105-480. Short title.

This Article shall be known as the ~~Supplemental~~First One-Half Cent (1/2¢) Local Government Sales and Use Tax Act."

**SECTION 9.(a)** The title of Article 42 of Chapter 105 of the General Statutes reads as rewritten:

"Article 42.

~~Additional Supplemental~~Second One-Half Cent (1/2¢) Local Government Sales and Use Taxes. Tax."

**SECTION 9.(b)** G.S. 105-495 reads as rewritten:

**"§ 105-495. Short title.**

This Article shall be known as the ~~Additional Supplemental~~Second One-Half Cent (1/2¢) Local Government Sales and Use Tax Act."

**SECTION 10.** Notwithstanding the provisions of G.S. 105-517(b), a county may levy a tax by resolution that becomes effective on or before January 1, 2003, under Article 44 of Chapter 105 of the General Statutes by giving at least 48 hours notice of its intent to adopt the resolution, as provided under G.S. 143-318.12(b)(2).

**SECTION 11.** Except as otherwise provided, this act is effective when it becomes law.

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**EXECUTIVE ORDERS BY  
GOVERNOR MICHAEL F. EASLEY  
By Title  
April 2002 - December 2002**

<b>Number</b>	<b>Title</b>
20	Amending Executive Order No. 84 Issued by Governor James B. Hunt, Jr., Which Established the North Carolina Home Furnishing Export Council
21	North Carolina Human Service Transportation Council
22	Budget Management For Fiscal Year 2002-03
23	Amending Executive Order Number 7 Concerning Teacher Advisory Committee
24	Accelerating Teacher Recruitment and Hiring for <i>More at Four</i> and Class Size Reduction in Light of Judicial Requirements, Budget Developments, and Impending School Openings
25	North Carolina Showcase State Partnership for Natural Disaster Resistance and Resilience
26	Water System Protection

- 27 Proclamation of State Disaster for the City of Cherryville, City of Shelby and the Cleveland County Sanitary District, Excluding the City of Kings Mountain
- 28 Ensuring Needs of School Children are Met Given Increase in Student Enrollment, Budget Developments, and School Openings
- 29 Emergency Relief for Livestock Producers Affected by Hay Shortages Due to Drought
- 30 Amending Executive Order No. 113 Issued by Governor James B. Hunt, Jr. Concerning Merit-Based Hiring Process
- 31 Extending Executive No. 27
- 32 NC Commission on Business Laws and the Economy
- 33 To Establish the Athletic Injury Management Rule Effective Date
- 34 Public Employee Special Pay Plan
- 35 Amending Governor Hunt's Executive Order No. 51 North Carolina Film Council
- 36 Proclamation of State Disaster for the City of Statesville
- 37 Extending Executive Order No. 29
- 38 Extending Executive Order No. 88

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**FINAL DISPOSITION OF BILLS  
IN HOUSE COMMITTEES**

(House Bills remained in committees by request of principal sponsor)

**AGING**

**HJR 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

**AGRICULTURE**

**HB 1426** REGULATE EXPERIMENTAL TOBACCO

**ALCOHOLIC BEVERAGE CONTROL**

**HB 152** TOURISM ABC ESTABLISHMENT

**HB 179** ABC COMMISSION-CONSIDER PROXIMITY OF  
LICENSEES

**HB 549** BEER AND WINE TAX DISTRIBUTION

**HB 1005** POSSESSING FRAUDULENT ID TO GET LIQUOR

**HB 1173** ABC PERMITS IN STATE ECONOMIC ZONES

**HB 1305** ABC STORE SIGNS LIMITED

**APPROPRIATIONS**

**SB 600** MOTOR VEHICLE AND OCTOBER 1 TECHNICAL  
CHANGES

**SB 822** STATE SELF-FUNDED HEALTH CARE PLAN

**APPROPRIATIONS-EDUCATION**

**SB 744** TEACH PERSONAL FINANCIAL LITERACY IN  
SCHOOLS

**APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY**

**SB 465** SHOOT INTO PROPERTY FELONY

**APPROPRIATIONS-TRANSPORTATION**

**SB 1329** DOT PAYS COUNTY GAS LINE RELOCATION COST

**CHILDREN, YOUTH & FAMILIES**

**HB 457** REPEAL CHILD CARE FRAUD PREVENTION  
INCENTIVE

**HB 993** TANF CASH ASSISTANCE/WAIVE WAITING PERIOD

**HB 1136** INTEREST ON CHILD SUPPORT PAYMENTS

**CONGRESSIONAL REDISTRICTING**

**HB 1023** CONGRESSIONAL DISTRICTS

**HB 1029** CONGRESSIONAL DISTRICTS-2

**HB 1035** CONGRESSIONAL DISTRICTS

**HB 1049** CONGRESSIONAL PLAN-2

**HB 1050** CONGRESSIONAL PLAN-1  
**HB 1051** CONGRESSIONAL PLAN-3  
**HB 1476** HOUSE CONGRESSIONAL 13

**ECONOMIC GROWTH AND COMMUNITY DEVELOPMENT**

**HB 66** EXPAND NC BUSINESS OPPORTUNITIES  
**HB 200** DEFINITION OF DEVELOPMENT ZONE

**EDUCATION**

**HB 89** SUSPENDED STUDENTS ASSIGNED TO  
ALTERNATIVE PROGRAMS  
**HB 151** AMEND LEGISLATIVE TUITION GRANTS  
**HB 177** UNC TUITION/MILITARY STUDENTS  
**HB 390** CHANGE TO NEW AND EXPANDING INDUSTRY  
PROGRAM  
**HB 427** CLARIFY IN-PLANT TRAINING PROGRAM  
**HB 624** CLOSING ACADEMIC ACHIEVEMENT GAP  
**HB 855** SCHOOL HEALTH CURRICULUM MODIFIED  
**HB 997** SCHOOL ASSIGNMENT/CHILD IN PRE-ADOPTIVE  
HOME  
**HB 1093** TEACH READING BY THE END OF FIRST GRADE  
**HB 1102** NO DISCLOSURE OF STUDENT INFORMATION TO  
3<sup>RD</sup> PARTIES  
**HB 1138** UNC TUITION AND FEES/SET BY LEGISLATURE  
**HJR 1267** A JOINT RESOLUTION DIRECTING THE LEGIS-  
LATIVE 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  
**HB 1277** CERTIFIED SCHOOL EMPLOYEE/COMPENSATORY  
TIME  
**HB 1289** THE STUDENT CITIZEN ACT OF 2001  
**HB 1322** MAKING CHILDREN THE HIGHEST PRIORITY IN  
SCHOOLS  
**HB 1385** PROGRESS BOARD  
**HB 1708** CHARTER SCHOOL BUS DRIVERS/TORT CLAIMS ACT  
**HB 1765** BUSINESS AND EDUCATION TECHNOLOGY  
ALLIANCE FOR SCHOOLS  
**SB 851** UNC CAMPUS LAW ENFORCEMENT JURISDICTION  
**SB 947** SCHOOL SPEECH PATHOLOGISTS AND  
PSYCHOLOGISTS/MENTORS

**SB 966** MODIFY PROFESSIONAL DEVELOPMENT  
REPORTS/EDUCATION OVERSIGHT  
STUDY

**ELECTION LAW & CAMPAIGN FINANCE REFORM**

**HB 188** FAIR ELECTION ACT  
**HB 254** ELECTION REWRITE-1  
**HB 255** ELECTION REWRITE -- 2  
**HB 256** ELECTION CHANGES-MISCELLANEOUS  
**HB 257** BALLOT ACCESS CHANGES  
**HB 258** SOFT MONEY CONTROL  
**HB 259** MUNICIPAL ELECTION BOARDS  
**HB 565** ELECTIONS ADMINISTRATIVE PROCEDURE  
**HB 1047** VOTER SAFETY  
**HB 1171** JUDICIAL ELECTION REFORM  
**HB 1185** NO-EXCUSE ABSENTEE DEADLINE  
**HB 1189** ANNUAL ABSENTEE BALLOT REQUEST  
**HB 1190** WORK LEAVE TO VOTE  
**HB 1194** ELECTION BOARD CLOSING TIME  
**HB 1294** ELECTION DAY REGISTRATION  
**HB 1376** STATEWIDE ELECTIONS/FUNDING  
**HB 1410** VOTER-OWNED ELECTIONS ACT  
**SB 8** RESTRICT NATIONAL SOFT MONEY

**ENVIRONMENT AND NATURAL RESOURCES**

**HB 308** ENVIRONMENTAL MANAGEMENT COMMISSION  
MEMBERSHIP  
**HB 371** WORKERS' COMPENSATION FOR PICKUP  
FIREFIGHTERS  
**HB 418** BEACH PRESERVATION AND RESTORATION ACT  
**HB 617** FREEZE LOOP \$-REDIRECT TO  
MAINTENANCE/PUBLIC TRANSPORTATION  
**HB 840** LOCAL/STATE FORESTRY PILOT PROGRAM  
**HB 1008** REMOVE LEAKING UNDERGROUND STORAGE  
TANKS SUNSET/LAND-USE RESTRICTIONS  
**HB 1058** AMEND NC CONSTITUTION TO CONSERVE OPEN  
SPACE  
**HB 1079** HAZARDOUS DISCHARGE/RISK-BASED  
CORRECTIVE ACTION  
**HB 1156** EXTEND SWINE FARM MORATORIA-3  
**HB 1227** I-40 BILLBOARD PERMANENT MORATORIUM  
**HB 1236** TRAWL NET LIMITATIONS



**HB 1283** STRENGTHEN LITTERING LAWS  
**HB 1303** LUST/CLARIFY CLEANUP REQUIREMENT/INCREASE  
TANK FEES  
**HB 1311** STATE NATURE AND HISTORIC PRESERVE  
**HB 1344** DEVELOPMENTS OF REGIONAL IMPACT  
**HB 1381** LOCAL WATER QUALITY PLANS  
**HB 1565** ESTABLISH ELECTRONICS RECYCLING PROGRAM  
**HB 1570** 2002 ENVIRONMENTAL TECHNICAL CORRECTIONS  
**HB 1573** SCRAP TIRE AMENDMENT  
**HB 1574** MERGE RADIATION PROTECTION INTO DIVISION  
OF ENVIRONMENTAL HEALTH  
**HB 1577** AMEND POLLUTION ABATEMENT TAX EXCLUSION  
**HB 1772** ROANOKE RIVER BASIN INTERSTATE COMMISSION  
**SB 205** STAGGER MARINE FISHERIES COMMISSION TERMS  
**SB 827** EXTEND SUNSET LEAKING UNDERGROUND  
STORAGE TANKS LAND-USE RESTRICTIONS  
**SB 855** AIRPORT FACILITIES DEFINED  
**SB 955** ENVIRONMENTAL REMEDIATION NOT CAPITAL  
IMPROVEMENT  
**SB 1034** ENVIRONMENTAL REPORT CONSOLIDATION  
**SB 1047** RESTORE MOUNTAIN AIR QUALITY  
**SB 1098** OUTDOOR ADVERTISING ALONG I-40  
**SB 1227** CLARIFY LEAKING UNDERGROUND STORAGE  
TANKS LAND-USE RESTRICTIONS/DEED RECORD  
**SB 1260** CONSERVE WATER/PROMOTE GREEN ENERGY

**FINANCE**

**SB 652** AVERY OCCUPANCY TAX  
**SB 660** CHATHAM AUTO TAX FOR ECONOMIC  
DEVELOPMENT  
**SB 718** LOCAL GOVERNMENT SPECIAL OBLIGATION BOND  
USE

**FINANCIAL INSTITUTIONS**

**HB 167** STATEWIDE APPLICATION OF G.S. 24-9  
**HB 670** REFORM PAYDAY LENDING  
**HB 1071** PROCEDURE FOR DELAYED DEPOSIT CHECKS  
**HB 1172** REVISE LAW GOVERNING DELAYED DEPOSIT  
CHECKS  
**HB 1179** MORTGAGE LENDERS AND BROKERS LICENSURE  
**HB 1350** CORPORATE TAX DISCLOSURE  
**HB 1365** IMPROVE REGULATION OF PAYDAY LENDERS  
**HB 1445** SIMPLIFY TAXATION OF FINANCIAL INSTITUTIONS

**HEALTH**

- HB 245** ADULT CARE HOME ASSESSMENT  
**HB 896** DATABASE/CONTROLLED SUBSTANCES  
**HB 934** CERTIFICATE OF NEED-ADULT CARE HOMES  
REGULATED  
**HB 936** ENTERAL SEDATION/DENTIST PERMITS  
**HB 996** ELECTRONIC MONITORING IN NURSING/ADULT  
CARE HOMES  
**HB 1091** NATUROPATHIC PHYSICIANS  
**HB 1220** COMMUNITY RESIDENCES/PEOPLE WITH  
DISABILITY  
**HB 1222** REGULATE NURSE PRACTITIONERS/NURSE  
MIDWIVES  
**HB 1239** PHARMACISTS/LIMIT PRESCRIPTIONS DISPENSED  
**HB 1254** CERTIFICATE OF NEED MODIFICATIONS  
**HB 1306** IMMUNITY/HONORING PORTABLE DO NOT  
RESUSCITATE ORDER  
**HB 1316** REQUIRE NOTIFICATION TO TREAT MINORS  
**HB 1449** VETERINARY PRACTICE ACT/FEEES  
**HB 1514** DEPARTMENT OF HEALTH AND HUMAN SERVICES  
RULES COORDINATION  
**HB 1636** CARE FOR SCHOOL CHILDREN WITH DIABETES ACT  
**HB 1682** STATE HEALTH PLAN/POOL PURCHASE OF DRUGS  
**HB 1719** STATE EMPLOYEES' HEALTH PLAN/PRESCRIPTION  
DRUGS

**HIGHWAY SAFETY & LAW ENFORCEMENT**

- HB 64** PRIVATE CORRECTIONAL OFFICERS  
**HB 242** LAW ENFORCEMENT PROTECTION FOR SOCIAL  
WORKERS  
**HB 510** INCREASE LAW ENFORCEMENT RETIREMENT

**INSURANCE**

- HB 346** INSURANCE PRODUCER LICENSING  
**HB 347** INSURANCE FINANCIAL AMENDMENTS  
**HB 349** INSURANCE INFORMATION PRIVACY  
**HB 353** WORKERS' COMPENSATION CANCELLATIONS AND  
RENEWALS  
**HB 354** WORKERS' COMPENSATION AMENDMENTS  
**HB 358** INSURANCE EXAM LAW AMENDMENTS

**JUDICIARY I**

- HB 141** NO DEATH PENALTY/MENTALLY RETARDED  
**HB 383** LOCAL GOVERNMENT TORT LIABILITY

<b>HB</b>	<b>451</b>	AMEND NC EMERGENCY MANAGEMENT LAWS
<b>HB</b>	<b>631</b>	AUTOPSY PHOTOS NOT PUBLIC RECORD
<b>HB</b>	<b>649</b>	AUTHORIZE EMERGENCY APPROPRIATION
<b>HB</b>	<b>747</b>	MAKE EMPLOYMENT SECURITY COMMISSION SURTAX PERMANENT
<b>HB</b>	<b>792</b>	COUNTYWIDE ZONING/EXTRATERRITORIAL JURISDICTION
<b>HB</b>	<b>932</b>	ORANGE OPEN BURNING REGULATION
<b>HB</b>	<b>1012</b>	PHYSICIAN-ASSISTED SUICIDE UNLAWFUL
<b>HB</b>	<b>1097</b>	SEX OFFENSES/AMEND PLEA BARGAIN LAWS
<b>HB</b>	<b>1116</b>	DEATH PENALTY MORATORIUM
<b>HB</b>	<b>1141</b>	CARTWAYS
<b>HB</b>	<b>1183</b>	CORRECT TERM OF JUDGESHIP
<b>HB</b>	<b>1224</b>	CONSTRUCTION CONTRACTS/RETAINAGE REFORM
<b>HB</b>	<b>1225</b>	OPEN MEETINGS PENDING LITIGATION
<b>HB</b>	<b>1321</b>	IMMUNITY FOR CITY/PUBLIC SAFETY OFFICERS
<b>HB</b>	<b>1351</b>	TWO STRIKES--YOU'RE OUT
<b>HB</b>	<b>1553</b>	WAIVE JURY TRIAL/CONSTITUTIONAL AMENDMENT
<b>SB</b>	<b>1562</b>	"NO HUSH MONEY/SEVERANCE PAY"
<b>SB</b>	<b>390</b>	PHYSICIAN-ASSISTED SUICIDE/EDUCATION AND CRIME
<b>SB</b>	<b>742</b>	LOCAL GOVERNMENT TORT LIABILITY
<b>SB</b>	<b>819</b>	CERTAIN PROBATION VIOLATION TO COURT OF APPEALS
<b>SB</b>	<b>961</b>	DRIVING WHILE LICENSE REVOKED FLEXIBILITY

**JUDICIARY II**

<b>HB</b>	<b>137</b>	FINANCIAL RESPONSIBILITY
<b>HB</b>	<b>138</b>	JUVENILE CAPACITY TO PROCEED
<b>HB</b>	<b>277</b>	JUVENILE EXTENDED COMMITMENT PROCEDURE
<b>HB</b>	<b>372</b>	AMEND RULE 68 OFFER OF JUDGMENT
<b>HB</b>	<b>533</b>	FUQUAY-VARINA RED LIGHT CAMERAS
<b>HB</b>	<b>534</b>	KNIGHTDALE RED LIGHT CAMERAS
<b>HB</b>	<b>535</b>	GARNER RED LIGHT CAMERAS
<b>HB</b>	<b>705</b>	GREENVILLE SPEED ENFORCEMENT CAMERAS
<b>HB</b>	<b>737</b>	AMEND ADOPTION LAWS
<b>HB</b>	<b>849</b>	JUDICIAL AND EXECUTION SALES/REVISE PROCEDURE
<b>HB</b>	<b>918</b>	DURHAM RED LIGHT CAMERAS
<b>HB</b>	<b>946</b>	POSSESSION/MANUFACTURE OF FRAUDULENT IDS
<b>HB</b>	<b>989</b>	JUDICIAL APPOINTMENT/VOTER RETENTION
<b>HB</b>	<b>1146</b>	PRESUMPTIVE FINES FOR SPEEDING

**HB 1164** POST ADOPTION PRIVILEGES  
**HB 1166** STATE EMPLOYEES' HEALTH PLAN/WORKERS'  
COMPENSATION  
**HB 1244** FAMILY COURT PILOT DISTRICTS  
**HB 1281** EASTERN BAND CHEROKEES' FULL FAITH AND  
CREDIT  
**HB 1282** CRIMINAL BACKGROUND CHECKS LONG-TERM  
CARE  
**HB 1314** COUNTY APPEAL OF JUVENILE ORDERS  
**HB 1317** RESTRICTIVE COVENANTS-CHILD CARE  
**HB 1512** AMEND CONDOMINIUM AND PLANNED  
COMMUNITY ACTS  
**HB 1556** 2002 TECHNICAL CORRECTIONS  
**HB 1612** STOP UNWANTED TELEPHONE SOLICITATIONS  
**HB 1738** DNA BANK/DNA ANALYSIS FEE  
**HB 1764** FINANCIAL IDENTITY FRAUD  
**SB 280** LAW ENFORCEMENT PROTECTION FOR SOCIAL  
WORKERS  
**SB 416** AMEND RULE 68 OFFER OF JUDGMENT  
**SB 746** SENTENCING ENHANCEMENTS CHANGES/  
SENTENCING COMMISSION  
**SB 752** STATE JUDICIAL COUNCIL  
**SB 787** JUDICIAL APPOINTMENT/VOTER RETENTION

**JUDICIARY III**

**HB 28** UNLAWFUL TO IMPEDE A SCHOOL BUS  
**HB 325** LEVEL 2 GRADUATED DRIVERS LICENSE CHANGES  
**HB 462** WORKERS' COMPENSATION/CERTAIN PUBLIC  
SCHOOL STUDENTS  
**HB 564** HEADLAMPS ON WHEN MOTOR VEHICLE OPERATED  
**HB 694** CLARIFY MOTOR VEHICLE DEALER FRANCHISE  
LAWS  
**HB 970** LITTER INFRACTION/CAR OWNER IS RESPONSIBLE  
**HB 1196** INCREASE CERTAIN SHOPLIFTING PENALTIES  
**HB 1214** SEXUAL ASSAULT  
**HB 1248** LOCAL REGULATION OF KEGS OF MALT BEVERAGE  
**HB 1249** POSSESSING FRAUDULENT ID TO GET LIQUOR  
**HB 1278** CASINO NIGHTS FOR NONPROFITS  
**HB 1497** NONCOMMERCIAL "SPAM" ILLEGAL  
**HB 1498** CRIMINAL UNAUTHORIZED RECORDINGS  
**HB 1646** ROWLAND ANNEXATION

**LEGISLATIVE REDISTRICTING**

**HB 1024** HOUSE REDISTRICTING

**HB 1026** HOUSE REDISTRICTING-3  
**HB 1027** HOUSE REDISTRICTING-1  
**HB 1028** REDISTRICTING-2  
**HB 1036** SENATE REDISTRICTING  
**HB 1055** HOUSE REDISTRICTING-2  
**HB 1475** DAUGHTRY GENESIS 3A PLAN

#### LOCAL GOVERNMENT I

**HB 208** MOORESVILLE TREES  
**HB 498** CHARLOTTE-MECKLENBURG SCHOOL BOARD MEMBERS  
**HB 501** CHARLOTTE-MECKLENBURG SCHOOL BOARD TERMS  
**HB 502** CHARLOTTE-MECKLENBURG SCHOOL PRIMARY  
**HB 543** TROUTMAN/LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM  
**HB 586** CHARLOTTE AREA SPHERE OF INFLUENCE  
**HB 587** MUNICIPAL EXTRATERRITORIAL JURISDICTION ROADWAY IMPROVEMENTS  
**HB 588** CHARLOTTE STORM DRAIN/ROAD PROJECTS  
**HB 589** INFRASTRUCTURE REIMBURSEMENT  
**HB 590** CHARLOTTE HANDICAPPED PARKING ENFORCEMENT  
**HB 591** CHARLOTTE CHARTER CLEANUP  
**HB 647** DURHAM FACILITIES FEES  
**HB 749** LIMITS ON TREE REMOVAL  
**HB 802** DARE UTILITY UNDERGROUNDING AMENDMENTS  
**HB 851** MODIFY MECKLENBURG ROOM TAX USE  
**HB 852** CHARLOTTE LEASES  
**HB 854** CHARLOTTE PUBLIC CONTRACTS EXEMPTION  
**HB 894** GARNER TREE ORDINANCE  
**HB 1037** BUILDING CODE VARIATIONS  
**HB 1219** FINANCIAL OVERSIGHT FOR HOUSING AUTHORITIES  
**HB 1237** LANDLORD REGISTRATION  
**HB 1598** BUIES CREEK FIRE/RESCUE DISTRICT  
**HB 1658** TEXTBOOK FLEXIBILITY/CHARLOTTE-MECKLENBURG SCHOOLS  
**HB 1667** RALEIGH POLICE JURISDICTION  
**HB 1695** PURCHASING FLEXIBILITY/CHARLOTTE-MECKLENBURG SCHOOLS  
**SB 569** ALLOW SINGLE-PRIME CONTRACT JACKSONVILLE  
**SB 588** DURHAM CHARTER TECHNICAL CORRECTIONS  
**SB 631** CHARLOTTE LOCAL ACT

**LOCAL GOVERNMENT II**

- HB 703** WINSTON-SALEM/FORSYTH TECHNOLOGY PURCHASES
- HB 846** HARNETT COUNTY SUBDIVISION DEFINITION
- HB 1524** CARTERET PROPERTY LEASES
- HB 1567** ASHEVILLE HOUSING AUTHORITY TERMS
- HB 1674** ADOPTION CRIMINAL RECORDS CHECKS/MECKLENBURG

**MILITARY, VETERANS & INDIAN AFFAIRS**

- HB 430** WWII VETERANS FREE SPECIAL PLATE
- HB 1287** ADVISORY COMMISSION ON MILITARY AFFAIRS

**PUBLIC HEALTH**

- HB 287** REPEAL OCCUPATIONAL HEALTH REPORTING REQUIREMENT
- HB 463** CLEAN SYRINGE -- SAFE SYRINGE EXCHANGE PROGRAM
- HB 974** LICENSE BY CREDENTIALS/DENTISTRY

**PUBLIC UTILITIES**

- HB 125** USE OF 911 FUNDS
- HB 130** USE OF 911 FUNDS/BEAUFORT
- HB 205** EXTEND TIME FOR UNIVERSAL SERVICE FINAL RULES
- HB 585** WATER AND SEWER AUTHORITIES
- HB 678** USE OF 911 FUNDS
- HB 710** USE OF 911 FUNDS
- HB 725** USE OF 911 FUNDS
- HB 791** USE OF 911 FUNDS
- HB 867** USE OF 911 FUNDS/PITT
- HB 1015** IMPROVE AIR QUALITY/ELECTRIC UTILITIES

**SCIENCE AND TECHNOLOGY**

- HB 330** INFORMATION SYSTEMS AUDITS
- HB 478** CHILDREN'S INTERNET SAFETY-NET
- HB 1499** INTERNET PRIVACY POLICY ACT

**STATE GOVERNMENT**

- HB 2** RECIPROCAL PREFERENCE FOR BIDS
- HB 389** ENERGY CONSERVATION FOR STATE BUILDINGS
- HB 409** REVIEW STATE GOVERNMENT EMPLOYMENT

**HB 1309** REDUCE LITTER/INCREASE STATE RECYCLING  
**HB 1310** EXEMPT EMPLOYEE CHANGES  
**SB 685** UNC-GREENSBORO PARKING JURISDICTION

**STATE PERSONNEL**

**SB 976** EXEMPT EMPLOYEE CHANGES

**TRANSPORTATION**

**HB 112** CORNING ACCESS BRIDGE (NC 132)  
**HB 340** ALTERNATIVE FUELED VEHICLE'S-HIGH  
OCCUPANCY VEHICLE USE/PRIME PARKING  
**HB 809** MUNICIPAL EXTRATERRITORIAL JURISDICTION  
ROADWAY IMPROVEMENTS  
**HB 821** STUDY OF INEXPERIENCED DRIVERS  
**HB 907** CARY ROADWAY EXPENDITURES  
**HB 1130** MUNICIPAL SECONDARY ROADS PAVED  
**HB 1175** EMISSIONS INSPECTION-NOT FOR 25 YEAR OLD  
VEHICLES  
**HB 1226** IMPROVE AIR QUALITY WITH LOCAL PLAN  
**HB 1333** WINDSHIELDS REQUIRED AND INSPECTED  
**HB 1673** CHARLOTTE RAIL LIABILITY LIMITATION  
**SB 148** LAW OFFICERS MEMORIAL SIGNS  
**SB 249** TRUST FUND TRANSFERS ALLOWED  
**SB 1395** CHARLOTTE RAIL LIABILITY LIMITATION

**WAYS AND MEANS**

**HB 14** MUNICIPAL INCORPORATION POPULATION  
ESTIMATES  
**HB 20** CONTRACT AGENT RATE  
**HB 326** AMEND WELL CONTRACTORS CERTIFICATION  
**HB 982** HOUSING AUTHORITY EXEMPTIONS  
**HB 1065** SWIMMING POOL SAFETY ACT  
**HB 1323** REVISE STATE BUILDING CODE/COUNCIL  
PROCEDURES  
**SB 12** MUNICIPAL INCORPORATION POPULATION  
ESTIMATES  
**SB 471** MINIMUM HOUSING STANDARDS/ZONING  
**SB 1059** CLARIFY DEFINITION OF CONTRACTOR

**WILDLIFE RESOURCES**

**HB 684** ANSON DEER HUNTING  
**HB 1042** AGE 70 HUNTING ALLOWANCE

**HB 1593** SCOTLAND COUNTY HUNTING  
**HB 1624** ELECTROFISHING/WACCAMAW AND LUMBER RIVERS  
**HB 1634** AMEND HARNETT HUNTING FROM RIGHT-OF-WAY  
**HB 1659** TOWN CREEK HERRING FISHING  
**SB 1350** AMEND HARNETT HUNTING FROM RIGHT-OF-WAY  
**SB 1351** REPEAL HARNETT COUNTY FOX HUNTING LAW

**The following bills remained in committee without complying with Rule 36(a):**

**JUDICIARY I**

**HB 526** ABORTION-PARENTAL CONSENT NOTARIZED  
**HB 676** VICTIMS' RIGHTS PROVISIONS  
**HB 728** DISPLAY OF AMERICAN FLAG  
**HB 798** NO PROFIT FROM CRIME  
**HB 859** REPEAT MISDEMEANOR LARCENY OR SHOPLIFTING IS FELONY  
**HB 1094** CORRECT TERM OF JUDGESHIP  
**HB 1127** DNA SAMPLE/FELONY CONVICTIONS & INSANE DEFENSE  
**HB 1177** REQUIRE EXPERIENCE FOR DEATH PENALTY CASES  
**HB 1260** PARENTAL RIGHTS & CHILD PROTECTION ACT  
**HB 1293** DISTRICT COURT DISTRICT 18 JUDGES' RESIDENCY

**BILLS REMAINING IN CONFERENCE**

**SB 402** SECRET PEEPING CHANGES  
**SB 1037** NO AIR PERMIT REQUIRED UNTIL FACILITY OPERATIONAL

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**2002 HOUSE OF REPRESENTATIVES  
OFFICERS AND STAFF**

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Executive Assistant	Meredith Swindell
Speaker's Liaison	Meredith Norris
Special Assistant for	
Policy and Education	Diane Emerson
Director of Communications/ Chief of Staff	Danny Lineberry



Administrative Assistant	Chad Lowry
	Patrick Clancy
Special Assistant for Research:	
Page Program	Lucille Thompson
Page Supervisor	Cynthia Giles

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Speaker Pro Tempore	Joe Hackney
Secretary	Emily Reynolds Freeman

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Administrative Clerks	Carmen W. Cauthen
	Michelle A. Perry
	Jim McElroy
Director of	
Legislative Assistants	Anne M. Cole
Calendar Clerk	Pauletta King
Calendar Clerk Assistants	Jennifer Crooke
	Anna Jones
Calendar Computer Clerk	Courtney Denning
	Sharon Sexton
Computer Clerk	Billie Broughton
Journal Clerk	Shirley Wallace
Journal Clerk Assistant	Jo Maxson
Journal Computer Clerks	Emily Conn
	Polly Davison
Reading Clerk	John Young

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Deputy Sergeant-at-Arms	James Peyton, Jr.
Secretary	Carolyn Bowden
Assistant Sergeant-at-Arms	Shannon Batten
	Jack Dossenbach
	Robert Fowler
	William Freeman
	Martha Gadison
	Donnell Leathers
	Ann Lassiter
	Matthew Myers
	Martha Parrish
	Francis Poole
	Dusty Rhodes

Walter Spell  
 Earl Tharrington  
 Thomas Wilder  
 Charles Williams  
 James Womack  
 James Worth  
 Aaron Woodlief

**2002**  
**HOUSE COMMITTEE ASSISTANTS**  
**AND LEGISLATIVE ASSISTANTS**

Anne M. Cole, Director

**LEGISLATIVE ASSISTANTS**

Ahlin, Pamela  
 Allred, Jean  
 Barber, Dot  
 Bobbitt, Jo  
 Bowers, Carol  
 Bradley, Vandella  
 Branch, Carolyn  
 Brantley, Nancy  
 Brothers, Susan  
 Brown, Lisa  
 Buehlmann, Sue  
 Bullard, Bernice  
 Burleson, Susan  
 Cameron, Phyllis  
 Capps, Mary  
 Castleberry, Suzanne  
 Childress, Betty  
 Christian, Gayle  
 Christmas, Pat

**COMMITTEE**

Transportation  
 Ways and Means  
 State Personnel  
 Appropriations-Health  
 and Human Services  
 Appropriations  
 Finance  
 Highway Safety and Law  
 Enforcement  
 Local Government I  
 Office of the Majority Whip  
 Office of the Minority Leader  
 Education-Community  
 Colleges  
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 Appropriations-Natural and  
 Economic Resources  
 Appropriations-Information  
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 Appropriations - Education  
 Children, Youth and Families

Coley, Cindy	Legislative Redistricting
Coley, Juanita	Local Government II
Collar, Edna Lee	State Government
Corbett, Esther	
Cotton, Jennie	Judiciary III
Cram, Sharon	Congressional Redistricting
Crocker, Dot	Rules, Calendar and Operations of the House
	Appropriations-Justice and Public Safety
Dixon, Tracy	Judiciary II
	Office of the Majority Leader
Doty, Susan	
Edwards, Blinda	Finance
Edwards, Carolyn	
Edwards, Jennifer	Pensions and Retirement
Epps, Dixie	Financial Institutions
Erskine, Suzanne	
Evans, Pam	Aging
	Education-Universities
Falcone, Alice	
Faust, Ann	Election Law and Campaign Finance Reform
Feagin, Joy	Economic Growth and Community Development
Fish, Ruth	Science and Technology
	Transportation
Fleming, Pattie	
Floyd, Chris	
Fox, Nancy	
Freeman, Emily Reynolds	Office of the Speaker Pro Tempore
	Judiciary I
Fuller, Joyce	Financial Institutions
Garriss, Nancy	
Gaudette, Sharon	
Gee, Eryn	
Gillis, Sally	Appropriations-Education
Goodman, Nancy	Legislative Assistants' Office
Gulley, Suzanne	Wildlife Resources
Hamby, Jacquelyn	Legislative Assistants' Office

Harris, Joyce	Finance
Harris, Rita	Appropriations Committee Assistant
Hayes, Mary	
Henderson, Surena	Appropriations-Information Technology
Hines, Linda	
Hinton, Jo	Public Health
Hobbs, Cindy	
Holder, Marilyn	Highway Safety and Law Enforcement
Horne, Marie	Appropriations
Irwin, Regina	Insurance
Jacobs, Glenda	
Johnson, Linda A.	Appropriations-Natural and Economic Resources
Johnson, Linda C.	
Jones, Glenda	Finance
Jones-Cooper, Rebecca	
Jordan, Ann	Public Utilities
Justus, Carolyn	Legislative Redistricting
Kelley, Rosa	Appropriations-General Government
Kidd, Anna	Travel and Tourism
Langdon, Joyce	
Lee, Jan	
Lennard, Sara Jane	Appropriations- Justice and Public Safety
Lennon, Melissa	
Lord, Waneta	
Lowe, Judy	
MacPherson, Shirlyn	Alcoholic Beverage Control Environment and Natural Resources
McCrodden, Linda	
McLean, Dorothy	State Personnel
Mills, Joanna	
Misenheimer, Anne	
Monroe, Dorie	
Murray, Peggy	
Murray, Rosa	

Nelson, Jayne	Environment and Natural Resources
Olls, Brenda	
Peacock, Joan	
Pearce, Edna	
Phillips, Barbara	Children, Youth and Families
Phillips, Marian	
Phillips, Susan	
Picket, Ellen	
Pittman, Jackie	Cultural Resources Pensions and Retirement Travel and Tourism
Pons, Debbie	
Powell, Barbara	
Prince, Delta	Appropriations University Board of Governors Nominating Appropriations-Health and Human Services
Raeford, Ann	Office of the Majority Whip Insurance Military, Veteran and Indian Affairs
Riddle, Melissa	
Roberts, Denise	
Robinson, Mary Lee	Appropriations-General Government
Rustin, Valerie	
Smith, Betty	
Smith, Suzanne	Appropriations-Transportation Economic Growth and Community Development
Soles, Anne	
Stancil, Ann	Education Military, Veteran and Indian Affairs
Stewart, Clarestone	Appropriations-Capital Health Congressional Redistricting
Suitt, Marilyn	
Sykes, Edna	Appropriations
Threatt, Lin	
Thurlow, Gennie	Agriculture

Todd, Rhonda	
Towns, Rhonda	
Turner, Debbie	
Umstead, Jenny	Ethics
	Appropriations-Education
Utley, Thelma	
Uzzle, Linda	Environment and Natural Resources
Walend, Ken	
West, Susan	Office of the Minority Whip
Wilder, Anita	
Willis, Nancy	Education-Pre-school, Elementary, and Secondary
Wilson, Carol	
Winstead, Linda	Appropriations-Transportation Mental Health
Winstead, Shirley	

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**PRESENTMENT OF BILLS TO THE GOVERNOR**  
**(Date Enrolling Clerk Delivered to the**  
**Office of the Governor)**

<b>BILL NUMBER</b>	<b>DATE DELIVERED</b>
SB 1078	June 19, 2002
SB 1111	June 27, 2002
HB 1487	June 27, 2002
HB 1578	June 27, 2002
HB 1521	July 3, 2002
SB 641	July 9, 2002
HB 1557	July 9, 2002
HB 1584	July 9, 2002
HB 893	July 12, 2002
HB 1488	July 12, 2002
HB 1504	July 12, 2002
HB 1505	July 12, 2002
HB 1513	July 12, 2002
HB 1539	July 12, 2002
SB 861	July 19, 2002
HB 1515	July 23, 2002
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H	1349	CLARIFY PAY PROVISIONS/LATERAL ENTRY TEACHER (Postponed Indefinitely) .....	700.
H	1352	LOCAL REIMBURSEMENTS/SALES TAX (Postponed Indefinitely).....	700.
H	1353	EASTERN NORTH CAROLINA LIVESTOCK FACILITY FUNDS (Postponed Indefinitely).....	525, 612.
H	1354	INFORMATION TECHNOLOGY SERVICES DATA AND VIDEO SERVICES FUNDS (Postponed Indefinitely).....	540, 612.
H	1355	AFRICAN-AMERICAN CULTURAL CENTER FUNDS (Postponed Indefinitely).....	525, 612.
H	1356	CHILDREN'S MUSEUM OF WINSTON-SALEM FUNDS (Postponed Indefinitely).....	525, 612.
H	1357	NORTH CAROLINA TECHNOLOGICAL DEVELOPMENT AUTHORITY FUNDS (Postponed Indefinitely).....	516, 612.
H	1358	EARLY INTERVENTION/PUBLIC HEALTH/ FUNDS (Postponed Indefinitely).....	531, 612.
H	1359	COURTHOUSE CHILD CARE CENTERS/ FUNDS (Postponed Indefinitely).....	519, 612.
H	1360	CAPE FEAR RIVER BASIN RESEARCH FUNDS (Postponed Indefinitely).....	516, 612.
H	1361	ALCOHOL BEVERAGE CONTROL COMPLEX DESIGNATION/FUNDS (Postponed Indefinitely).....	525, 612.
H	1363	GLOBAL TRANSPARK AUTHORITY DECOMMISSIONING/LRC STUDY (Postponed Indefinitely).....	700.
H	1364	WESTERN NORTH CAROLINA FARMERS MARKET FUNDS (Postponed Indefinitely).....	525, 613.
H	1366	ANIMAL DISCOVERY FUNDS (Postponed Indefinitely).....	525, 613.
H	1367	NORTH CAROLINA PHOTONICS CONSORTIUM FUNDS (Postponed Indefinitely).....	517, 613.
H	1368	MARTIN LUTHER KING RESOURCE CENTER FUNDS (Postponed Indefinitely) ....	525, 613.
H	1369	STATE ABORTION FUND ELIGIBILITY CRITERIA (Postponed Indefinitely) .....	531, 613.

H	1370	CAP-CHILDREN SLOTS/FUNDS (Postponed Indefinitely).....	531, 613.
H	1371	ORGANIC CERTIFICATION COST-SHARE FUNDS (Postponed Indefinitely).....	517, 613.
H	1372	APPROPRIATIONS FOR COMMUNITY COLLEGES (Postponed Indefinitely) .....	700.
H	1373	APPROPRIATIONS FOR COMMUNITY COLLEGES (Postponed Indefinitely) .....	700.
H	1374	CLOSE THE ACHIEVEMENT GAP/FUNDS (Postponed Indefinitely).....	534, 613.
H	1375	DUKE MEDICAL CENTER GENETICS/FUNDS (Postponed Indefinitely).....	531, 613.
H	1377	WILMINGTON FIREBOAT FUNDS (Postponed Indefinitely).....	526, 614.
H	1378	CHOWAN MAGISTRATE FUNDS (Postponed Indefinitely).....	519, 614.
H	1379	INCOME TAX THROWBACK RULE (Postponed Indefinitely).....	649.
H	1380	MEDICAL CHILD CARE CENTERS/FUNDS (Postponed Indefinitely).....	532, 614.
H	1382	ADVISORY COMMISSION ON MILITARY AFFAIRS (Postponed Indefinitely) .....	521, 614.
H	1383	HOUSING FINANCE AGENCY BONDS (Postponed Indefinitely).....	649.
H	1384	HOUSING FINANCE AGENCY BONDS (Postponed Indefinitely).....	649.
H	1386	COMMUNITY COLLEGE FACULTY SALARY FUNDS (Postponed Indefinitely).....	614.
H	1387	APPROPRIATIONS FOR BUNCOMBE COUNTY - BLANK (Postponed Indefinitely) .....	700.
H	1390	RETIREMENT WITHDRAWAL SERVICE (Postponed Indefinitely).....	614.
H	1391	NO DECREASE IN FULL-TIME EQUIVALENT FUNDS/UNIVERSITY OF NORTH CAROLINA SYSTEM (Postponed Indefinitely).....	535, 614.
H	1392	AMEND UNIVERSITY OF NORTH CAROLINA FINANCIAL NEED-BASED AID (Postponed Indefinitely).....	535, 614.
H	1393	TRAFFIC SIMULATION SOFTWARE FUNDS (Postponed Indefinitely).....	614.
H	1394	INFORMATION TECHNOLOGY EMPLOYEE RESERVE FUNDS (Postponed Indefinitely).....	540, 615.

- H 1395 HOLOCAUST EDUCATION FUNDS  
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- H 1396 FEES FOR CORPORATE CERTIFICATE OF  
EXISTENCE (Postponed Indefinitely) ..... 650.
- H 1398 LOWER CAPE FEAR RIVER PROGRAM FUNDS  
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- H 1399 WORLD TRADE CENTER NORTH CAROLINA  
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- H 1400 ESTABLISH MOUNTAIN ISLAND STATE  
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- H 1401 EXPAND INDIVIDUAL DEVELOPMENT  
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- H 1402 ADDRESS CONFIDENTIALITY PROGRAM  
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- H 1403 APPROPRIATIONS FOR BUNCOMBE COUNTY-  
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- H 1404 BROWNFIELDS POSITION  
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- H 1406 PUBLIC HEALTH DEMONSTRATION  
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- H 1407 PRESCRIPTION DRUG ACCESS PROGRAM/  
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- H 1408 VETERANS AFFAIRS OFFICES FUNDS  
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- H 1409 VIDEO POKER REGISTRATION AND  
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- H 1411 TAX INCENTIVES FOR ALTERNATIVE FUEL  
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- H 1412 AID TO PRIVATE COLLEGES/UPPER INCOME  
STUDENTS (Postponed Indefinitely) ..... 535, 616.
- H 1413 NORTH CAROLINA SCHOOL OF SCIENCE AND  
MATH OR SCHOOL OF ARTS/TUITION  
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- H 1414 IMPERIAL FOODS DEMOLITION FUNDS  
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- H 1415 SCHOOL COUNSELOR PAY SCALE INCREASE  
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- H 1416 HIV RISK/TREAT-RAPE VICTIM/HEALTH  
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H	1417	EARNED INCOME TAX CREDIT/INCREASE UPPER RATES (Postponed Indefinitely).....	650.
H	1418	CENTRAL CHILDREN'S HOME FUNDS (Postponed Indefinitely).....	526, 616.
H	1419	FIREFIGHTERS' AND RESCUE WORKERS' RETIREMENT (Postponed Indefinitely).....	636.
H	1420	DRUG OFFENSES/LRC STUDY (Postponed Indefinitely).....	700.
H	1421	INNOCENCE PROTECTION ACT (Postponed Indefinitely).....	701.
H	1422	BACK-TO-SCHOOL SALES TAX HOLIDAY (Postponed Indefinitely).....	650.
H	1423	SPEECH PATHOLOGISTS/AUDIOLOGISTS FEES (Postponed Indefinitely).....	650.
H	1424	RESTORE FISCAL RESPONSIBILITY TO STATE BUDGET (Postponed Indefinitely).....	616.
H	1425	TECHNOLOGICAL DEVELOPMENT TAX CREDIT (Postponed Indefinitely).....	650.
H	1428	LOCAL OPTION TRANSFER TAX (Postponed Indefinitely).....	650.
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H	1433	REDUCE WHOLESALE DRUG DISTRIBUTOR LICENSE FEE (Postponed Indefinitely) .....	651.
H	1434	BILL LEE TIER DESIGNATION CHANGE (Postponed Indefinitely).....	651.
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H	1437	ADJUST TIER FORMULA (Postponed Indefinitely).....	701.
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H	1447	INCREASE OUT-OF-STATE TUITION/UNIVERSITY OF NORTH CAROLINA SYSTEM (Postponed Indefinitely).....	641.
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H	1453	WAKE COUNTY AREA NORTH CAROLINA HOUSE REDISTRICTING PLAN (Postponed Indefinitely).....	701.
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H 1271 NORTH CAROLINA NATIONAL HERITAGE AREA/  
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H 1004 ANSON AND PAMLICO COUNTIES/MODEL TEACHER  
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 H 1571 ANSON LOCAL SALES TAX FOR MEDICAID  
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 H 448 HOUSE DISTRICT 33  
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 S 1135 US HIGHWAY 601 CONTRACTS  
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H 1355 AFRICAN-AMERICAN CULTURAL CENTER  
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 H 1180 AMERICAN LEGION POST 139 FUNDS  
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 H 1366 ANIMAL DISCOVERY FUNDS  
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 H 1387 APPROPRIATIONS FOR BUNCOMBE COUNTY -  
 BLANK (Postponed Indefinitely) ..... 700.  
 H 1403 APPROPRIATIONS FOR BUNCOMBE COUNTY-  
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 H 960 AVERASBORO BATTLEFIELD FUNDS  
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 H 46 CAMDEN COURTHOUSE FUNDS  
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 H 776 CAPE FEAR AQUARIUM PLANNING FUNDS  
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 H 1360 CAPE FEAR RIVER BASIN RESEARCH FUNDS  
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 H 721 CAPE FEAR RIVER FRESHWATER AQUARIUM  
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H 1418 CENTRAL CHILDREN'S HOME FUNDS  
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H 770 CERRO GORDO TOWN HALL FUNDS  
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H 1356 CHILDREN'S MUSEUM OF WINSTON-SALEM  
 FUNDS (Postponed Indefinitely)..... 525, 612.

H 1378 CHOWAN MAGISTRATE FUNDS  
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H 546 CLUB NOVA FUNDS  
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H 544 CRAVEN COUNCIL ON WOMEN FUNDS  
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H 679 CUMBERLAND JUVENILE ASSESSMENT  
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H 962 ERWIN TEXTILE MUSEUM FUNDS  
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H 1481 FORSYTH TECH STOKES COUNTY CENTER  
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H 847 HARNETT INDUSTRIAL SITE FUNDS  
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H 461 HOUSE DISTRICT 22 FUNDS  
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H 1414 IMPERIAL FOODS DEMOLITION FUNDS  
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H 961 INDUSTRIAL PARK FUNDS  
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H 677 IREDELL LIVESTOCK EXPOSITION CENTER  
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H 22 JOHN WILKINSON BUILDING FUNDS  
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H 1398 LOWER CAPE FEAR RIVER PROGRAM FUNDS  
 (Postponed Indefinitely)..... 517, 615.

H 361 LUMBEE ELECTION FUNDS  
 (Postponed Indefinitely)..... 596.

H 1368 MARTIN LUTHER KING RESOURCE  
 CENTER FUNDS  
 (Postponed Indefinitely)..... 525, 613.

H 160 MATTHEWS COMMUNITY CENTER FUNDS  
 (Postponed Indefinitely)..... 521, 592.

H 632 MAXTON REVITALIZATION FUNDS  
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H 693 NEW HANOVER COMMUNITY FUNDS  
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H	691	NEW HANOVER LIBRARY FUNDS (Postponed Indefinitely).....	523, 602.
H	512	POPLAR COMMUNITY BUILDING FUNDS (Postponed Indefinitely).....	523, 600.
H	365	RENNERT FIRE DEPARTMENT FUNDS (Postponed Indefinitely).....	522, 596.
H	388	ROBESON AFRICAN-AMERICAN CULTURAL CENTER FUNDS (Postponed Indefinitely).....	523, 597.
H	1080	ROCKY MOUNT FLOOD AID FUNDS (Postponed Indefinitely).....	608.
H	1628	SCOTLAND NECK CULTURAL ARTS CENTER FUNDS (Postponed Indefinitely).....	61, 618.
H	70	SCOTLAND NECK LIBRARY FUNDS (Postponed Indefinitely).....	521, 591.
H	1610	TRANSYLVANIA LEARNING AND TECHNOLOGY CENTER FUNDS (Postponed Indefinitely).....	54, 617.
H	952	WANCHESE MARINE INDUSTRIAL PARK FUNDS (Postponed Indefinitely).....	524, 606.
H	496	WEST HARNETT SENIOR CENTER FUNDS (Postponed Indefinitely).....	528, 600.
H	963	WILLIAM C. LEE MUSEUM FUNDS (Postponed Indefinitely).....	524, 606.
H	1377	WILMINGTON FIREBOAT FUNDS (Postponed Indefinitely).....	526, 614.
H	580	WILSON INFRASTRUCTURE EXTENSION FUNDS (Postponed Indefinitely).....	523, 601.
H	285	YADKIN/PEE DEE LAKES PROJECT FUNDS (Postponed Indefinitely).....	514, 594.

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H	397	2001 CURRENT OPERATIONS (Postponed Indefinitely).....	597.
H	398	2001 CURRENT OPERATIONS (Postponed Indefinitely).....	597.
H	399	2001 CURRENT OPERATIONS (Postponed Indefinitely).....	597.
H	1748	2002 APPROPRIATIONS ACT (Postponed Indefinitely).....	89, 620.
H	1749	2002 APPROPRIATIONS ACT (Postponed Indefinitely).....	89, 620.

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H	1735	ABOLISH DMV ENFORCEMENT (Postponed Indefinitely).....	86, 707.
S	140	AD HOC COMMUNITY COLLECTIONS REPORTED (Postponed Indefinitely) .....	714.
H	966	ADDITIONAL ASSISTANT DISTRICT ATTORNEY/DISTRICT 8 (Postponed Indefinitely).....	519, 606.
H	492	ADDITIONAL DISTRICT COURT JUDGES/ DISTRICT 10 (Postponed Indefinitely).....	518, 599.
H	901	ADDITIONAL FAMILY COURT PILOTS/FUNDS (Postponed Indefinitely).....	518, 605.
H	530	ADDITIONAL SUPERIOR COURT JUDGE/ DISTRICT 24/FUNDS (Postponed Indefinitely).....	518, 600.
H	214	ADULT DAY CARE FUNDS (Postponed Indefinitely).....	527, 593.
H	1382	ADVISORY COMMISSION ON MILITARY AFFAIRS (Postponed Indefinitely) .....	521, 614.
H	769	AGRICULTURAL FAIRS ADVISORY COUNCIL/ GRANT FUNDS (Postponed Indefinitely).....	516, 603.
H	299	AGRICULTURE BUILDING RENOVATION FUNDS (Postponed Indefinitely).....	522, 595.
H	655	AGRONOMIC LABORATORY FUNDS (Postponed Indefinitely).....	516, 602.
H	297	AGRONOMIC SERVICES LABORATORY/ FUNDS (Postponed Indefinitely).....	522, 595.
H	428	AID TO PUBLIC LIBRARIES FUNDS (Postponed Indefinitely).....	520, 598.
H	464	AIDS PREVENTION FUNDS (Postponed Indefinitely).....	528, 599.
H	1361	ALCOHOL BEVERAGE CONTROL COMPLEX DESIGNATION/FUNDS (Postponed Indefinitely).....	525, 612.
H	1755	ANTITERRORISM IDENTITY SECURITY ACT OF 2002 (Postponed Indefinitely).....	90, 708.
H	858	APPROPRIATION FOR GET SMART PROGRAM (Postponed Indefinitely).....	524, 605.
H	1372	APPROPRIATIONS FOR COMMUNITY COLLEGES (Postponed Indefinitely).....	700.
H	1373	APPROPRIATIONS FOR COMMUNITY COLLEGES (Postponed Indefinitely).....	700.

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H	692	ASTHMA EDUCATION FUNDS (Postponed Indefinitely).....	529, 602.
H	506	AUTISM GROUP HOMES/FUNDS (Postponed Indefinitely) .....	528, 600.
H	1677	AUTISM SERVICES/FUNDS (Postponed Indefinitely) (Included Ch. SL 2002-126) .....	72, 618.
H	508	AUTISM SOCIETY ADMINISTRATIVE OPERATIONS/FUNDS (Postponed Indefinitely).....	528, 600.
H	40	BLACKBEARD MUSEUM FUNDS (Postponed Indefinitely).....	521, 590.
H	1404	BROWNFIELDS POSITION (Postponed Indefinitely).....	517, 615.
H	1765	BUSINESS AND EDUCATION TECHNOLOGY ALLIANCE FOR SCHOOLS (Education) (Included Ch. SL 2002-126) .....	93.
H	1370	CAP-CHILDREN SLOTS/FUNDS (Postponed Indefinitely).....	531, 613.
H	1636	CARE FOR SCHOOL CHILDREN WITH DIABETES ACT (Health) .....	65, 269.
H	654	CENTER FOR ENVIRONMENTAL FARMING FUNDS (Postponed Indefinitely).....	516, 602.
S	1111	CERTAIN 2001 APPROPRIATIONS ACT MODIFICATIONS (Ch. SL 2002-12) .....	122, 128, 130, 131, 133, 143.
H	1773	CERTIFICATES RENEWAL FOR RETIRED TEACHERS LIMITED (Postponed Indefinitely).....	95, 710.
H	1708	CHARTER SCHOOL BUS DRIVERS/TORT CLAIMS ACT (Education).....	78.
H	995	CHICKEN POX VACCINE/FUNDS (Postponed Indefinitely).....	530, 607.
H	1033	CHILD CARING INSTITUTIONS/FUNDS (Postponed Indefinitely).....	531, 608.
H	396	CHILD MEDICAL EVALUATIONS/FUNDS (Postponed Indefinitely).....	528, 597.
H	373	CHILD NUTRITION PERSONNEL BONUS FUNDS (Postponed Indefinitely).....	532, 596.
H	136	CHILDREN'S PSYCHIATRIC UNIT FUNDS (Postponed Indefinitely).....	521, 592.
H	763	CHINQUA-PENN PLANTATION TRANSFER/FUNDS (Postponed Indefinitely).....	520, 603.

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H 1731 CLARIFY CERTAIN BUILDING CODE REQUIREMENT  
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H 1374 CLOSE THE ACHIEVEMENT GAP/FUNDS  
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H 380 COALITION 2001 FUNDS  
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H 1671 COMMUNITY ALTERNATIVES PROGRAM/  
DISABLED ADULTS FUNDS  
(Postponed Indefinitely)..... 71, 618.

H 1386 COMMUNITY COLLEGE FACULTY SALARY  
FUNDS (Postponed Indefinitely)..... 614.

H 443 COMMUNITY COLLEGE INSTRUCTIONAL  
TRUST FUND (Postponed Indefinitely) ..... 533, 598.

H 422 COMMUNITY COLLEGE STUDENTS WITH  
DISABILITIES/FUNDS  
(Postponed Indefinitely)..... 533, 598.

H 1681 COMMUNITY COLLEGE TEACHER  
PREPARATION FUNDS  
(Postponed Indefinitely)  
(Included Ch. SL 2002-126) ..... 73, 618.

H 1345 COMMUNITY DEVELOPMENT INITIATIVE  
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H 939 COMMUNITY MEDIATION CENTER FUNDS  
(Postponed Indefinitely)..... 518, 605.

H 594 COMMUNITY-BASED PHARMACEUTICAL  
ASSISTANCE PROGRAMS/FUNDS  
(Postponed Indefinitely)..... 529, 601.

H 24 CONSERVATION TRUST FOR NORTH  
CAROLINA FUNDS  
(Postponed Indefinitely)..... 514, 590.

H 240 CONTEMPORARY ART MUSEUM FUNDS  
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S 1112 CONTINUE APPROPRIATIONS ACT MODIFICATION  
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H 1740 COUNTY SCHOOL APPROPRIATIONS  
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H 1763 COUNTY SCHOOL APPROPRIATIONS  
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H 1359 COURTHOUSE CHILD CARE CENTERS/FUNDS  
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H 949 CUED SPEECH FUNDS  
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H	1103	CUED SPEECH FUNDS (Postponed Indefinitely).....	534, 609.
H	91	CULTURAL RESOURCES INFORMATION TECHNOLOGY EXPANSION FUNDS (Postponed Indefinitely).....	519, 591.
H	1133	DELAY INITIATIVES DUE TO BUDGET CRISIS (Postponed Indefinitely).....	609.
H	291	DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES INFORMATION TECHNOLOGY FUNDS (Postponed Indefinitely).....	515, 594.
H	835	DEPARTMENT OF PUBLIC INSTRUCTION CONSTRUCTION ASSISTANCE FUNDS (Postponed Indefinitely).....	533, 604.
H	459	DEPARTMENT OF REVENUE AUDIT RECOMMENDATIONS/FUND (Postponed Indefinitely).....	520, 599.
H	592	DEVELOPMENTAL DISABILITIES/FUNDS (Postponed Indefinitely).....	529, 601.
H	937	DIABETES CONTROL AND EDUCATION/FUNDS (Postponed Indefinitely).....	530, 605.
H	735	DIABETES CONTROL FUNDS (Postponed Indefinitely).....	529, 603.
H	491	DISTRICT COURT JUDGE COMPUTER TRAINING/FUNDS (Postponed Indefinitely).....	518, 599.
H	213	DOMESTIC VIOLENCE FUNDS (Postponed Indefinitely).....	520, 593.
H	1375	DUKE MEDICAL CENTER GENETICS/FUNDS (Postponed Indefinitely).....	531, 613.
H	1358	EARLY INTERVENTION/PUBLIC HEALTH/FUNDS (Postponed Indefinitely).....	531, 612.
H	978	EARLY VOTING FUNDS/GRANTS (Postponed Indefinitely).....	520, 607.
H	964	EAST CAROLINA UNIVERSITY FRESHWATER MARINE RESEARCH FUNDS (Postponed Indefinitely).....	540, 606.
H	1044	EAST CAROLINA UNIVERSITY SCHOOL OF ENGINEERING (Postponed Indefinitely).....	534, 608.
H	951	EASTERN HERITAGE TOURISM INITIATIVE FUNDS (Postponed Indefinitely).....	516, 606.

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H 1353 EASTERN NORTH CAROLINA LIVESTOCK FACILITY FUNDS  
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H 313 ECKERD WILDERNESS CAMPS FUNDS  
(Postponed Indefinitely)..... 518, 595.

H 1680 EDUCATION OVERSIGHT STUDY/RENAME FAYETTEVILLE STATE UNIVERSITY  
(Postponed Indefinitely)..... 73, 705.

H 288 EMERGENCY FUNDS FOR INVENTORY REIMBURSEMENT  
(Postponed Indefinitely)..... 594.

H 293 ENDANGERED PLANT PROTECTION FUNDS  
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H 1150 ENSURE FAIRNESS IN SCHOOL TESTING PROGRAM (Postponed Indefinitely) ..... 534, 610.

H 219 ENVIRONMENTAL ASSISTANCE FOR FARMERS/FUNDS  
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H 1400 ESTABLISH MOUNTAIN ISLAND STATE FOREST (Postponed Indefinitely) ..... 526, 615.

H 393 EVIDENCED-BASED CLINICAL GUIDELINES/ FUNDS (Postponed Indefinitely)..... 527, 597.

H 1401 EXPAND INDIVIDUAL DEVELOPMENT ACCOUNTS/FUNDS  
(Postponed Indefinitely)..... 517, 615.

H 420 EXPAND THE SCHOOL BREAKFAST PROGRAM  
(Postponed Indefinitely)..... 533, 598.

H 1768 EXPUNGE RECORDS/MISIDENTIFICATION OF PERSON (Postponed Indefinitely) ..... 94, 709.

S 1113 EXTEND APPROPRIATIONS MODIFICATION ACT (Ch. SL 2002-101) .....387, 388, 390, 398, 407.

H 490 FAMILY COURT PROGRAM/DISTRICT 10  
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H 241 FAMILY/JUVENILE DRUG TREATMENT COURT PROGRAMS (Postponed Indefinitely) ..... 517, 594.

H 1764 FINANCIAL IDENTITY FRAUD (Judiciary II)..... 93.

H 294 FIRE ANT CONTROL FUNDS  
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H 413 FIRE ANT FUNDS  
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H 1077 FIREFIGHTERS' AND RESCUE SQUAD WORKERS' RETIREMENT (Postponed Indefinitely)..... 693.

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H	1711	FOLIC ACID CAMPAIGN/FUNDS (Postponed Indefinitely) (Included Ch. SL 2002-126) .....	79, 619.
H	301	FOOD AND DRUG PROTECTION FUNDS (Postponed Indefinitely).....	515, 595.
H	515	FOOD BANKS FUNDS (Postponed Indefinitely).....	528, 600.
H	574	FUTURE FARMERS OF AMERICA CAPITAL IMPROVEMENT FUNDS (Postponed Indefinitely).....	523, 601.
H	1582	GASTON COLLEGE PUBLIC RADIO FUNDS (Postponed Indefinitely).....	42, 617.
H	298	GRAHAM BUILDING IMPROVEMENT FUNDS (Postponed Indefinitely).....	522, 595.
H	541	GRASSROOTS SCIENCE MUSEUM FUNDS (Postponed Indefinitely).....	515, 600.
H	1771	GUIDELINES FOR SCHOOL COUNSELORS (Postponed Indefinitely) (Included Ch. SL 2002-126) .....	94, 124, 620.
H	1332	HEALTH CARE FUNDAMENTAL RIGHT (Postponed Indefinitely).....	699.
H	391	HEALTHY CAROLINIANS/FUNDS (Postponed Indefinitely).....	527, 597.
H	392	HEALTHY START/FUNDS (Postponed Indefinitely).....	527, 597.
H	734	HEPATITIS C EDUCATION/AWARENESS FUNDS (Postponed Indefinitely).....	529, 603.
H	1018	HIGH PRIORITY SCHOOL ASSISTANCE AND ACCOUNTABILITY ACT (Postponed Indefinitely).....	534, 608.
H	1692	HIGH-PRIORITY SCHOOL PROGRAM WAIVER/ FUND SAVINGS (Postponed Indefinitely) (Included Ch. SL 2002-126) .....	75, 144, 166, 174, 187, 618.
H	1699	HIGHWAY 601 WIDENING/SPEED LIMIT (Postponed Indefinitely).....	77, 619.
H	947	HIGHWAY PATROL POSITION (Postponed Indefinitely).....	691.
H	1405	HIV/AIDS PUBLIC HEALTH CRISIS (Postponed Indefinitely).....	615.
H	1395	HOLOCAUST EDUCATION FUNDS (Postponed Indefinitely).....	532, 615.

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H 120 HOME AND COMMUNITY CARE BLOCK  
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H 215 INCREASE IN COMMUNITY ALTERNATIVES  
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H 1209 INCREASE SUBSTITUTE TEACHER PAY  
(Postponed Indefinitely)..... 641.

H 717 INFANT HOMICIDE PREVENTION  
APPROPRIATION  
(Postponed Indefinitely)..... 529, 603.

H 1394 INFORMATION TECHNOLOGY EMPLOYEE  
RESERVE FUNDS  
(Postponed Indefinitely)..... 540, 615.

H 1354 INFORMATION TECHNOLOGY SERVICES DATA  
AND VIDEO SERVICES FUNDS  
(Postponed Indefinitely)..... 540, 612.

H 627 INTENSIVE HOME VISITING FUNDS  
(Postponed Indefinitely)..... 529, 601.

H 1688 INTERBASIN TRANSFER EXCEPTION  
(Postponed Indefinitely)..... 75, 706.

H 973 INTERPRETERS IN LOCAL HEALTH  
DEPARTMENTS/FUNDS  
(Postponed Indefinitely)..... 530, 606.

S 1054 JUDICIAL CAMPAIGN REFORM ACT  
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478, 486, 489, 498, 558, 731.

H 378 JUVENILE CRIME PREVENTION COUNCILS FUNDS  
(Postponed Indefinitely)..... 518, 596.

H 165 KIDS VOTING NORTH CAROLINA FUNDS  
(Postponed Indefinitely)..... 519, 592.

H 724 LIMITED ENGLISH PROFICIENCY STUDENTS  
(Postponed Indefinitely)..... 533, 603.

H 300 LIVESTOCK HEALTH PROGRAM FUNDS  
(Postponed Indefinitely)..... 515, 595.

H 192 LOCAL EDUCATION AGENCIES AND GROUP  
HOMES (Postponed Indefinitely)..... 532, 592.

H 52 LONG-TERM CARE INFORMATION OUTREACH  
(Postponed Indefinitely)..... 526, 590.

H 244 LONG-TERM CARE/ENHANCEMENT FUNDS  
(Postponed Indefinitely)..... 527, 594.

H 54 LOW-WEALTH SCHOOL SUPPLEMENTAL  
FUNDING (Postponed Indefinitely) ..... 532, 590.



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H	36	MANAGED CARE OMBUDSMAN (Postponed Indefinitely).....	555.
H	65	MEDICAID COUNTY SHARE/FUNDS (Postponed Indefinitely).....	526, 590.
H	317	MEDICAID COUNTY SHARE/FUNDS (Postponed Indefinitely).....	596.
H	843	MEDICAID DENTAL REIMBURSEMENT FUNDS (Postponed Indefinitely).....	530, 604.
H	566	MEDICAID/BREAST AND CERVICAL CANCER COVERAGE (Postponed Indefinitely).....	529, 601.
H	1380	MEDICAL CHILD CARE CENTERS/FUNDS (Postponed Indefinitely).....	532, 614.
H	797	MENTAL HEALTH/DEVELOPMENTAL DISABILITIES/ SUBSTANCE ABUSE BOARD TRAINING/FUNDS (Postponed Indefinitely).....	530, 604.
S	1115	MODIFY APPROPRIATIONS ACT OF 2001 (Ch. SL 2002-126) .....	118, 307, 309, 313, 332, 340, 345, 440, 441, 446, 449, 456, 463, 464, 538.
H	415	MORE LIQUIFIED PETROLEUM GAS INSPECTIONS/FUNDS (Postponed Indefinitely).....	515, 598.
H	292	MOTOR FUELS LABORATORY/FUNDS (Postponed Indefinitely).....	522, 594.
H	987	MUSEUM OF LIFE AND SCIENCE/FUNDS (Postponed Indefinitely).....	607.
H	1142	NATIONAL GUARD TUITION ASSISTANCE FUNDS (Postponed Indefinitely).....	519, 609.
H	537	NATURAL RESOURCES LEADERSHIP FUNDS (Postponed Indefinitely).....	533, 600.
S	901	NORTH CAROLINA HEALTH CHOICE PROGRAM ENROLLMENT MANAGEMENT (Ch. SL 2002-100) .....	388, 389, 397, 407.
H	206	NORTH CAROLINA AQUARIUMS FUNDS (Postponed Indefinitely).....	522, 593.
H	223	NORTH CAROLINA AQUARIUMS FUNDS (Postponed Indefinitely).....	522, 594.
H	1112	NORTH CAROLINA ARTS COUNCIL FUNDS (Postponed Indefinitely).....	520, 609.
H	1288	NORTH CAROLINA BIOTECHNOLOGY CENTER FUNDS (Postponed Indefinitely).....	516, 611.

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H	23	NORTH CAROLINA FARMLAND PRESERVATION FUNDS (Included Ch. SL 2002-126) (Postponed Indefinitely).....	514, 590.
H	239	NORTH CAROLINA GEOGRAPHIC ALLIANCE FUNDS (Postponed Indefinitely).....	532, 594.
H	563	NORTH CAROLINA HEALTH CHOICE ENROLLMENT/FUNDS (Postponed Indefinitely).....	528, 601.
H	444	NORTH CAROLINA HOUSING TRUST FUND (Postponed Indefinitely).....	515, 599.
H	981	NORTH CAROLINA HUMANITIES COUNCIL (Included Ch. SL 2002-126) (Postponed Indefinitely).....	520, 607.
H	1054	NORTH CAROLINA MILITARY AFFAIRS COUNCIL FUNDS (Postponed Indefinitely).....	520, 608.
H	1346	NORTH CAROLINA MINORITY SUPPORT CENTER/FUNDS (Postponed Indefinitely).....	516, 612.
H	1367	NORTH CAROLINA PHOTONICS CONSORTIUM FUNDS (Postponed Indefinitely).....	517, 613.
H	412	NORTH CAROLINA STATE UNIVERSITY FIRE ANT FUNDS (Postponed Indefinitely).....	533, 598.
H	1357	NORTH CAROLINA TECHNOLOGICAL DEVELOPMENT AUTHORITY FUNDS (Postponed Indefinitely).....	516, 612.
H	1371	ORGANIC CERTIFICATION COST-SHARE FUNDS (Postponed Indefinitely).....	517, 613.
H	454	OSTEOPOROSIS EDUCATION FUNDS (Postponed Indefinitely).....	528, 599.
H	395	PERINATAL HEALTH CARE/FUNDS (Postponed Indefinitely).....	528, 597.
H	295	PLANT INDUSTRY DIVISION COMPLEX FUNDS (Postponed Indefinitely).....	522, 595.
H	714	POE CENTER FUNDS (Postponed Indefinitely).....	529, 603.
H	921	POST-ADOPTION ASSISTANCE FUNDS (Postponed Indefinitely).....	530, 605.

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H	480	PREKINDERGARTEN PROGRAM FOR AT-RISK CHILDREN (Postponed Indefinitely).....	639.
H	394	PRENATAL CARE/FUNDS (Postponed Indefinitely).....	528, 597.
H	788	PRENATAL CARE/FUNDS (Postponed Indefinitely).....	530, 604.
H	1407	PRESCRIPTION DRUG ACCESS PROGRAM/ FUNDS (Postponed Indefinitely).....	539, 616.
H	669	PRESCRIPTION DRUG ASSISTANCE FUNDS (Postponed Indefinitely).....	684.
H	122	PRESCRIPTION DRUG ASSISTANCE/FUNDS (Postponed Indefinitely).....	527, 592.
H	88	PREVENT BIRTH DEFECTS/FUNDS (Postponed Indefinitely).....	526, 591.
H	1760	PREVENT WORKPLACE VIOLENCE (Postponed Indefinitely).....	92, 709.
H	1406	PUBLIC HEALTH DEMONSTRATION PROJECT (Postponed Indefinitely).....	532, 616.
H	1265	QUALITY SUPPORT/SKILLED NURSING FACILITIES (Postponed Indefinitely).....	531, 611.
H	207	QUEEN ANNE'S REVENGE FUNDS (Postponed Indefinitely).....	519, 593.
H	224	QUEEN ANNE'S REVENGE FUNDS (Postponed Indefinitely).....	520, 594.
H	950	RAISE AIDS DRUG ASSISTANCE PROGRAM INCOME LIMIT (Postponed Indefinitely).....	530, 605.
H	1660	REALLOCATE FLOYD MONEY TO LOCAL GOVERNMENTS (Postponed Indefinitely).....	69, 618.
H	1701	RECRUIT FILM PRODUCTIONS/FUNDS (Postponed Indefinitely).....	77, 619.
H	1770	REDUCE COOPERATIVE EXTENSION BUDGET (Postponed Indefinitely).....	94, 620.
H	1752	REDUCE COSTS, IMPROVE ACCESS/SENIOR PRESCRIPTION DRUGS (Postponed Indefinitely).....	90, 620.
H	1772	ROANOKE RIVER BASIN INTERSTATE COMMISSION (Environment and Natural Resources) .....	95, 187.
H	197	SALE OF TIMBER AT SAMARCAND YOUTH ACADEMY (Postponed Indefinitely).....	522, 593.

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H 1415 SCHOOL COUNSELOR PAY SCALE INCREASE  
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H 417 SCHOOL TECHNOLOGY FUNDS  
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S 1455 SECURITIES FRAUD PROTECTIONS  
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620, 658, 719, 738.

H 121 SENIOR CENTERS FUNDS  
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H 753 SEXUAL ASSAULT FUNDS  
(Postponed Indefinitely)..... 518, 603.

H 863 SOUTH PIEDMONT COMMUNITY  
COLLEGE FUNDS  
(Postponed Indefinitely)..... 605.

H 525 SPECIAL NEEDS STUDENTS/REMOVE  
FUNDING CAP  
(Postponed Indefinitely)..... 533, 600.

H 339 STANDARDIZED CREDENTIALING  
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H 414 STANDARDS DIVISION TECHNOLOGY  
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H 1369 STATE ABORTION FUND ELIGIBILITY CRITERIA  
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H 1148 STATE COUNTY SPECIAL ASSISTANCE/  
ALTERNATIVE LIVING  
(Postponed Indefinitely)..... 531, 609.

H 296 STATE FAIRGROUNDS BUILDING/FUNDS  
(Postponed Indefinitely)..... 522, 595.

H 1082 STATE PAYS 100% NONFEDERAL MEDICAID  
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H 659 STATE PAYS FOR SCHOOL UTILITIES  
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H 1000 STEVENS FOUNDATION FUNDS  
(Postponed Indefinitely)..... 525, 607.

H 1612 STOP UNWANTED TELEPHONE SOLICITATIONS  
(Judiciary II)..... 54.

H 507 TEACCH FUNDS  
(Postponed Indefinitely)..... 528, 600.

H 619 TEACHER ASSISTANT SALARY SCHEDULE  
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H 1223 TEACHER ASSISTANTS SALARY INCREASE  
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H	87	TEEN COURT FUNDS (Postponed Indefinitely).....	517, 591.
H	1656	TEMPORARY REVENUE INCREASE TO PROTECT CHILDREN (Postponed Indefinitely).....	69, 655.
H	653	TOBACCO FARM LIFE MUSEUM FUNDS (Postponed Indefinitely).....	523, 602.
H	1743	TOBACCO SETTLEMENT FUNDS TO COMMUNITY COLLEGES (Postponed Indefinitely).....	88, 620.
H	1393	TRAFFIC SIMULATION SOFTWARE FUNDS (Postponed Indefinitely).....	614.
H	135	TRAUMATIC BRAIN INJURY FUNDS (Postponed Indefinitely).....	527, 592.
H	787	TRYON PALACE FUNDS (Postponed Indefinitely).....	524, 604.
H	805	UNIVERSITY OF NORTH CAROLINA INDIGENT PSYCHIATRY FUNDS (Postponed Indefinitely).....	604.
H	1056	UNIVERSITY OF NORTH CAROLINA NONAPPROPRIATED CAPITAL PROJECTS (Postponed Indefinitely).....	608.
H	1039	UNIVERSITY OF NORTH CAROLINA TELEVISION/FUNDS (Postponed Indefinitely).....	534, 608.
H	954	UNIVERSITY OF NORTH CAROLINA-CHARLOTTE TEACHER TRAINING PROGRAM FUNDS (Postponed Indefinitely).....	533, 606.
H	1408	VETERANS AFFAIRS OFFICES FUNDS (Postponed Indefinitely).....	521, 616.
H	690	VETERANS MEMORIAL FUNDS (Postponed Indefinitely).....	523, 602.
H	1081	VOTING EQUIPMENT FUNDS (Postponed Indefinitely).....	520, 609.
H	1364	WESTERN NORTH CAROLINA FARMERS MARKET FUNDS (Postponed Indefinitely).....	525, 613.
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H	976	WOMEN AT RISK FUNDS (Postponed Indefinitely).....	519, 607.
H	176	WORK ORDER DAY PROGRAM FUNDS (Postponed Indefinitely).....	527, 592.

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- H 1700 WORLD TRADE CENTER FUNDS  
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- H 1399 WORLD TRADE CENTER NORTH  
CAROLINA FUNDS  
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- S 1217 2002 TECHNICAL CORRECTIONS  
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- H 1258 HISTORIC MONUMENTS/MEMORIALS  
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- H 68 DESERT STORM LICENSE PLATE  
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- H 73 DESERT STORM LICENSE PLATE  
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- H 1438 EXEMPT CERTAIN MILITARY PAY FROM  
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- H 1631 HMONG VETERANS LICENSE PLATE  
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- H 1330 MILITARY VOTING/INTERNET  
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345, 440, 441, 446, 449, 456, 463, 464, 538.
- H 1245 NORTH CAROLINA DRIVERS LICENSE/SELECTIVE  
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- H 1140 NORTH CAROLINA NATIONAL GUARD  
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- H 1647 SCHOLARSHIPS FOR CHILDREN OF WAR  
VETERANS (Postponed Indefinitely)  
(Included Ch. SL 2002-126) ..... 67, 705.
- H 1745 SPECIAL LICENSE PLATES  
(Ch. SL 2002-134) .....88, 196, 228,  
246, 398, 442, 452, 458, 464, 664.
- H 554 UNITED STATES MILITARY VETERAN SPECIAL  
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- H 220 UNITED STATES NAVY SUBMARINER  
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- H 227 WORLD WAR II SPECIAL LICENSE PLATE  
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**ARNOLD, GENE G.**

- BILLS INTRODUCED - \*1536, 1595, \*1627, 1676, 1741, 1774, 1775,  
1798, 1803, 1804, 1814.
- CONFEREE ON S.B. 402..... 322.
- EXCUSED ABSENCES .....26, 44, 86, 101, 112, 140, 157, 158, 341,  
421, 425, 429, 434, 438.

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- H 1271 NORTH CAROLINA NATIONAL HERITAGE AREA/  
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- H 1638 CRIMINAL HISTORY CHECK/CONFORM SEX  
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460, 535, 550, 560, 729.
- S 785 GOVERNMENT ATTORNEYS CONTINUING  
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- H 870 JUDICIAL CONTRIBUTIONS  
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- H 268 46TH HOUSE DISTRICT LOCAL ACT  
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- H 750 AVERY COUNTY OCCUPANCY TAX LOCAL ACT  
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- S 1195 AVERY COUNTY OCCUPANCY TAX  
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279, 298, 318, 321, 326, 384, 402.
- H 557 BEECH MOUNTAIN LOCAL ACT  
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H 611 BEECH MOUNTAIN LOCAL ACT  
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**BADDOUR, PHILIP A., JR.**

APPROVAL OF VOTE CHANGE ON CONCURRENCE IN  
 SENATE COMMITTEE SUBSTITUTE FOR H.B. 893 ..... 176.

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BILLS INTRODUCED - \*1490, \*1491, \*1558, 1566, \*1612, 1636, 1671,  
 \*1681, \*1683, 1719, \*1738, \*1747, \*1752, 1763, \*1764, 1779, 1785,  
 1786, 1804.

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EXCUSED ABSENCES ..... 86, 284, 425.

**BAKER, REX L.**

BILLS INTRODUCED - \*1480, \*1481, \*1485, 1490, 1491, 1527, 1528,  
 1536, \*1545, 1595, 1636, 1660, \*1710, 1775, 1786, 1798, 1808.

EXCUSED ABSENCE ..... NONE.

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S 1217 2002 TECHNICAL CORRECTIONS  
 (Ch. SL 2002-159) .....561, 576, 660,  
 665, 667, 721, 724, 726, 731.

H 634 AMEND INVESTMENT AND BANKING LAWS  
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H 1307 AMEND MORTGAGE LENDING ACT  
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H 1106 ENACT MORTGAGE LENDING ACT  
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S 104 REGULATE DEFERRED DEPOSIT  
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- H 1539 REPEAL OBSOLETE BANKING LAW  
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- H 1608 REVISE PAYDAY LENDING REGULATIONS  
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**BARBEE, BOBBY H., SR.**

- BILLS INTRODUCED - 1485, 1490, 1491, \*1525, 1528, \*1576, 1595,  
\*1600, \*1631, 1699, 1741, 1774, 1775, 1783, 1798, 1803, 1808, 1812,  
1814.
- ESCORT FOR MISS NORTH CAROLINA ..... 397.
- EXCUSED ABSENCE ..... NONE.

**BAREFOOT, DANIEL W.**

- BILLS INTRODUCED - 1489, 1490, 1491, 1526, 1529, 1582, 1602,  
1603, \*1607, 1612, \*1614, 1642, \*1664, \*1678, 1708, 1715, 1719,  
\*1751, 1752, 1774, 1775, 1778, 1785, 1786.
- EXCUSED ABSENCES .....397, 438, 537, 558, 584, 721, 741.

**BARNHART, JEFFREY L.**

- BILLS INTRODUCED - 1485, 1490, 1491, 1527, 1536, 1595, 1596,  
1671, 1699, 1741, 1742, 1755, 1774, 1775, 1798, 1808, 1814.
- ESCORT FOR MISS NORTH CAROLINA ..... 397.
- EXCUSED ABSENCE ..... 407.

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- H 131 BEAUFORT COUNTY LOCAL ACT  
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- H 134 BEAUFORT COUNTY LOCAL ACT  
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**BELL, LARRY M.**

- BILLS INTRODUCED - 1483, 1489, 1490, 1491, 1529, 1559, 1560,  
1561, 1671, 1683, 1708, 1715, 1719, 1752, 1778, 1785, 1786, 1787.
- EXCUSED ABSENCE ..... 86.

**BERTIE COUNTY**

- H 403 6TH HOUSE DISTRICT LOCAL ACT  
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- H 404 6TH HOUSE DISTRICT LOCAL ACT  
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- S 1367 BERTIE/COLUMBUS/GREENE/LAND FOR PRISONS  
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H 1533 CERTAIN COUNTIES DELINQUENT TAXES  
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 128, 211, 253, 259, 286.

H 1640 DUCK/MANTEO/CHOWAN/BERTIE  
 LOCAL AMENDMENTS  
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 494, 500, 512, 587, 657, 663, 726.

H 1486 ROANOKE RIVER BRIDGE NO-WAKE ZONE  
 (Ch. SL 2002-39) ..... 16, 27, 100,  
 126, 153, 248, 272.

**BLACK, JAMES B.**

BILLS INTRODUCED - 1775, 1778, 1779, \*1804.  
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H 484 96TH HOUSE DISTRICT LOCAL ACT  
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H 486 96TH HOUSE DISTRICT LOCAL ACT  
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H 488 96TH HOUSE DISTRICT LOCAL ACT  
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H 485 BLADEN COUNTY LOCAL ACT  
 (Postponed Indefinitely)..... 679.

H 487 BLADEN COUNTY LOCAL ACT  
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H 839 BLADEN LOCAL SALES TAX  
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**BLUE, DANIEL T., JR.**

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**BLUE, DANIEL T., JR.-Contd.**

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BILLS INTRODUCED – 1527, 1563, 1564, 1595, \*1682, 1719, \*1727.

EXCUSED ABSENCES .....44, 51, 96, 117, 119, 125, 133,  
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361, 373, 384, 397, 407, 410, 416, 421, 425, 429, 537, 558, 721.

**BLUST, JOHN M.**

APPROVAL OF VOTE CHANGE ON PREVIOUS QUESTION

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BILLS INTRODUCED - 1490, 1491, 1595, 1596, 1671, 1711, 1731,  
1733, 1741, 1742, 1755, 1775, 1798, 1801, 1803, 1808, 1814.

EXCUSED ABSENCE..... NONE.

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H 1430 BUDGET FEE PROVISIONS  
(Postponed Indefinitely)..... 536, 616.

S 1137 COUNTY UTILITIES AUTHORITY  
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H 416 CREDIT FOR VALUE-ADDED AGRIBUSINESS  
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H 1761 FINANCING PARKS, RECREATION,  
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H 1383 HOUSING FINANCE AGENCY BONDS  
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H 1384 HOUSING FINANCE AGENCY BONDS  
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345, 440, 441, 446, 449, 456, 463, 464, 538.

H 1758 NO UNC LUXURY RESORTS/SPAS  
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H 623 STATE ENERGY CONSERVATION PROGRAM  
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H 1056 UNIVERSITY OF NORTH CAROLINA  
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**BONNER, DONALD A.**

BILLS INTRODUCED - 1566, 1593, 1597, 1624, 1642, 1643, \*1646,  
 1671, 1672, \*1708, 1715, 1719, 1778, 1785, 1786.

EXCUSED ABSENCES .....32, 63, 140, 558.

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**BOWIE, JOANNE W.**

APPROVAL OF VOTE CHANGE ON CONCURRENCE  
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BILLS INTRODUCED - 1518, 1519, 1526, 1527, 1532, 1534, 1536,  
 1546, 1636, 1711, 1730, 1731, 1733, 1741, 1774, 1775, 1798, 1803,  
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CONFEREE ON H.B. 644..... 296.

EXCUSED ABSENCES .....13, 86, 140, 721.

SECONDS ADJOURNMENT..... 132, 322.

**BOYD-MCINTYRE, FLOSSIE**

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BILLS INTRODUCED - 1597, 1612, 1642, 1643, 1645, 1671, 1719,  
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CONFEREE ON S.B. 1115..... 332.

EXCUSED ABSENCES .....195, 202, 496.

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**BRUBAKER, HAROLD J.**

APPROVAL OF VOTE CHANGE TO RECALL  
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**BRUBAKER, HAROLD J.-Contd.**

BILLS INTRODUCED - 1490, 1527, 1546, 1595, 1687, 1741, 1775, 1798, 1808, 1812.  
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**BRUNSWICK COUNTY**

- H 869 98TH HOUSE DISTRICT LOCAL ACT  
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- H 1623 BRUNSWICK COUNTY HIGH HAZARD FIRE COUNTY  
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542, 566, 571, 624.
- H 119 BRUNSWICK COUNTY LOCAL ACT  
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- H 1502 BRUNSWICK COUNTY MOTOR VEHICLE LAWS  
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- H 1640 DUCK/MANTEO/CHOWAN/BERTIE LOCAL  
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- H 1624 ELECTROFISHING/WACCAMAW AND LUMBER  
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- H 1668 SOUTHPORT OCCUPANCY TAX/BALD HEAD  
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254, 507, 512, 543, 551, 572.
- H 1669 SUNSET HARBOR INCORPORATED  
(Postponed Indefinitely)..... 71, 655.
- H 1659 TOWN CREEK HERRING FISHING  
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- S 1146 VARIOUS MUNICIPAL SATELLITE  
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**BUCHANAN, CHARLES F.**

BILLS INTRODUCED - 1479, 1490, 1491, \*1492, 1509, \*1510, 1520, 1521, 1523, 1526, 1528, 1532, \*1541, 1590, 1594, 1595, 1596, 1597, 1602, \*1626, 1636, 1670, 1742, 1757, 1758, 1775, 1786.

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**BUCHANAN, CHARLES F.-Contd.**

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 H 445 CODE OFFICIALS PROFESSIONALISM  
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 H 992 HOMEBUILDER RESPONSIBILITY  
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 H 1105 REGULATORY FUND CHANGES  
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**BUNCOMBE COUNTY**

H 888 51ST HOUSE DISTRICT LOCAL ACT  
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 H 1567 ASHEVILLE HOUSING AUTHORITY TERMS  
 (Local Government II) ..... 39.  
 H 878 BUNCOMBE ANNEXATION REFERENDUM  
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 H 922 BUNCOMBE COUNTY LOCAL ACT  
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 H 923 BUNCOMBE COUNTY LOCAL ACT  
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 H 43 NONBETTERMENT RELOCATION COSTS  
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 H 1271 NORTH CAROLINA NATIONAL HERITAGE AREA/  
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**BURKE COUNTY**

H 267 46TH HOUSE DISTRICT LOCAL ACT  
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 H 268 46TH HOUSE DISTRICT LOCAL ACT  
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 H 660 49TH HOUSE DISTRICT LOCAL ACT  
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 H 1510 ICARD FIRE TAX RATE  
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 H 1271 NORTH CAROLINA NATIONAL HERITAGE AREA/  
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- S 1217 2002 TECHNICAL CORRECTIONS  
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665, 667, 721, 724, 726, 731.
- H 1396 FEES FOR CORPORATE CERTIFICATE OF  
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- H 1503 MISCELLANEOUS BUSINESS CHANGES  
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- S 1115 MODIFY APPROPRIATIONS ACT OF 2001  
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- H 251 81ST HOUSE DISTRICT LOCAL ACT  
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- H 252 81ST HOUSE DISTRICT LOCAL ACT  
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- H 271 CABARRUS COUNTY LOCAL ACT  
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- H 272 CABARRUS COUNTY LOCAL ACT  
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- H 1581 ELECTRONIC REGISTER OF DEED FILINGS/JUDGES  
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- H 249 TOWN OF MIDLAND LOCAL ACT  
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- S 1146 VARIOUS MUNICIPAL SATELLITE  
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- H 267 46TH HOUSE DISTRICT LOCAL ACT  
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- H 268 46TH HOUSE DISTRICT LOCAL ACT  
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- H 1271 NORTH CAROLINA NATIONAL HERITAGE AREA/  
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 H 1524 CARTERET PROPERTY LEASES  
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 H 1714 CARTERET PROPERTY LEASES  
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 H 268 46TH HOUSE DISTRICT LOCAL ACT  
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 S 1300 NEWTON VOLUNTARY SATELLITE  
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- S 1217 2002 TECHNICAL CORRECTIONS (Ch. SL 2002-159) .....561, 576, 660, 665, 667, 721, 724, 726, 731.
- H 1335 CERTIFICATE OF NEED-LICENSING PROCEDURES (Postponed Indefinitely)..... 577.

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- H 29 LIFT CAP ON CHARTER SCHOOLS (Postponed Indefinitely)..... 638, 718.
- H 1207 LOCAL EDUCATION AGENCY'S AUTHORIZED TO CREATE CHARTER SCHOOLS (Postponed Indefinitely)..... 638, 718.
- H 25 REMOVE CAP ON CHARTER SCHOOLS (Postponed Indefinitely)..... 637, 718.
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- H 518 24TH HOUSE DISTRICT LOCAL ACT (Postponed Indefinitely)..... 680.
- H 519 24TH HOUSE DISTRICT LOCAL ACT (Postponed Indefinitely)..... 680.
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- H 841 MODIFY CHATHAM IMPACT FEE (Postponed Indefinitely)..... 689.
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- H 456 CHILD ABUSE IN CHILD CARE FACILITY STUDY  
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- H 1276 CLOSE INCEST LOOPHOLE TO PROTECT  
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- S 901 NORTH CAROLINA HEALTH CHOICE PROGRAM  
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345, 440, 441, 446, 449, 456, 463, 464, 538.
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- BILLS INTRODUCED - 1483, 1490, 1491, 1506, 1508, 1514, 1515,  
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- H 1432 ADDITIONAL TRANSIT AUTHORITY REGISTRATION  
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- H 1430 BUDGET FEE PROVISIONS  
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- S 1137 COUNTY UTILITIES AUTHORITY  
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- H 1638 CRIMINAL HISTORY CHECK/CONFORM SEX  
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- H 1540 DISAPPROVE COASTAL AREA MANAGEMENT  
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330, 398, 412, 416, 444.
- H 1007 ENVIRONMENTAL TECHNICAL CORRECTIONS  
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- H 1513 JUDICIAL AND EXECUTION SALES CLARIFICATION  
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- S 1115 MODIFY APPROPRIATIONS ACT OF 2001  
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- H 1325 PRODUCTS LIABILITY/EXTEND STATUTE  
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- H 1099 FINANCIAL INSTITUTIONS ASSET  
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- H 1505 MEMBER APPROVAL OF BYLAW AMENDMENT  
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- H 1519 MOTOR CARRIER SAFETY AMENDMENTS  
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S	104	REGULATE DEFERRED DEPOSIT (Remained on House Calendar) .....	311, 387, 479, 491.
H	1105	REGULATORY FUND CHANGES (Ch. SL 2002-144) .....	510, 547, 566, 571, 728.
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H	1442	REVISE CIGARETTE MANUFACTURER CREDIT (Postponed Indefinitely).....	652.
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- S 163 LOCAL EDUCATION AUTHORITIES AND GROUP HOMES ..... 631.
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- S 759 RAIL TRANSPORTATION LIABILITY ..... 287, 294.
- H 623 STATE ENERGY CONSERVATION PROGRAM..... 275, 461, 469, 506, 544, 563.
- H 644 TOLL ROAD AND BRIDGE AUTHORITY CREATED..... 462, 480.

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- S 1217 2002 TECHNICAL CORRECTIONS  
(Ch. SL 2002-159) .....561, 576, 660, 665, 667, 721, 724, 726, 731.
- H 1402 ADDRESS CONFIDENTIALITY PROGRAM  
(Ch. SL 2002-171) .....336, 346, 366, 374, 399, 507, 511, 551, 560, 734.
- S 1282 AGENCIES SHARE JUVENILE INFORMATION  
(Postponed Indefinitely)..... 510, 717.
- S 1214 AMEND PUBLIC ENTERPRISE CUSTOMER BILLING PRIVACY  
(Postponed Indefinitely)..... 212, 717.

**CONFIDENTIALITY-Contd.**

- S 911 CARE FOR SCHOOL CHILDREN WITH  
DIABETES ACT  
(Ch. SL 2002-103) .....359, 394, 397, 426.
- H 760 INSURANCE AMENDMENTS  
(Ch. SL 2002-187) .....550, 569, 570, 737.
- H 1313 INTERPRETER/TRANSLITERATOR LICENSURE  
(Ch. SL 2002-182) .....408, 424, 432,  
541, 566, 571, 736.
- H 1134 MUST REPORT THREATS OF SCHOOL  
VIOLENCE (Postponed Indefinitely) ..... 694.
- S 15 PENALTIES/UNAUTHORIZED DISCLOSURE OF  
EMPLOYEE INFORMATION  
(Postponed Indefinitely)..... 714.
- H 1508 PUBLIC HEALTH BIOTERRORISM PREPAREDNESS  
(Ch. SL 2002-179) .....24, 56, 230, 267, 405,  
423, 453, 463, 554, 564, 573, 584, 736.
- H 1202 SCHOOLS MUST PROTECT STUDENT AND  
FAMILY PRIVACY  
(Postponed Indefinitely)..... 640.
- H 924 SOCIAL SECURITY NUMBER USE  
(Postponed Indefinitely)..... 622.

**CONSERVATION AND DEVELOPMENT (G.S. 113)**

- H 1121 COASTAL RECREATIONAL FISHING LICENSE  
(Postponed Indefinitely)..... 648.
- H 610 COMPENSATE COUNTIES WITH STATE PARKS  
(Postponed Indefinitely)..... 515, 601.
- H 1572 ENVIRONMENTAL REPORTS AMENDMENTS  
(Ch. SL 2002-148) .....40, 373, 409,  
488, 499, 502, 729.
- H 1557 EXTEND CORE SOUND MORATORIUM/MARINE  
FISHERIES STUDIES  
(Ch. SL 2002-15) .....36, 103, 129, 158, 189.
- H 1761 FINANCING PARKS, RECREATION, AND HERITAGE  
(Postponed Indefinitely).....92, 170, 275, 656.
- S 1115 MODIFY APPROPRIATIONS ACT OF 2001  
(Ch. SL 2002-126) .....118, 307, 309, 313, 332, 340,  
345, 440, 441, 446, 449, 456, 463, 464, 538.
- H 1545 NATURAL AREAS ADDED TO STATE PARKS SYSTEM  
(Ch. SL 2002-89) .....34, 102, 129, 137, 335, 367.
- S 1262 PARKS AND RECREATION MUTUAL AID  
AGREEMENT AUTHORITY  
(Ch. SL 2002-111) ..... 198, 343, 378, 395, 397, 427.

**CONSERVATION AND DEVELOPMENT-Contd.**

- S 1283 PRESIDENT PRO TEM AND SPEAKER  
APPOINTMENTS  
(Vetoed - November 3, 2002) ..... 562, 719,  
725, 739, 742.
- H 147 RAISE CAP ON FUNDS TO ADMINISTER FISHERIES  
RESOURCE GRANT PROGRAM  
(Postponed Indefinitely)..... 592.
- H 531 RESTRICT TRAWL NETS IN CERTAIN  
RIVER SYSTEMS  
(Postponed Indefinitely)..... 681.

**CONSTITUTION, NORTH CAROLINA**

- H 1491 CONSTITUTION PROHIBIT HOLDING LOCAL  
FUNDS (Postponed Indefinitely)..... 18, 702.
- H 1532 CONSTITUTION PROHIBIT HOLDING LOCAL  
FUNDS (Postponed Indefinitely)..... 30, 703.
- H 1595 CONSTITUTION PROHIBIT HOLDING LOCAL  
FUNDS (Postponed Indefinitely)..... 46, 704.
- H 280 CONVENE SESSION EARLIER  
(Postponed Indefinitely)..... 675.
- S 712 DISTRICT JUDGE 8-YEAR TERMS  
(Remained on House Calendar) ..... 175, 208,  
239, 282, 374.
- H 83 FOUR-YEAR GENERAL ASSEMBLY TERMS  
(Postponed Indefinitely)..... 669.
- H 1332 HEALTH CARE FUNDAMENTAL RIGHT  
(Postponed Indefinitely)..... 699.
- H 84 IMPLEMENT 4-YEAR TERMS  
(Postponed Indefinitely)..... 669.
- H 318 INDEPENDENT REDISTRICTING COMMISSION  
(Postponed Indefinitely)..... 676.
- H 1489 LIMIT SESSIONS/FOUR-YEAR TERMS  
(Postponed Indefinitely)..... 17, 702.
- H 50 LOCAL OPTION HOMESTEAD EXEMPTION  
(Postponed Indefinitely)..... 642.
- H 1494 MORE FISCAL RESPONSIBILITY  
(Postponed Indefinitely)..... 20, 702.
- H 1075 NO MULTIMEMBER DISTRICTS  
(Postponed Indefinitely)..... 693.
- H 646 RELIGIOUS FREEDOM RESTORATION ACT  
(Postponed Indefinitely)..... 684.
- H 860 REQUIRE TWO-THIRDS VOTE TO RAISE TAXES  
(Postponed Indefinitely)..... 689.

**CONSTITUTION, NORTH CAROLINA-Contd.**

H 1424 RESTORE FISCAL RESPONSIBILITY TO STATE BUDGET  
(Postponed Indefinitely)..... 616.

H 1756 REVENUE ESTIMATES LIMITED  
(Postponed Indefinitely)..... 91, 709.

S 94 SESSION LIMITS  
(Failed 2nd Reading)..... 411, 412.

S 441 STATE SCHOOL SUPERINTENDENT APPOINTED  
(Postponed Indefinitely)..... 715.

H 532 TEAM TICKET  
(Postponed Indefinitely)..... 681.

H 933 TWO-THIRDS VOTE TO LEVY TAXES  
(Postponed Indefinitely)..... 691.

H 1553 WAIVE JURY TRIAL/CONSTITUTIONAL AMENDMENT  
(Judiciary I)..... 36.

**CONTRACTORS (G.S. 87)**

S 1217 2002 TECHNICAL CORRECTIONS  
(Ch. SL 2002-159) .....561, 576, 660,  
665, 667, 721, 724, 726, 731.

H 1007 ENVIRONMENTAL TECHNICAL CORRECTIONS  
(Ch. SL 2002-165) .....561, 627, 661, 733.

H 992 HOMEBUILDER RESPONSIBILITY  
(Postponed Indefinitely)..... 647.

H 1347 SMALL CONSTRUCTION  
(Postponed Indefinitely)..... 700.

**CORONERS (G.S. 152)**

H 84 IMPLEMENT 4-YEAR TERMS  
(Postponed Indefinitely)..... 669.

H 1489 LIMIT SESSIONS/FOUR-YEAR TERMS  
(Postponed Indefinitely)..... 17, 702.

**CORRECTIONS - see PRISON SYSTEM, STATE**

**COSMETIC ART (G.S. 88B)**

H 1013 COSMETIC ART FEES/CONTINUING EDUCATION  
(Postponed Indefinitely)..... 692.

**COUNTIES (G.S. 153A) - also see CITIES AND TOWNS; and**

**Individual County**

S 1217 2002 TECHNICAL CORRECTIONS  
(Ch. SL 2002-159) .....561, 576, 660,  
665, 667, 721, 724, 726, 731.

**COUNTIES-Contd.**

H 1437 ADJUST TIER FORMULA  
 (Postponed Indefinitely)..... 701.

H 1328 AIRPORT CORRIDOR OFFICIAL MAP ACT  
 (Postponed Indefinitely)..... 622.

H 1523 AMEND PROPERTY TAX LAWS  
 (Ch. SL 2002-156) .....29, 273, 318, 327, 538, 731.

H 1434 BILL LEE TIER DESIGNATION CHANGE  
 (Postponed Indefinitely)..... 651.

H 1435 BILL LEE TIER DESIGNATION CHANGE  
 (Postponed Indefinitely)..... 651.

H 1430 BUDGET FEE PROVISIONS  
 (Postponed Indefinitely)..... 536, 616.

H 704 BUILDING CODE PILOT PROGRAM  
 (Postponed Indefinitely)..... 684.

H 610 COMPENSATE COUNTIES WITH STATE PARKS  
 (Postponed Indefinitely)..... 515, 601.

H 1540 DISAPPROVE COASTAL AREA MANAGEMENT  
 ACT RULE (Ch. SL 2002-116).....33, 287, 319,  
 330, 398, 412, 416, 444.

H 1176 ELECTRONIC PROPERTY TAX LISTING  
 (Postponed Indefinitely)..... 649.

H 1007 ENVIRONMENTAL TECHNICAL CORRECTIONS  
 (Ch. SL 2002-165) .....561, 627, 661, 733.

H 1558 FIRE AND RESCUE AMENDMENT  
 (Postponed Indefinitely)..... 37, 636.

S 785 GOVERNMENT ATTORNEYS CONTINUING LEGAL  
 EDUCATION EXEMPTION  
 (Postponed Indefinitely)..... 715.

H 111 GOVERNMENT SALES TAX EXEMPTION  
 (Postponed Indefinitely)..... 643.

H 61 INCREASE INTANGIBLES REIMBURSEMENT  
 (Postponed Indefinitely)..... 642.

H 607 LOCAL APPOINTEES MUST BE CITIZENS  
 (Postponed Indefinitely)..... 682.

H 50 LOCAL OPTION HOMESTEAD EXEMPTION  
 (Postponed Indefinitely)..... 642.

H 1428 LOCAL OPTION TRANSFER TAX  
 (Postponed Indefinitely)..... 650.

S 1292 LOCAL SALES TAX ACCELERATION  
 (Included Ch. SL 2002-126)  
 (Ch. SL 2002-123) .....98, 205, 229, 239, 243, 252,  
 261, 270, 333, 464, 470, 476, 485, 488, 509.

**COUNTIES-Contd.**

H 99 LOCAL TAX MENU WITH VOTER APPROVAL  
(Postponed Indefinitely)..... 219, 642.

H 1 LOTTERY FOR EDUCATION/INFRASTRUCTURE  
(Postponed Indefinitely)..... 668.

H 44 MODIFY INTANGIBLES REIMBURSEMENT  
(Postponed Indefinitely)..... 642.

H 1734 NC ECONOMIC STIMULUS AND JOB CREATION  
ACT (Ch. SL 2002-172) .....86, 293, 362, 363, 369,  
370, 587, 622, 624, 632, 633, 635, 662, 734.

S 759 RAIL TRANSPORTATION LIABILITY  
(Ch. SL 2002-78) .....144, 148, 261,  
287, 294, 305, 343.

H 11 RAISE HOMESTEAD EXEMPTION INCOME  
LIMIT (Postponed Indefinitely)..... 641.

S 167 RATE SETTING/ADULT DAY CARE  
(Postponed Indefinitely)..... 714.

H 1440 REFORM BILL LEE ACT  
(Postponed Indefinitely)..... 651.

S 1160 REVENUE LAWS TECHNICAL CHANGES  
(Ch. SL 2002-72) .....190, 223, 266, 281, 284, 313.

H 1632 SALES TAX CHANGES/MEDICAID  
(Postponed Indefinitely)..... 64, 654.

H 1490 SECURE LOCAL REVENUES  
(Ch. SL 2002-120) ..... 17, 45, 57,  
83, 405, 423, 434, 486.

H 1409 VIDEO POKER REGISTRATION AND ENFORCEMENT  
FEE (Postponed Indefinitely)..... 650.

H 1178 VOTERS RESOLVE LOCAL SCHOOL  
FUNDING DISPUTES  
(Postponed Indefinitely)..... 695.

**COX, A. LESLIE, JR.**

APPROVAL OF VOTE CHANGE ON H.B. 1640 ..... 500.

BILLS INTRODUCED - 1490, 1491, 1520, 1521, 1526, 1529, 1546,  
1566, \*1588, 1598, 1599, \*1602, 1612, \*1617, \*1618, 1630, 1634,  
1635, 1636, 1642, 1660, \*1661, 1688, \*1698, 1711, 1719, \*1739, 1752,  
1769, 1778, 1779, 1785, 1786, \*1788.

EXCUSED ABSENCES .....119, 133, 140, 334, 438.

**CRAVEN COUNTY**

H 474 79TH HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 679.



**CRAVEN COUNTY-Contd.**

- H 221 CRAVEN COUNTY LOCAL ACT  
(Postponed Indefinitely)..... 673.
- H 472 CRAVEN COUNTY LOCAL ACT  
(Postponed Indefinitely)..... 678.
- H 476 CRAVEN COUNTY LOCAL ACT  
(Postponed Indefinitely)..... 679.
- H 1627 FILED DISCHARGE DOCUMENT 214 REMOVAL-  
CRAVEN, NASH, PAMLICO COUNTIES  
(Ch. SL 2002-96) .....60, 84, 206, 256, 384, 402.

**CRAWFORD, JAMES W., JR.**

- APPROVAL OF VOTE CHANGE ON H.B. 1482 ..... 112.
- APPROVAL OF VOTE CHANGE ON S.B. 1112 ..... 245.
- BILLS INTRODUCED - \*1487, \*1488, 1493, 1514, 1515, \*1516, \*1517,  
\*1518, \*1519, \*1535, 1595, 1636, 1637, \*1662, 1671, 1688, \*1710,  
\*1717, 1719, \*1772, 1785, 1786.
- COMMITTEE ASSIGNMENT  
SELECT COMMITTEE ON STATE  
GOVERNMENT EFFICIENCY (Co-Chair) ..... 49.
- CONFEREE ON H.B. 644..... 296.
- CONFEREE ON S.B. 1115 ..... 332.
- EXCUSED ABSENCE ..... NONE.

**CRAWFORD, MARK F.**

- BILLS INTRODUCED - 1479, 1480, 1482, 1483, 1485, 1490, 1491,  
\*1494, \*1495, 1508, 1514, 1515, 1516, 1526, 1527, 1532, 1534, 1536,  
1546, 1558, 1562, \*1567, 1588, \*1591, \*1592, 1595, 1596, 1671, 1699,  
1711, 1728, 1735, 1741, 1743, 1755, 1774, 1775, 1790, 1798, 1803,  
1804, 1808, 1812, 1814.
- EXCUSED ABSENCES..... 357, 741.

**CREECH, BILLY J.**

- BILLS INTRODUCED - 1485, 1490, 1491, 1527, 1536, 1699, 1774,  
1775, 1798, 1803, 1808, 1814.
- EXCUSED ABSENCE ..... NONE.

**CRIMINAL JUSTICE EDUCATION AND TRAINING**

**STANDARDS COMMISSION (G.S. 17C)**

- S 1217 2002 TECHNICAL CORRECTIONS  
(Ch. SL 2002-159) .....561, 576, 660,  
665, 667, 721, 724, 726, 731.

**CRIMINAL LAW (G.S. 14)**

- H 511 2001 EDUCATION LOTTERY  
(Postponed Indefinitely)..... 680.

**CRIMINAL LAW-Contd.**

H 1556 2002 TECHNICAL CORRECTIONS  
 (Judiciary II)..... 36.

S 1217 2002 TECHNICAL CORRECTIONS  
 (Ch. SL 2002-159) .....561, 576, 660,  
 665, 667, 721, 724, 726, 731.

S 1008 BAN VIDEO POKER/ALL BUT RESERVATIONS  
 (Postponed Indefinitely)..... 242, 716.

H 1430 BUDGET FEE PROVISIONS  
 (Postponed Indefinitely)..... 536, 616.

H 1554 CASINO NIGHTS FOR NONPROFITS  
 (Postponed Indefinitely)..... 36, 653.

H 1276 CLOSE INCEST LOOPHOLE TO PROTECT  
 MINORS (Ch. SL 2002-119).....405, 423, 434, 485.

S 910 CRIME TO DEFRAUD DRUG TEST  
 (Ch. SL 2002-183) .....576, 630, 662, 737.

H 1638 CRIMINAL HISTORY CHECK/CONFORM SEX  
 OFFENDER REGISTRATION  
 (Ch. SL 2002-147) .....65, 374, 454,  
 460, 535, 550, 560, 729.

H 1498 CRIMINAL UNAUTHORIZED RECORDINGS  
 (Judiciary III) ..... 21.

S 1123 CRIMINAL UNAUTHORIZED RECORDINGS  
 (Remained on House Calendar) ..... 406, 422.

S 1162 DEFRAUD DRUG TESTS/URINE SAMPLE SALES  
 (Postponed Indefinitely)..... 225, 717.

H 178 DRUNK DRIVING DEATH IS FELONY MURDER  
 (Postponed Indefinitely)..... 638.

H 1762 ENFORCE MASTER SETTLEMENT AGREEMENT  
 (Postponed Indefinitely)..... 93, 656.

H 1501 FELONIOUS ACCESS TO GOVERNMENT  
 COMPUTERS (Ch. SL 2002-157) ..... 21, 173,  
 216, 508, 731.

H 1020 FELONY/STRIKE LAW ENFORCEMENT OFFICER  
 (Postponed Indefinitely)..... 692.

H 1100 FINANCIAL FRAUD PROTECTION ENHANCEMENT  
 (Ch. SL 2002-175) .....488, 540, 579, 584, 734.

H 1764 FINANCIAL IDENTITY FRAUD  
 (Judiciary II)..... 93.

H 622 FIREARM REGULATION AMENDMENTS  
 (Ch. SL 2002-77) .....211, 286, 295, 305, 343.

H 45 GAS DRIVE AWAYS/LICENSE SUSPENSION  
 (Postponed Indefinitely)..... 638.

**CRIMINAL LAW-Contd.**

H	1744	GUN TRAFFICKING (Postponed Indefinitely).....	88, 708.
H	493	INCREASE PENALTY FOR INDECENT EXPOSURE (Postponed Indefinitely).....	518, 599.
H	1	LOTTERY FOR EDUCATION/INFRASTRUCTURE (Postponed Indefinitely).....	668.
S	1032	MINORS' INTERNET ACCESS (Postponed Indefinitely).....	716.
H	1134	MUST REPORT THREATS OF SCHOOL VIOLENCE (Postponed Indefinitely).....	694.
H	1497	NONCOMMERCIAL "SPAM" ILLEGAL (Judiciary III) .....	21.
H	985	OUT-OF-STATE HANDGUN PERMITS VALID (Postponed Indefinitely).....	430.
H	1621	RECLASSIFY STATUTORY RAPE (Postponed Indefinitely).....	59, 704.
H	1011	REFUSE TO ABORT/EXTEND CONSCIENCE PROTECTION (Postponed Indefinitely).....	692.
S	402	SECRET PEEPING CHANGES (House Conference Committee Appointed) .....	259, 300, 317, 322.
H	348	TOBACCO ESCROW COMPLIANCE (Ch. SL 2002-145) .....	556, 568, 569, 570, 728.

**CRIMINAL PROCEDURE (G.S. 15)**

H	1556	2002 TECHNICAL CORRECTIONS (Judiciary II).....	36.
S	1217	2002 TECHNICAL CORRECTIONS (Ch. SL 2002-159) .....	561, 576, 660, 665, 667, 721, 724, 726, 731.

**CRIMINAL PROCEDURE ACT (G.S. 15A)**

H	1704	ADJUST PENALTIES B1 TO E OFFENSES (Postponed Indefinitely).....	78, 706.
H	1622	AMEND SPECIAL PROBATION DEFINITION (Postponed Indefinitely).....	60, 705.
H	1663	AMEND SPECIAL PROBATION DEFINITION (Postponed Indefinitely).....	70, 705.
S	931	CAPITAL CASE/JUDGE OVERSEE DISCOVERY (Postponed Indefinitely).....	716.
H	1738	DNA BANK/DNA ANALYSIS FEE (Judiciary II).....	87.

**CRIMINAL PROCEDURE ACT-Contd.**

H 1767 DNA TESTING  
 (Postponed Indefinitely)..... 94, 639.

H 1534 DOMESTIC VIOLENCE COMMISSION  
 RULEMAKING (Ch. SL 2002-105).....31, 151, 180,  
 346, 365, 373, 426.

H 1583 ELECTRONIC CRIMINAL PROCESS  
 (Ch. SL 2002-64) .....42, 118, 137, 232, 292.

H 1768 EXPUNGE RECORDS/MISIDENTIFICATION OF  
 PERSON (Postponed Indefinitely) ..... 94, 709.

S 887 MAGISTRATES' AND CLERKS'  
 AUTHORITY/EXPUNGE RECORDS  
 (Remained on House Calendar) .....247, 540, 563, 583.

S 1115 MODIFY APPROPRIATIONS ACT OF 2001  
 (Ch. SL 2002-126) .....118, 307, 309, 313, 332, 340,  
 345, 440, 441, 446, 449, 456, 463, 464, 538.

H 1508 PUBLIC HEALTH BIOTERRORISM PREPAREDNESS  
 (Ch. SL 2002-179) .....24, 56, 230, 267, 405,  
 423, 453, 463, 554, 564, 573, 584, 736.

H 140 RACIAL JUSTICE ACT  
 (Postponed Indefinitely)..... 592.

H 1705 RESTRUCTURE PRIOR CRIMINAL RECORD  
 POINTS (Postponed Indefinitely)..... 78, 706.

H 1639 SENTENCE LENGTHS/STRUCTURED SENTENCE  
 (Postponed Indefinitely)..... 65, 705.

H 1553 WAIVE JURY TRIAL/CONSTITUTIONAL  
 AMENDMENT (Judiciary I) ..... 36.

**CULP, ARLIE F.**

BILLS INTRODUCED - 1484, 1490, 1491, 1595, 1636, 1687, 1699,  
 1710, 1730, 1731, 1732, 1733, 1741, 1742, 1774, 1775, 1786, 1798,  
 1803, 1808, 1812, 1814.

EXCUSED ABSENCE..... 19.

**CULPEPPER, WILLIAM T., III**

BILLS INTRODUCED - \*1472, \*1503, \*1504, \*1505, \*1512, \*1513,  
 \*1538, \*1539, \*1540, \*1556, 1636, \*1640, \*1641, 1671, 1688, 1719,  
 \*1721, 1751, 1752, 1764, 1774, 1778, 1779, 1785, 1786, 1804, \*1805.

CONFEREE ON H.B. 1734 ..... 623.

CONFEREE ON S.B. 1115..... 332.

CONFEREE ON S.B. 1217..... 667.

CONFEREE ON S.B. 1292 ..... 271.

EXCUSED ABSENCE..... NONE.

**CUMBERLAND COUNTY**

H 483 96TH HOUSE DISTRICT LOCAL ACT  
 (Postponed Indefinitely)..... 679.

H 484 96TH HOUSE DISTRICT LOCAL ACT  
 (Postponed Indefinitely)..... 679.

H 486 96TH HOUSE DISTRICT LOCAL ACT  
 (Postponed Indefinitely)..... 679.

H 488 96TH HOUSE DISTRICT LOCAL ACT  
 (Postponed Indefinitely)..... 679.

H 521 CITY OF FAYETTEVILLE LOCAL ACT  
 (Postponed Indefinitely)..... 680.

H 520 CUMBERLAND COUNTY LOCAL ACT  
 (Postponed Indefinitely)..... 680.

H 538 CUMBERLAND LOCAL SALES TAX  
 (Postponed Indefinitely)..... 681.

H 775 CUMBERLAND LOCAL SALES TAX  
 (Postponed Indefinitely)..... 687.

S 1312 FAYETTEVILLE/DURHAM/SPRING LAKE/  
 WHITEVILLE BUILDING  
 (Ch. SL 2002-118) .....263, 350, 379,  
 392, 399, 464, 468.

H 67 LOCAL SALES TAX/HARNETT AND  
 CUMBERLAND (Postponed Indefinitely)..... 669.

**CUNNINGHAM, W. PETE**

APPROVAL OF VOTE CHANGE ON H.B. 1516 ..... 256.

APPROVAL OF VOTE CHANGE ON S.B. 1154..... 377.

BILLS INTRODUCED - 1489, 1490, 1491, 1642, 1644, 1645, 1649,  
 1650, 1652, 1653, 1654, 1658, 1666, 1671, 1674, 1676, 1695, 1719,  
 1751, 1752, 1774, 1775, 1779, 1785, 1786, 1787.

CONFEREE ON S.B. 1115..... 332.

CONFEREE ON S.B. 1292..... 271.

EXCUSED ABSENCES ..... 101, 112.

EXCUSED VOTE ON H.B. 1638 ..... 460.

REMOVAL AS CONFEREE ON S.B. 1115..... 340.

SECONDS ADJOURNMENT..... 85.

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**DARE COUNTY**

S 1220 DARE COUNTY LOCAL ACT  
 (Ch. SL 2002-5) .....122, 126, 130, 131, 134, 140.

H 826 DARE OCCUPANCY TAX CHANGES  
 (Postponed Indefinitely)..... 689.

**DARE COUNTY-Contd.**

- H 1640 DUCK/MANTEO/CHOWAN/BERTIE LOCAL AMENDMENTS  
(Ch. SL 2002-141) .....66, 247, 274, 420, 429,  
494, 500, 512, 587, 657, 663, 726.
- H 279 MODIFY DARE TRANSFER TAX  
(Postponed Indefinitely)..... 644.

**DAUGHTRY, N. LEO**

- BILLS INTRODUCED - 1536, \*1589, 1595, \*1685, 1742, 1774, 1798, 1803.
- EXCUSED ABSENCE ..... 438.
- SECONDS ADJOURNMENT..... 31, 118.

**DAVIDSON COUNTY**

- H 309 74TH HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 675.
- H 310 74TH HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 676.
- H 319 74TH HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 676.
- H 738 94TH HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 685.
- H 739 94TH HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 685.
- S 1326 LEXINGTON UTILITY COMMISSION  
(Ch. SL 2002-131) .....536, 548, 553, 560, 624.
- H 1684 THOMASVILLE DEANNEXATION  
(Ch. SL 2002-45) .....74, 150, 167, 177, 249, 273.
- H 1629 THOMASVILLE PRIVATE SALE  
(Ch. SL 2002-53) .....61, 150, 179, 259, 286.

**DAVIE COUNTY**

- H 309 74TH HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 675.
- H 310 74TH HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 676.
- H 319 74TH HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 676.

**DAVIS, DONALD S.**

- BILLS INTRODUCED - 1527, 1528, 1536, 1595, 1596, \*1598, \*1599,  
\*1634, \*1635, 1660, \*1661, 1698, 1710, 1735, 1741, 1742, 1745, 1755,

**DAVIS, DONALD S.-Contd.**

1756, 1775, 1786, 1789, 1790, \*1798, \*1800, \*1801, 1803, 1804,  
\*1807, \*1808, 1809, \*1812, 1814.

EXCUSED ABSENCES .....12, 13, 15, 117, 140.

**DAY CARE - also see CHILD WELFARE**

- S 1217 2002 TECHNICAL CORRECTIONS  
(Ch. SL 2002-159) .....561, 576, 660,  
665, 667, 721, 724, 726, 731.
- S 1111 CERTAIN 2001 APPROPRIATIONS ACT  
MODIFICATIONS (Ch. SL 2002-12) ..... 122, 128,  
130, 131, 133, 143.
- H 53 EXEMPT CHILD CARE PROPERTY  
(Postponed Indefinitely)..... 642.
- S 1115 MODIFY APPROPRIATIONS ACT OF 2001  
(Ch. SL 2002-126) .....118, 307, 309, 313, 332, 340,  
345, 440, 441, 446, 449, 456, 463, 464, 538.
- S 167 RATE SETTING/ADULT DAY CARE  
(Postponed Indefinitely)..... 714.
- H 1114 WASTEWATER STANDARDS FOR DAY CARE  
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**DECKER, MICHAEL P.**

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- S 1227 CLARIFY LEAKING UNDERGROUND STORAGE TANK  
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- H 1575 CLARIFY LEAKING UNDERGROUND STORAGE  
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S	1115	MODIFY APPROPRIATIONS ACT OF 2001 (Ch. SL 2002-126) .....	118, 307, 309, 313, 332, 340, 345, 440, 441, 446, 449, 456, 463, 464, 538.
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**FOX, STANLEY H.**

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**FRESE, REVEREND MICHAEL D.**

**(Resigned as Chaplain June 20, 2002)**

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- H 1572 ENVIRONMENTAL REPORTS AMENDMENTS  
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- H 1570 2002 ENVIRONMENTAL TECHNICAL CORRECTIONS  
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- S 1217 2002 TECHNICAL CORRECTIONS  
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- H 1537 AMEND ENVIRONMENTAL LAWS 2002  
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S	1251	MERGE RADIATION PROTECTION INTO DIVISION OF ENVIRONMENTAL HEALTH (Ch. SL 2002-70).....	190, 223, 269, 284, 312.
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**GOODWIN, G. WAYNE**

BILLS INTRODUCED - \*1483, 1489, \*1490, \*1491, \*1525, 1526, 1566,  
 \*1576, 1593, 1612, \*1630, 1632, 1671, 1672, 1719, 1734, 1752, 1775,  
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**GRADY, W. ROBERT**

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H	733	8TH HOUSE DISTRICT LOCAL ACT (Postponed Indefinitely).....	685.
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H	639	9TH HOUSE DISTRICT LOCAL ACT (Postponed Indefinitely).....	683.
H	640	9TH HOUSE DISTRICT LOCAL ACT (Postponed Indefinitely).....	683.
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EXCUSED ABSENCE ..... NONE.

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**HACKNEY, JOE**

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**HALL, JOHN D.**

BILLS INTRODUCED - 1483, 1490, 1491, \*1628, 1636, 1688, 1715,  
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 EXCUSED ABSENCE ..... NONE.

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 H 283 19TH HOUSE DISTRICT LOCAL ACT  
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H 1611 TRANSYLVANIA AND HARNETT HUNTING  
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**HARRINGTON, MICHAEL O.**

BILLS INTRODUCED - 1480, 1490, 1491, 1546, 1566, 1582, 1595,  
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- H 1563 HAZARDOUS WASTE GENERATOR FEE INCREASE  
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- H 1564 INACTIVE HAZARDOUS SITES AMENDMENTS  
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**HENSLEY, ROBERT J., JR.**

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**HIATT, WILLIAM S.**

- BILLS INTRODUCED - 1485, 1490, 1491, 1798.
- EXCUSED ABSENCES ..... 12, 13, 19, 23, 26, 32, 44, 51, 56, 63, 96,  
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**HILL, DEWEY L.**

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**HILTON, MARK K.**

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**HOLLIMAN, L. HUGH**

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**HOLMES, GEORGE M.**

BILLS INTRODUCED - \***1620**, 1774, 1775, 1782, 1798, 1803, 1808, 1814.  
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- H 1383 HOUSING FINANCE AGENCY BONDS  
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- H 1384 HOUSING FINANCE AGENCY BONDS  
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**HOWARD, JULIA C.**

- BILLS INTRODUCED - \*1527, 1536, 1671, 1699, 1711, 1775, 1786,  
1798, 1803, 1808.
- EXCUSED ABSENCES .....32, 63, 86, 112, 425.
- SECONDS ADJOURNMENT..... 356.

**HUNTER, HOWARD J., JR.**

- BILLS INTRODUCED - 1486, \*1533, 1546, 1595, 1636, 1642, 1643,  
1671, 1719, 1734, 1738, 1751, 1752, 1761, 1767, 1772, 1779, 1785,  
1786, 1808.
- EXCUSED ABSENCE ..... 407.

**HURLEY, JOHN W.**

- BILLS INTRODUCED - 1489, 1490, 1491, 1517, 1520, 1521, 1529,  
\*1552, 1566, 1586, \*1594, 1595, 1636, 1671, \*1680, 1688, 1719,  
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- H 8 REPEAL GIFT TAX  
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665, 667, 721, 724, 726, 731.

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S 1008 BAN VIDEO POKER/ALL BUT RESERVATIONS  
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H 1734 NC ECONOMIC STIMULUS AND JOB CREATION  
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370, 587, 622, 624, 632, 633, 635, 662, 734.

**INSKO, VERLA C.**

BILLS INTRODUCED - 1483, 1490, 1491, \*1514, \*1515, 1544, 1546,  
1547, 1548, 1549, 1550, 1551, 1559, 1560, 1561, 1565, 1566, 1568,  
1569, 1591, 1592, 1601, \*1605, \*1606, 1612, 1636, \*1642, \*1643,  
\*1644, \*1645, 1671, 1677, 1682, \*1712, \*1713, 1719, 1723, 1725,  
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H 1228 FOSTER/ADOPTIVE PARENTS/AGE  
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S 163 LOCAL EDUCATION AGENCIES AND  
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549, 550, 631, 635, 662, 732.

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665, 667, 721, 724, 726, 731.

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H	1326	AUTO-COMPREHENSIVE DEDUCTIBLE NO GLASS (Postponed Indefinitely).....	556.
H	1120	BEACH AND FAIR PLAN AMENDMENTS (Ch. SL 2002-185) .....	586, 658, 662, 737.
S	1281	CERTAIN OCCUPATIONAL LICENSING BOARD CHANGES (Ch. SL 2002-168).....	510, 575, 586, 658, 665, 718, 733.
H	1123	CHANGE NAME OF NORTH CAROLINA RATE BUREAU (Postponed Indefinitely).....	556.
H	445	CODE OFFICIALS PROFESSIONALISM (Postponed Indefinitely).....	599.
H	1010	CONSCIENCE PROTECTION/CONTRACEPTIVE COVERAGE MANDATE (Postponed Indefinitely).....	692.
H	48	CONTINUITY OF CARE (Postponed Indefinitely).....	555.
S	1137	COUNTY UTILITIES AUTHORITY (Postponed Indefinitely).....	631, 716.
H	38	DISCLOSE PAYMENT OBLIGATIONS (Postponed Indefinitely).....	555.
H	1558	FIRE AND RESCUE AMENDMENT (Postponed Indefinitely).....	37, 636.
S	1232	FIRE AND RESCUE AMENDMENT (Ch. SL 2002-113) .....	160, 207, 344, 378, 385, 427.
H	37	HEALTH BENEFIT PLAN DISCLOSURE (Postponed Indefinitely).....	555.
H	1092	HEALTH BENEFIT PLANS/DISCRIMINATION PROHIBITED (Postponed Indefinitely) .....	555.
H	1032	HEALTH INSURANCE/UTILIZATION REVIEW RETROSPECTIVE REVIEW LIMIT (Postponed Indefinitely).....	555.
H	181	HEALTH MAINTENANCE ORGANIZATION CEASE AND DESIST (Postponed Indefinitely).....	555.
H	30	HEALTH MAINTENANCE ORGANIZATION PATIENT PROTECTION (Postponed Indefinitely).....	668.
H	1586	HOMEOWNERS' REINSURANCE FACILITY (Postponed Indefinitely).....	43, 556.
H	790	INCREASE DAMAGE LIMITS FOR MOTOR VEHICLE ACCIDENTS (Postponed Indefinitely).....	555.

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H 760 INSURANCE AMENDMENTS  
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H 1095 MANAGED CARE OMBUDSMAN PROGRAM  
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H 194 MANAGED CARE PATIENTS' BILL OF RIGHTS  
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H 808 MENTAL HEALTH/CHEMICAL DEPENDENCY  
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S 1115 MODIFY APPROPRIATIONS ACT OF 2001  
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H 1329 MOTOR VEHICLE INSURERS-NO MANDATE/  
 NONORIGINAL CRASH PARTS  
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S 901 NORTH CAROLINA HEALTH CHOICE PROGRAM  
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H 669 PRESCRIPTION DRUG ASSISTANCE FUNDS  
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H 1017 RAISE FIRE AND RESCUE PENSION AMOUNT  
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- H 1313 INTERPRETER/TRANSLITERATOR LICENSURE  
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541, 566, 571, 736.

**INTERPRETERS FOR DEAF PERSONS (G.S. 8B)**

- H 1313 INTERPRETER/TRANSLITERATOR LICENSURE  
(Ch. SL 2002-182) .....408, 424, 432,  
541, 566, 571, 736.

**INVESTMENT ADVISERS (G.S. 78C)**

- S 1217 2002 TECHNICAL CORRECTIONS  
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665, 667, 721, 724, 726, 731.
- S 1115 MODIFY APPROPRIATIONS ACT OF 2001  
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345, 440, 441, 446, 449, 456, 463, 464, 538.
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- H 1271 NORTH CAROLINA NATIONAL HERITAGE AREA/  
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**JARRELL, MARY L.**

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**JEFFUS, MAGGIE**

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- EXCUSED ABSENCE ..... 425.
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- BILLS INTRODUCED - 1480, 1485, 1490, 1491, 1527, 1534, 1536,  
1546, 1595, 1596, 1671, 1699, 1711, 1740, 1741, 1755, 1756, 1763,  
1775, 1786, 1798, 1803, 1804, 1808, 1814.
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- H 1649 CHARLOTTE/DOUGLAS AIRPORT CONTRACTS/  
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- H 1685 FOUR OAKS ANNEXATION/DEANNEXATION  
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- H 209 JOHNSTON COUNTY LOCAL ACT  
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- H 210 JOHNSTON COUNTY LOCAL ACT  
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- H 211 JOHNSTON COUNTY LOCAL ACT  
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- H 1633 ACCELERATE LOCAL OPTION SALES TAX  
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- H 1490 SECURE LOCAL REVENUES  
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83, 405, 423, 434, 486.

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- H 471 JONES COUNTY LOCAL ACT  
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- H 492 ADDITIONAL DISTRICT COURT JUDGES/  
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- H 530 ADDITIONAL SUPERIOR COURT JUDGE/  
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- S 712 DISTRICT JUDGE 8-YEAR TERMS  
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239, 282, 374.
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- H 84 IMPLEMENT 4-YEAR TERMS  
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- H 1132 INCREASE JURORS' FEES  
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H 1508 PUBLIC HEALTH BIOTERRORISM PREPAREDNESS  
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**JUSTUS, CAROLYN**

(Replaced Representative Larry T. Justus, 11/8/02)

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Legislative Redistricting; Rules, Calendar and Operations of the House;  
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**JUSTUS, LARRY T. - (Deceased October 20, 2002)**

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1801, 1803, 1804.

EXCUSED ABSENCE ..... NONE.

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H 197 SALE OF TIMBER AT SAMARCAND  
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**KISER, JOE L.**

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1742, 1774, 1775, 1786, 1798, 1801, 1803, 1807, 1808, 1812, 1814.  
EXCUSED ABSENCE ..... NONE.

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- H 282 19TH HOUSE DISTRICT LOCAL ACT  
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- H 283 19TH HOUSE DISTRICT LOCAL ACT  
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- H 469 19TH HOUSE DISTRICT LOCAL ACT  
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- H 474 79TH HOUSE DISTRICT LOCAL ACT  
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- H 408 LENOIR COUNTY LOCAL ACT  
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- H 473 LENOIR COUNTY LOCAL ACT  
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- H 475 LENOIR COUNTY LOCAL ACT  
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- S 1032 MINORS' INTERNET ACCESS  
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- H 1718 AUTHORIZE INTERSTATE ALCOHOL BEVERAGE  
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H	181	HEALTH MAINTENANCE ORGANIZATION CEASE AND DESIST (Postponed Indefinitely).....	555.
H	1298	INCREASE COMMERCIAL UNDERGROUND STORAGE TANK FEES (Postponed Indefinitely).....	649.
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H	374	STATE BOXING COMMISSION (Postponed Indefinitely).....	677.
H	348	TOBACCO ESCROW COMPLIANCE (Ch. SL 2002-145) .....	556, 568, 569, 570, 728.

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- H 1409 VIDEO POKER REGISTRATION AND ENFORCEMENT  
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- H 1396 FEES FOR CORPORATE CERTIFICATE OF  
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- S 1115 MODIFY APPROPRIATIONS ACT OF 2001  
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- H 1614 LINCOLN SCHOOL BOARD  
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- H 1607 REPEAL LINCOLNTON FIREMEN'S  
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- S 1146 VARIOUS MUNICIPAL SATELLITE  
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- S 1217 2002 TECHNICAL CORRECTIONS  
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665, 667, 721, 724, 726, 731.
- H 113 DEVELOPMENT ZONE COMMISSION CHANGES  
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- S 1283 PRESIDENT PRO TEM AND SPEAKER  
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- H 1633 ACCELERATE LOCAL OPTION SALES TAX  
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- H 1740 COUNTY SCHOOL APPROPRIATIONS  
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- H 1485 LOCAL GOVERNMENT MAY REDUCE TAX RATE  
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- S 1115 MODIFY APPROPRIATIONS ACT OF 2001  
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- H 644 TOLL ROAD AND BRIDGE AUTHORITY CREATED  
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- H 1552 LOCKSMITH LICENSURE EFFECTIVE DATE  
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- H 511 2001 EDUCATION LOTTERY  
(Postponed Indefinitely)..... 680.
- H 1218 2001 EDUCATION LOTTERY REFERENDUM  
(Postponed Indefinitely)..... 696.
- H 1676 2002 EDUCATION LOTTERY REFERENDUM  
(Postponed Indefinitely)..... 72, 705.
- S 2 AUTHORIZE LOTTERY REFERENDUM  
(Failed 2nd Reading)..... 442.
- S 1008 BAN VIDEO POKER/ALL BUT RESERVATIONS  
(Postponed Indefinitely)..... 242, 716.
- H 1554 CASINO NIGHTS FOR NONPROFITS  
(Postponed Indefinitely)..... 36, 653.
- H 1 LOTTERY FOR EDUCATION/INFRASTRUCTURE  
(Postponed Indefinitely)..... 668.
- S 93 NORTH CAROLINA EDUCATION LOTTERY  
ADVISORY REFERENDUM  
(Postponed Indefinitely).....156, 171, 443, 714.
- H 1409 VIDEO POKER REGISTRATION AND ENFORCEMENT  
FEE (Postponed Indefinitely)..... 650.

**LUCAS, MARVIN W.**

BILLS INTRODUCED - 1483, 1489, 1490, 1491, 1522, 1526, 1532,  
1559, 1560, 1561, 1566, 1594, 1605, 1612, 1634, 1635, 1636, 1642,  
1643, 1671, 1676, 1708, 1713, 1719, 1752, 1775, 1778, 1785, 1808.  
CONFEREE ON S.B. 163..... 550.  
EXCUSED ABSENCE..... NONE.

**LUEBKE, PAUL**

BILLS INTRODUCED - 1490, \*1509, \*1520, \*1521, 1523, 1526, 1529,  
1546, 1555, 1566, \*1603, \*1606, 1608, 1609, \*1642, \*1643, \*1644,  
\*1645, 1657, \*1670, 1671, 1677, 1688, 1711, 1719, 1743, 1744, \*1753.



**LUEBKE, PAUL-Contd.**

CONFEREE ON S.B. 1115..... 332.  
 CONFEREE ON S.B. 1292 (Chair) ..... 271.  
 EXCUSED ABSENCES ..... 341, 357, 384, 410, 425, 429, 444,  
 484, 558.

**-M-**

**MACON COUNTY**

H 1533 CERTAIN COUNTIES DELINQUENT TAXES  
 (Ch. SL 2002-51) .....31, 102, 123,  
 128, 211, 253, 259, 286.  
 H 1271 NORTH CAROLINA NATIONAL HERITAGE AREA/  
 COMMISSION (Postponed Indefinitely) ..... 697.

**MADISON COUNTY**

H 153 MADISON COUNTY LOCAL ACT  
 (Postponed Indefinitely)..... 671.  
 H 811 MADISON COUNTY LOCAL ACT  
 (Postponed Indefinitely)..... 688.  
 H 1271 NORTH CAROLINA NATIONAL HERITAGE AREA/  
 COMMISSION (Postponed Indefinitely) ..... 697.

**MARRIAGE AND FAMILY (G.S. 51)**

H 1556 2002 TECHNICAL CORRECTIONS  
 (Judiciary II)..... 36.  
 S 1217 2002 TECHNICAL CORRECTIONS  
 (Ch. SL 2002-159) .....561, 576, 660,  
 665, 667, 721, 724, 726, 731.  
 H 548 ABOLISH ALIENATION OF AFFECTION/CRIMINAL  
 CONVERSATION (Postponed Indefinitely)..... 386.  
 H 1402 ADDRESS CONFIDENTIALITY PROGRAM  
 (Ch. SL 2002-171) .....336, 346, 366, 374,  
 399, 507, 511, 551, 560, 734.  
 H 1276 CLOSE INCEST LOOPHOLE TO PROTECT  
 MINORS (Ch. SL 2002-119).....405, 423, 434, 485.  
 S 626 DOMESTIC VIOLENCE FATALITY REVIEW TEAM  
 (Postponed Indefinitely)..... 715.  
 H 1581 ELECTRONIC REGISTER OF DEED FILINGS/JUDGES  
 PERFORM MARRIAGE CEREMONY  
 (Ch. SL 2002-115) .....42, 111, 122,  
 129, 406, 418, 420, 438.  
 H 1129 GRANDPARENT VISITATION  
 (Postponed Indefinitely)..... 639.

**MARTIN COUNTY**

H 403 6TH HOUSE DISTRICT LOCAL ACT  
 (Postponed Indefinitely)..... 677.

H 404 6TH HOUSE DISTRICT LOCAL ACT  
 (Postponed Indefinitely)..... 677.

H 729 8TH HOUSE DISTRICT LOCAL ACT  
 (Postponed Indefinitely)..... 685.

H 730 8TH HOUSE DISTRICT LOCAL ACT  
 (Postponed Indefinitely)..... 685.

H 731 8TH HOUSE DISTRICT LOCAL ACT  
 (Postponed Indefinitely)..... 685.

H 732 8TH HOUSE DISTRICT LOCAL ACT  
 (Postponed Indefinitely)..... 685.

H 733 8TH HOUSE DISTRICT LOCAL ACT  
 (Postponed Indefinitely)..... 685.

H 158 HOUSE DISTRICT 7 LOCAL SALES TAX  
 (Postponed Indefinitely)..... 672.

**MCALLISTER, MARY E.**

APPROVAL OF VOTE CHANGE ON  
 AMENDMENT NO. 4 OF S.B. 1115..... 310.

APPROVAL OF VOTE CHANGE ON S.B. 1115..... 311.

BILLS INTRODUCED - 1529, 1595, 1719, 1741, 1744, 1785.

CONFEREE ON S.B. 163..... 550.

EXCUSED ABSENCES .....86, 133, 140, 188, 291, 297, 341, 397,  
 416, 421, 425, 429, 434, 496, 721.

SECONDS ADJOURNMENT..... 18.

**MCCOMAS, DANIEL F.**

APPROVAL OF VOTE CHANGE ON AMENDMENT  
 NO. 6 OF S.B. 104 ..... 480.

BILLS INTRODUCED - 1490, 1520, 1521, 1536, 1544, \*1584, 1586,  
 1595, \*1700, \*1701, \*1702, \*1703, \*1706, \*1707, \*1751, 1758, \*1761,  
 1775, 1808.

EXCUSED ABSENCES ..... 304, 407.

EXCUSED VOTE ON H.B. 1540 ..... 330, 412.

**MCCOMBS, W. EUGENE**

BILLS INTRODUCED - 1490, 1491, 1536, 1595, \*1615, \*1616, 1741,  
 1774, 1798, 1803, 1808.

EXCUSED ABSENCES .....291, 341, 384, 741.

**MCDOWELL COUNTY**

H 660 49TH HOUSE DISTRICT LOCAL ACT  
 (Postponed Indefinitely)..... 684.

**MCDOWELL COUNTY-Contd.**

H 1271 NORTH CAROLINA NATIONAL HERITAGE AREA/  
COMMISSION (Postponed Indefinitely) ..... 697.

**MCLAWHORN, MARIAN N.**

APPROVAL OF VOTE CHANGE ON JOURNAL  
OF SEPTEMBER 5 ..... 421.  
BILLS INTRODUCED - 1490, 1491, 1529, 1597, 1612, 1636, 1671,  
1681, 1719, 1752, 1774, 1775, 1778, 1785, 1786.  
EXCUSED ABSENCE ..... 334.

**MCMAHAN, W. EDWIN**

BILLS INTRODUCED - 1489, 1490, 1491, 1536, 1625, 1653, 1654,  
1666, 1688, 1699, \*1710, \*1751, 1774, 1787, 1798, 1803, 1808, 1814.  
CONFEREE ON S.B. 1037..... 415.  
CONFEREE ON S.B. 1292..... 271.  
EXCUSED ABSENCES ..... 63, 425.  
SECONDS ADJOURNMENT..... 220.

**MECKLENBURG COUNTY**

H 1674 ADOPTION CRIMINAL RECORDS CHECKS/  
MECKLENBURG (Local Government II) ..... 72.  
H 1653 CHARLOTTE CHARTER PROVISIONS  
(Ch. SL 2002-32) .....68, 165, 186, 214, 221.  
H 1654 CHARLOTTE CLOSING-OUT SALE LICENSES  
(Ch. SL 2002-33) .....68, 165, 186, 214, 221.  
H 850 CHARLOTTE ENTERTAINMENT TAX  
(Postponed Indefinitely)..... 647.  
H 1666 CHARLOTTE FIREMEN'S RETIREMENT SYSTEM  
(Ch. SL 2002-43) .....70, 175, 199, 249, 272.  
S 1394 CHARLOTTE GOVERNMENTAL IMMUNITY  
(Ch. SL 2002-79) ..... 198, 236, 281, 323, 339, 341, 349.  
H 672 CHARLOTTE LOCAL ACT  
(Postponed Indefinitely)..... 684.  
H 1673 CHARLOTTE RAIL LIABILITY LIMITATION  
(Transportation) ..... 72.  
S 1395 CHARLOTTE RAIL LIABILITY LIMITATION  
(Transportation) ..... 233.  
H 853 CHARLOTTE RENTAL CAR TAX  
(Postponed Indefinitely)..... 689.  
S 1336 CHARLOTTE SMALL BUSINESS ENTERPRISE  
PROGRAM (Ch. SL 2002-91)..... 263, 350,  
379, 383, 385.

**MECKLENBURG COUNTY-Contd.**

H 1649 CHARLOTTE/DOUGLAS AIRPORT CONTRACTS/  
JOHNSTON WATER TREATMENT PLANT  
(Ch. SL 2002-93) .....67, 120, 135, 346, 375, 383, 385.

H 892 CHARLOTTE/PINEVILLE LOCAL ACT  
(Postponed Indefinitely)..... 690.

H 628 CITY OF CHARLOTTE LOCAL ACT  
(Postponed Indefinitely)..... 683.

H 673 CORNELIUS LOCAL ACT  
(Postponed Indefinitely)..... 684.

S 626 DOMESTIC VIOLENCE FATALITY REVIEW TEAM  
(Postponed Indefinitely)..... 715.

H 1581 ELECTRONIC REGISTER OF DEED FILINGS/  
JUDGES PERFORM MARRIAGE CEREMONY  
(Ch. SL 2002-115) .....42, 111, 122,  
129, 406, 418, 420, 438.

H 675 HUNTERSVILLE LOCAL ACT  
(Postponed Indefinitely)..... 684.

H 1650 LOCAL ACCESS TO FBI CRIMINAL INFORMATION  
(Senate) .....68, 120, 136.

H 185 MECKLENBURG COUNTY LOCAL ACT  
(Postponed Indefinitely)..... 672.

H 186 MECKLENBURG COUNTY LOCAL ACT  
(Postponed Indefinitely)..... 672.

H 187 MECKLENBURG COUNTY LOCAL ACT  
(Postponed Indefinitely)..... 672.

H 503 MECKLENBURG COUNTY LOCAL ACT  
(Postponed Indefinitely)..... 680.

H 613 MECKLENBURG COUNTY LOCAL ACT  
(Postponed Indefinitely)..... 683.

H 614 MECKLENBURG COUNTY LOCAL ACT  
(Postponed Indefinitely)..... 683.

H 615 MECKLENBURG COUNTY LOCAL ACT  
(Postponed Indefinitely)..... 683.

H 629 MECKLENBURG COUNTY LOCAL ACT  
(Postponed Indefinitely)..... 683.

H 674 MECKLENBURG COUNTY LOCAL ACT  
(Postponed Indefinitely)..... 684.

H 1652 MECKLENBURG UNCLAIMED PROPERTY  
(Postponed Indefinitely)..... 68, 578.

S 1392 MECKLENBURG UNCLAIMED PROPERTY  
(Ch. SL 2002-92) .....204, 307, 351, 380, 383, 385.

**MECKLENBURG COUNTY-Contd.**

- H 1695 PURCHASING FLEXIBILITY/CHARLOTTE-MECKLENBURG SCHOOLS  
(Local Government I)..... 76.
- H 1658 TEXTBOOK FLEXIBILITY/CHARLOTTE-MECKLENBURG SCHOOLS  
(Local Government I)..... 69.
- H 505 TOWN OF MINT HILL LOCAL ACT  
(Postponed Indefinitely)..... 680.

**MEDICAID**

- S 1217 2002 TECHNICAL CORRECTIONS  
(Ch. SL 2002-159) .....561, 576, 660,  
665, 667, 721, 724, 726, 731.
- H 1754 LIQUOR TAX/FUNDS FOR MEDICAID DRUG  
CO-PAYMENT (Postponed Indefinitely)..... 90, 656.
- S 163 LOCAL EDUCATION AGENCIES AND GROUP  
HOMES (Ch. SL 2002-164) .....269, 410, 417,  
505, 546, 549, 550, 631, 635, 662, 732.
- H 322 MEDICAID INCOME LIMITS INCREASE  
(Postponed Indefinitely)..... 676.
- H 1592 MEDICAID SUPPLEMENT ACT  
(Postponed Indefinitely)..... 45, 654.
- H 1238 MEDICAID WAIVER/PRESCRIPTION DRUGS  
(Postponed Indefinitely)..... 531, 610.
- H 566 MEDICAID/BREAST AND CERVICAL CANCER  
COVERAGE (Postponed Indefinitely) ..... 529, 601.
- H 669 PRESCRIPTION DRUG ASSISTANCE FUNDS  
(Postponed Indefinitely)..... 684.
- H 1632 SALES TAX CHANGES/MEDICAID  
(Postponed Indefinitely)..... 64, 654.
- H 1369 STATE ABORTION FUND ELIGIBILITY  
CRITERIA (Postponed Indefinitely) ..... 531, 613.
- H 1082 STATE PAYS 100% NONFEDERAL MEDICAID  
SHARE (Postponed Indefinitely)..... 531, 609.
- H 994 TRAUMATIC BRAIN INJURY MEDICAID WAIVER  
(Postponed Indefinitely)..... 530, 607.

**MEDICINE AND ALLIED OCCUPATIONS (G.S. 90)**

- S 1217 2002 TECHNICAL CORRECTIONS  
(Ch. SL 2002-159) .....561, 576, 660,  
665, 667, 721, 724, 726, 731.

**MEDICINE AND ALLIED OCCUPATIONS-Contd.**

H	1280	ABORTION - WOMAN'S RIGHT TO KNOW (Postponed Indefinitely).....	577.
H	1014	CERTIFIED PROFESSIONAL MIDWIVES (Postponed Indefinitely).....	648.
H	1747	CHIROPRACTIC TECHNICIANS FEE (Ch. SL 2002-59) .....	89, 127, 154, 162, 241, 292.
H	1638	CRIMINAL HISTORY CHECK/CONFORM SEX OFFENDER REGISTRATION (Ch. SL 2002-147) .....	65, 374, 454, 460, 535, 550, 560, 729.
H	832	DIETETICS/NUTRITION PRACTICE ACT (Postponed Indefinitely).....	646.
H	30	HEALTH MAINTENANCE ORGANIZATION PATIENT PROTECTION (Postponed Indefinitely).....	668.
S	861	LICENSE BY CREDENTIALS/DENTISTRY (Ch. SL 2002-37) .....	102, 151, 169, 179, 210, 272.
H	194	MANAGED CARE PATIENTS' BILL OF RIGHTS (Postponed Indefinitely).....	672.
H	1238	MEDICAID WAIVER/PRESCRIPTION DRUGS (Postponed Indefinitely).....	531, 610.
S	1115	MODIFY APPROPRIATIONS ACT OF 2001 (Ch. SL 2002-126) .....	118, 307, 309, 313, 332, 340, 345, 440, 441, 446, 449, 456, 463, 464, 538.
S	484	PHARMACY BOARD MEMBERSHIP INCREASE (Postponed Indefinitely).....	715.
H	751	PHARMACY TECHNICIANS (Postponed Indefinitely).....	646.
H	669	PRESCRIPTION DRUG ASSISTANCE FUNDS (Postponed Indefinitely).....	684.
H	1165	PRESCRIPTION DRUG BILL (Postponed Indefinitely).....	695.
S	1283	PRESIDENT PRO TEM AND SPEAKER APPOINTMENTS (Vetoed - November 3, 2002) .....	562, 719, 725, 739, 742.
H	1508	PUBLIC HEALTH BIOTERRORISM PREPAREDNESS (Ch. SL 2002-179) .....	24, 56, 230, 267, 405, 423, 453, 463, 554, 564, 573, 584, 736.
H	1423	SPEECH PATHOLOGISTS/AUDIOLOGISTS FEES (Postponed Indefinitely).....	650.

**MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND  
SUBSTANCE ABUSE (G.S. 122C)**

- S 1217 2002 TECHNICAL CORRECTIONS  
(Ch. SL 2002-159) .....561, 576, 660,  
665, 667, 721, 724, 726, 731.
- H 1739 AMEND MENTAL HEALTH REFORM  
(Postponed Indefinitely)..... 87, 707.
- S 163 LOCAL EDUCATION AGENCIES AND  
GROUP HOMES (Ch. SL 2002-164) .....269, 410, 417,  
505, 546, 549, 550, 631, 635, 662, 732.

**MICHAUX, HENRY M., JR.**

- BILLS INTRODUCED - \*1547, \*1548, \*1549, \*1550, \*1551, \*1583,  
1642, 1643, \*1656, \*1657, 1671, 1719, 1808.
- CONFEREE ON H.B. 1734 ..... 623.
- CONFEREE ON S.B. 1115 ..... 332.
- EXCUSED ABSENCE ..... NONE.

**MILITARY AFFAIRS ADVISORY COMMISSION (G.S. 127C)**

- H 1382 ADVISORY COMMISSION ON MILITARY AFFAIRS  
(Postponed Indefinitely)..... 521, 614.

**MILITIA (G.S. 127A)**

- S 1115 MODIFY APPROPRIATIONS ACT OF 2001  
(Ch. SL 2002-126) .....118, 307, 309, 313, 332, 340,  
345, 440, 441, 446, 449, 456, 463, 464, 538.
- H 1140 NORTH CAROLINA NATIONAL GUARD  
PENSIONS (Postponed Indefinitely)..... 636.

**MILLER, PAUL**

- APPROVAL OF VOTE CHANGE ON H.B. 1308 ..... 289.
- BILLS INTRODUCED - 1527, \*1531, 1544, 1547, 1548, 1549, 1550,  
1551, 1583, \*1608, \*1609, 1642, 1643, 1645, \*1694, 1711, 1752,  
\*1754, 1785.
- EXCUSED ABSENCE ..... NONE.
- SECONDS ADJOURNMENT .....366, 396, 401, 409, 421, 425,  
428, 439, 443, 445, 454, 462, 474, 484, 494, 507, 513, 554, 583, 720,  
727.

**MINER, DAVID M.**

- APPROVAL OF VOTE CHANGE ON S.B. 1115 ..... 315.
- BILLS INTRODUCED - \*1767, 1784, 1786.
- CONFEREE ON S.B. 759 ..... 148.
- ESCORT FOR MISS NORTH CAROLINA ..... 397.

**MINER, DAVID M.-Contd.**

EXCUSED ABSENCES ..... 15, 19, 23, 86, 96, 101, 112, 117, 119,  
125, 133, 334, 455, 466, 496, 508, 537, 558.

**MINES AND QUARRIES (G.S. 74)**

S 1217 2002 TECHNICAL CORRECTIONS  
(Ch. SL 2002-159) .....561, 576, 660,  
665, 667, 721, 724, 726, 731.  
H 1007 ENVIRONMENTAL TECHNICAL CORRECTIONS  
(Ch. SL 2002-165) .....561, 627, 661, 733.

**MINORITIES**

S 1008 BAN VIDEO POKER/ALL BUT RESERVATIONS  
(Postponed Indefinitely)..... 242, 716.  
S 391 ELIMINATE DISPARITIES IN HEALTH CARE  
(Postponed Indefinitely)..... 715.  
H 1129 GRANDPARENT VISITATION  
(Postponed Indefinitely)..... 639.  
H 1631 HMONG VETERANS LICENSE PLATE  
(Postponed Indefinitely)..... 64, 654.  
S 1115 MODIFY APPROPRIATIONS ACT OF 2001  
(Ch. SL 2002-126) ..... 118, 307, 309, 313, 332, 340,  
345, 440, 441, 446, 449, 456, 463, 464, 538.  
H 140 RACIAL JUSTICE ACT  
(Postponed Indefinitely)..... 592.

**MINORS**

H 1749 2002 APPROPRIATIONS ACT  
(Postponed Indefinitely)..... 89, 620.  
H 1556 2002 TECHNICAL CORRECTIONS  
(Judiciary II)..... 36.  
S 1217 2002 TECHNICAL CORRECTIONS  
(Ch. SL 2002-159) .....561, 576, 660,  
665, 667, 721, 724, 726, 731.  
H 1280 ABORTION - WOMAN'S RIGHT TO KNOW  
(Postponed Indefinitely)..... 577.  
H 662 BORN-ALIVE INFANT PROTECTION ACT  
(Postponed Indefinitely)..... 684.  
S 911 CARE FOR SCHOOL CHILDREN WITH DIABETES ACT  
(Ch. SL 2002-103) .....359, 394, 397, 426.  
S 1111 CERTAIN 2001 APPROPRIATIONS ACT  
MODIFICATIONS (Ch. SL 2002-12) ..... 122, 128,  
130, 131, 133, 143.  
H 1276 CLOSE INCEST LOOPHOLE TO PROTECT  
MINORS (Ch. SL 2002-119).....405, 423, 434, 485.



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H	1121	COASTAL RECREATIONAL FISHING LICENSE (Postponed Indefinitely).....	648.
H	1137	DEAF SCHOOLS CHANGES (Postponed Indefinitely).....	694.
H	1133	DELAY INITIATIVES DUE TO BUDGET CRISIS (Postponed Indefinitely).....	609.
H	53	EXEMPT CHILD CARE PROPERTY (Postponed Indefinitely).....	642.
H	1444	EXPAND CHILD HEALTH INSURANCE (Postponed Indefinitely).....	652.
H	241	FAMILY/JUVENILE DRUG TREATMENT COURT PROGRAMS (Postponed Indefinitely).....	517, 594.
H	1228	FOSTER/ADOPTIVE PARENTS/AGE (Postponed Indefinitely).....	639.
H	194	MANAGED CARE PATIENTS' BILL OF RIGHTS (Postponed Indefinitely).....	672.
H	248	MEETING THE NEEDS OF STUDENTS WITH DISABILITIES (Postponed Indefinitely) .....	674.
S	1032	MINORS' INTERNET ACCESS (Postponed Indefinitely).....	716.
S	1115	MODIFY APPROPRIATIONS ACT OF 2001 (Ch. SL 2002-126) .....	118, 307, 309, 313, 332, 340, 345, 440, 441, 446, 449, 456, 463, 464, 538.
H	1785	NC CHILD ALERT NOTIFICATION/AMBER ALERT (Senate) (Included Ch. SL 2002-126) .....	388, 411, 419.
H	204	NORTH CAROLINA HEALTH CHOICE/ NO WAITING PERIOD (Postponed Indefinitely).....	527, 593.
H	1621	RECLASSIFY STATUTORY RAPE (Postponed Indefinitely).....	59, 704.
H	1647	SCHOLARSHIPS FOR CHILDREN OF WAR VETERANS (Postponed Indefinitely) (Included Ch. SL 2002-126) .....	67, 705.
H	1656	TEMPORARY REVENUE INCREASE TO PROTECT CHILDREN (Postponed Indefinitely).....	69, 655.

**MITCHELL COUNTY**

H	267	46TH HOUSE DISTRICT LOCAL ACT (Postponed Indefinitely).....	674.
H	268	46TH HOUSE DISTRICT LOCAL ACT (Postponed Indefinitely).....	675.
H	1271	NORTH CAROLINA NATIONAL HERITAGE AREA/ COMMISSION (Postponed Indefinitely) .....	697.

**MITCHELL, W. FRANKLIN**

BILLS INTRODUCED - 1480, 1536, \*1562, 1595, 1596, 1711, 1741, 1742, 1774, 1775, 1786, 1803, 1804, 1814.

EXCUSED ABSENCE ..... NONE.

**MONOPOLIES, TRUSTS AND CONSUMER PROTECTION (G.S. 75)**

- H 1764 FINANCIAL IDENTITY FRAUD  
(Judiciary II)..... 93.
- H 1612 STOP UNWANTED TELEPHONE SOLICITATIONS  
(Judiciary II)..... 54.

**MONTGOMERY COUNTY**

- H 1690 CANDOR/NORWOOD ANNEXATION  
(Ch. SL 2002-46) .....75, 150, 168, 178, 249, 273.
- S 639 DEEP RIVER HERITAGE CORRIDOR  
(Postponed Indefinitely)..... 715.
- H 448 HOUSE DISTRICT 33  
(Postponed Indefinitely)..... 678.
- H 450 HOUSE DISTRICT 33  
(Postponed Indefinitely)..... 678.
- S 1268 MONROE WHEEL LOCK/NORWOOD UTILITY/  
MT. GILEAD ANNEX  
(Ch. SL 2002-127) .....352, 443, 447,  
483, 492, 538, 571.
- H 1579 NO AIRBOATS ON LAKE TILLERY  
(Senate) .....41, 103, 129.
- H 1691 TROY REDEVELOPMENT PROPERTY  
CONVEYANCE (Ch. SL 2002-83)..... 75, 120,  
136, 342, 349.
- S 1135 US HIGHWAY 601 CONTRACTS  
(Ch. SL 2002-60) ..... 184, 232, 257, 258, 292.

**MOORE COUNTY**

- H 741 31ST HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 686.
- H 743 31ST HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 686.
- S 639 DEEP RIVER HERITAGE CORRIDOR  
(Postponed Indefinitely)..... 715.
- H 1619 MOORE COMMISSIONER ACTIONS  
(Ch. SL 2002-122) .....59, 165, 185,  
199, 488, 490, 491, 496.
- H 742 MOORE COUNTY HUNTING  
(Postponed Indefinitely)..... 686.

**MOORE COUNTY-Contd.**

- H 98 MOORE COUNTY LOCAL ACT  
(Postponed Indefinitely)..... 670.
- H 893 REPORT ON HUNTING WITH DOGS  
(Ch. SL 2002-30) .....157, 166, 176, 182, 216.
- H 1686 WHISPERING PINES REGULATE GOLF CARTS  
(Ch. SL 2002-82) ..... 74, 132, 171, 187, 341, 349.

**MORGAN, RICHARD T.**

- APPROVAL OF VOTE CHANGE ON H.B. 1517 ..... 114.
- APPROVAL OF VOTE CHANGE ON H.B. 1520 ..... 338.
- APPROVAL OF VOTE CHANGE ON AMENDMENT NO. 7  
OF H.B. 1670 ..... 236.
- APPROVAL OF VOTE CHANGE ON CONFERENCE  
REPORT FOR S.B. 1115 ..... 457.
- BILLS INTRODUCED - \*1686, 1775.
- COMMITTEE ASSIGNMENT  
SELECT COMMITTEE ON STATE  
GOVERNMENT EFFICIENCY (Vice Chair)..... 49.
- CONFEREE ON H.B. 1734..... 623.
- EXCUSED ABSENCE ..... NONE.
- EXCUSED VOTE ON H.B. 1487 ..... 43, 128.
- MOTION THAT REMARKS BY REPRESENTATIVE  
ESPOSITO REGARDING THE PLEDGE OF  
ALLEGIANCE BE SPREAD UPON THE JOURNAL ..... 139.
- MOTION TO RECALL H.B. 893 FROM ENROLLING..... 176.
- MOTION TO RECONSIDER VOTE ON H.B. 893..... 176.

**MORRIS, MIA**

- APPROVAL OF VOTE CHANGE ON S.B. 46..... 580.
- BILLS INTRODUCED - 1483, 1485, 1490, 1491, 1520, 1532, 1534,  
1536, 1569, 1575, 1581, 1588, 1595, 1596, 1680, \*1711, 1734, 1740,  
1741, 1746, 1757, 1759, 1763, 1773, 1775, 1798, \*1803, 1804, 1807,  
1808, 1814.
- CONFEREE ON S.B. 163..... 550.
- EXCUSED ABSENCE ..... 149.
- SECONDS ADJOURNMENT..... 55.

**MORTGAGES AND DEEDS OF TRUST (G.S. 45)**

- H 1307 AMEND MORTGAGE LENDING ACT  
(Ch. SL 2002-169) .....542, 579, 628, 661, 733.
- H 1106 ENACT MORTGAGE LENDING ACT  
(Postponed Indefinitely)..... 648.

**MORTGAGES AND DEEDS OF TRUST-Contd.**

- S 887 MAGISTRATES' AND CLERKS' AUTHORITY/  
EXPUNGE RECORDS  
(Remained on House Calendar) .....247, 540, 563, 583.

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488, 499, 502, 729.
- H 1229 HIGHWAY MAINTENANCE FUNDS-SOURCES/  
DISTRIBUTION (Postponed Indefinitely)..... 514, 610.
- S 1115 MODIFY APPROPRIATIONS ACT OF 2001  
(Ch. SL 2002-126) .....118, 307, 309, 313, 332, 340,  
345, 440, 441, 446, 449, 456, 463, 464, 538.
- H 69 REPEAL HIGHWAY USE TAX TRANSFER--  
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- H 1089 REVISE HIGHWAY EQUITY FUNDING FORMULA  
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- H 1492 SECONDARY ROAD PAVING  
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61, 293, 319, 326, 367.
- H 1490 SECURE LOCAL REVENUES  
(Ch. SL 2002-120) ..... 17, 45, 57,  
83, 405, 423, 434, 486.
- H 644 TOLL ROAD AND BRIDGE AUTHORITY CREATED  
(Ch. SL 2002-133) .....183, 208, 287,  
296, 317, 462, 473, 480, 485, 664.
- S 1135 US HIGHWAY 601 CONTRACTS  
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- H 1624 ELECTROFISHING/WACCAMAW AND  
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- H 364 PEMBROKE SATELLITE ANNEXATIONS  
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- H 95 ROBESON COUNTY LOCAL ACT  
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- H 97 ROBESON COUNTY LOCAL ACT  
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- H 1646 ROWLAND ANNEXATION  
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- S 1346 EDEN ANNEXATION CONTRACTS  
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- H 754 ROCKINGHAM COUNTY LOCAL ACT  
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- H 755 ROCKINGHAM COUNTY LOCAL ACT  
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- H 1697 WARREN FIELD AIRPORT COMMISSION  
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- BILLS INTRODUCED - \*1486, \*1597, 1612, \*1636, 1671, 1715, 1719,  
1778, 1779, 1785, 1786.
- CONFEREE ON S.B. 1115..... 333.
- EXCUSED ABSENCE ..... NONE.
- SECONDS ADJOURNMENT..... 290.

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- H 630 35TH HOUSE DISTRICT LOCAL ACT  
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- H 539 83RD HOUSE DISTRICT LOCAL ACT  
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- H 540 83RD HOUSE DISTRICT LOCAL ACT  
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- H 1615 CHINA GROVE CHARTER REVISION  
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- H 1616 EAGLE POINT NO-WAKE ZONE  
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136, 146, 153, 197, 204, 211, 215.
- H 269 ROWAN COUNTY LOCAL ACT  
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- H 561 ROWAN COUNTY LOCAL ACT  
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- H 562 ROWAN COUNTY LOCAL ACT  
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- H 713 ROWAN COUNTY LOCAL SALES TAX  
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- H 1402 ADDRESS CONFIDENTIALITY PROGRAM  
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374, 399, 507, 511, 551, 560, 734.
- H 30 HEALTH MAINTENANCE ORGANIZATION  
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- H 194 MANAGED CARE PATIENTS' BILL OF RIGHTS  
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- RULE 41(a) ..... 13, 131, 137, 170, 242, 245, 503.

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- H 1511 CERTAIN COUNTIES DELINQUENT TAXES (Senate) .....24, 101, 122.

- H 1533 CERTAIN COUNTIES DELINQUENT TAXES (Ch. SL 2002-51) .....31, 102, 123, 128, 211, 253, 259, 286.

- S 1132 ELLENBORO DEANNEXATION (Ch. SL 2002-49) ..... 152, 196, 226, 254, 259, 285.

- H 1271 NORTH CAROLINA NATIONAL HERITAGE AREA/ COMMISSION (Postponed Indefinitely) ..... 697.

- H 559 RUTHERFORD/POLK LOCAL ACT (Postponed Indefinitely)..... 681.

- S 1133 RUTHERFORDTON ALCOHOLIC BEVERAGE CONTROL DISTRIBUTION (Ch. SL 2002-65) .....145, 260, 290, 305, 308.

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- H 999 AMEND MEMBERSHIP REQUIREMENTS (Postponed Indefinitely)..... 607.

- H 1349 CLARIFY PAY PROVISIONS/LATERAL ENTRY TEACHER (Postponed Indefinitely)..... 700.

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H	1210	COMMUNITY COLLEGE TEACHERS PAY (Postponed Indefinitely).....	641.
H	1010	CONSCIENCE PROTECTION/CONTRACEPTIVE COVERAGE MANDATE (Postponed Indefinitely).....	692.
H	333	DEATH BENEFITS TO LEGAL REPRESENTATIVE (Postponed Indefinitely).....	596.
H	845	EXCLUDE PENSIONS FROM INCOME TAX (Postponed Indefinitely).....	647.
H	1077	FIREFIGHTERS' AND RESCUE SQUAD WORKERS' RETIREMENT (Postponed Indefinitely).....	693.
H	1419	FIREFIGHTERS' AND RESCUE WORKERS' RETIREMENT (Postponed Indefinitely).....	636.
H	90	GENERAL ASSEMBLY COMPENSATION TIED TO STATE EMPLOYEES' COST OF LIVING ALLOWANCE (Postponed Indefinitely).....	670.
H	1018	HIGH PRIORITY SCHOOL ASSISTANCE AND ACCOUNTABILITY ACT (Postponed Indefinitely).....	534, 608.
H	81	INCREASE DEATH BENEFIT/LOCAL RETIREMENT (Postponed Indefinitely).....	591.
H	27	INCREASE FIREMEN AND RESCUE SQUAD PENSIONS (Postponed Indefinitely).....	590.
H	1132	INCREASE JURORS' FEES (Postponed Indefinitely).....	519, 609.
H	80	INCREASE LOCAL RETIREMENT BENEFITS (Postponed Indefinitely).....	591.
H	1145	INCREASE PAY/TEACHERS OF EXCEPTIONAL CHILDREN (Postponed Indefinitely).....	609.
H	1255	INCREASE RETIREMENT BENEFITS (Postponed Indefinitely).....	611.
H	1209	INCREASE SUBSTITUTE TEACHER PAY (Postponed Indefinitely).....	641.
H	4	LAW OFFICERS' 25-YEAR RETIREMENT (Postponed Indefinitely).....	589.
H	337	LEGISLATORS' PER DIEM/EXPENSES (Postponed Indefinitely).....	676.
H	1038	NO ABORTIONS UNDER STATE HEALTH PLAN (Postponed Indefinitely).....	577.
H	1140	NORTH CAROLINA NATIONAL GUARD PENSIONS (Postponed Indefinitely).....	636.



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H 1017 RAISE FIRE AND RESCUE PENSION AMOUNT  
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H 1107 REMOVE CAP ON SICK LEAVE  
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H 1208 RETIRED SCHOOL PERSONNEL ENCOURAGED  
TO WORK (Postponed Indefinitely) ..... 641.

H 1390 RETIREMENT WITHDRAWAL SERVICE  
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H 1415 SCHOOL COUNSELOR PAY SCALE INCREASE  
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H 1241 SICK LEAVE/JUDICIAL RETIREMENT SYSTEM  
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H 1295 STATE EMPLOYEE PAY PERIODS  
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H 441 STATE EMPLOYEES INCENTIVE BONUS  
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H 619 TEACHER ASSISTANT SALARY SCHEDULE  
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H 1223 TEACHER ASSISTANTS SALARY INCREASE  
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H 1206 TEACHER RECRUITMENT INCENTIVES/  
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H 282 19TH HOUSE DISTRICT LOCAL ACT  
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H 283 19TH HOUSE DISTRICT LOCAL ACT  
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H 468 19TH HOUSE DISTRICT LOCAL ACT  
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H 469 19TH HOUSE DISTRICT LOCAL ACT  
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H 483 96TH HOUSE DISTRICT LOCAL ACT  
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H 484 96TH HOUSE DISTRICT LOCAL ACT  
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H 488 96TH HOUSE DISTRICT LOCAL ACT  
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H 707 SAMPSON COUNTY LOCAL ACT  
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H 780 SAMPSON COUNTY LOCAL ACT  
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H 781 SAMPSON COUNTY LOCAL ACT  
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H 930 SAMPSON/CLINTON ROOM TAXES  
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**TREATMENT FACILITY OPERATORS (G.S. 90A)**

H 1086 ANIMAL WASTE OPERATORS' LATE FEE  
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**SAUNDERS, DREW P.**

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 \*1658, 1671, \*1673, 1674, \*1695, 1715, 1719, 1751, 1752, 1778, 1785,  
 1786, 1787.

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H 1593 SCOTLAND COUNTY HUNTING  
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S 1271 SCOTLAND COUNTY HUNTING  
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- H 103 SCOTLAND COUNTY LOCAL ACT  
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- H 104 SCOTLAND COUNTY LOCAL ACT  
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- S 1371 SCOTLAND COUNTY SCHOOL FUNDING  
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- H 1672 SCOTLAND LOCAL SALES TAX FOR SCHOOLS  
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- S 1135 US HIGHWAY 601 CONTRACTS  
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- S 1115 MODIFY APPROPRIATIONS ACT OF 2001  
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- S 1455 SECURITIES FRAUD PROTECTIONS AND STUDY  
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620, 658, 719, 738.

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- H 1523 AMEND PROPERTY TAX LAWS  
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**SETZER, MITCHELL S.**

- APPROVAL OF VOTE CHANGE ON CONFERENCE  
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- BILLS INTRODUCED - 1536, 1562, 1566, 1588, 1594, 1595, 1596,  
1660, 1699, 1710, 1711, 1741, 1775, 1803, 1808, 1812, 1814.
- EXCUSED ABSENCES ..... 12, 13, 15.

**SEXTON, P. WAYNE, JR.**

- BILLS INTRODUCED - 1527, 1536, \*1697, 1699, 1711, 1741, 1774,  
1775, 1782, 1798, 1808, 1812, 1814.
- EXCUSED ABSENCES .....19, 86, 117, 140, 158, 341, 438,  
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- S 1217 2002 TECHNICAL CORRECTIONS  
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665, 667, 721, 724, 726, 731.
- H 84 IMPLEMENT 4-YEAR TERMS  
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- H 1489 LIMIT SESSIONS/FOUR-YEAR TERMS  
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- S 1115 MODIFY APPROPRIATIONS ACT OF 2001  
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**SHERRILL, WILMA M.**

- APPROVAL OF VOTE CHANGE ON H.B. 1504 .....62.
- APPROVAL OF VOTE CHANGE ON AMENDMENT NO. 2  
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- BILLS INTRODUCED - 1490, 1491, \*1534, \*1567, 1595, \*1728, 1734,  
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- EXCUSED ABSENCES ..... 421, 425.

**SHUBERT, FERN**

- BILLS INTRODUCED - 1485, 1490, 1491, 1527, \*1536, 1546, 1558,  
1562, 1588, 1595, 1596, \*1699, 1735, 1740, \*1741, 1742, 1743, 1752,  
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- EXCUSED ABSENCE ..... NONE.
- SECONDS ADJOURNMENT..... 171.

**SMITH, RONALD L.**

- APPROVAL OF VOTE CHANGE ON H.J.R. 1779 ..... 352.
- BILLS INTRODUCED - 1490, 1491, \*1496, \*1524, 1526, 1528, 1566,  
1586, 1595, 1597, 1612, 1636, \*1647, 1671, 1677, 1688, \*1703, 1711,  
\*1714, 1719, 1721, 1751, 1752, 1775, 1778, 1779, 1785, 1786, 1804.
- CONFEREE ON S.B. 1115..... 333.
- EXCUSED ABSENCES .....86, 140, 421, 425.

**SOCIAL SERVICES (G.S. 108A)**

- S 1115 MODIFY APPROPRIATIONS ACT OF 2001  
(Ch. SL 2002-126) .....118, 307, 309, 313, 332, 340,  
345, 440, 441, 446, 449, 456, 463, 464, 538.
- H 204 NORTH CAROLINA HEALTH CHOICE/NO  
WAITING PERIOD  
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- H 1632 SALES TAX CHANGES/MEDICAID  
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- H 1082 STATE PAYS 100% NONFEDERAL MEDICAID  
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- S 1217 2002 TECHNICAL CORRECTIONS  
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665, 667, 721, 724, 726, 731.
- H 1537 AMEND ENVIRONMENTAL LAWS 2002  
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- H 1007 ENVIRONMENTAL TECHNICAL CORRECTIONS  
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**SOLICITATION OF CONTRIBUTIONS (G.S. 131F)**

- S 140 AD HOC COMMUNITY COLLECTIONS  
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- S 718 LOCAL GOVERNMENT SPECIAL OBLIGATION  
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- S 1160 REVENUE LAWS TECHNICAL CHANGES  
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- H 374 STATE BOXING COMMISSION  
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- H 1600 ALBEMARLE JUNK VEHICLES  
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- H 1576 BADIN CHARTER  
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- S 1114 BADIN CHARTER/NORMAN BOUNDARIES  
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- H 1690 CANDOR/NORWOOD ANNEXATION  
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- H 448 HOUSE DISTRICT 33  
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- H 450 HOUSE DISTRICT 33  
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- S 1268 MONROE WHEEL LOCK/NORWOOD UTILITY/  
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- H 1579 NO AIRBOATS ON LAKE TILLERY  
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- H 1525 RED CROSS CHARTER  
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- H 862 UNION COUNTY/ALBEMARLE RED LIGHT  
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- S 1135 US HIGHWAY 601 CONTRACTS  
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**STARNES, EDGAR V.**

- BILLS INTRODUCED - 1490, 1491, 1536, 1595, 1596, \*1689, 1741,  
1775, 1798, 1803, 1808, 1814.
- EXCUSED ABSENCES .....214, 422, 425, 438, 508, 721.

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- H 366 ARTWORK CONSERVATION FEES  
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- H 1430 BUDGET FEE PROVISIONS  
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- H 1258 HISTORIC MONUMENTS/MEMORIALS  
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- H 623 STATE ENERGY CONSERVATION PROGRAM  
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469, 506, 544, 549, 563, 584, 732.
- H 1334 USE OF STATE PROPERTY/BLOUNT STREET  
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- S 347 USE OF STATE PROPERTY/BLOUNT STREET  
HISTORIC DISTRICT  
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- H 623 STATE ENERGY CONSERVATION PROGRAM  
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469, 506, 544, 549, 563, 584, 732.

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- H 1556 2002 TECHNICAL CORRECTIONS  
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- S 1217 2002 TECHNICAL CORRECTIONS  
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667, 721, 724, 726, 731.
- H 1633 ACCELERATE LOCAL OPTION SALES TAX  
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- S 1281 CERTAIN OCCUPATIONAL LICENSING BOARD  
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658, 665, 718, 733.
- H 1708 CHARTER SCHOOL BUS DRIVERS/TORT  
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- H 1507 CIGARETTE TAX FOR PUBLIC EDUCATION  
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- H 1531 CIGARETTE TAX FOR PUBLIC SCHOOLS  
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- S 1227 CLARIFY LEAKING UNDERGROUND STORAGE  
TANK LAND-USE RESTRICTION/DEED  
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- H 1575 CLARIFY LEAKING UNDERGROUND STORAGE  
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- H 445 CODE OFFICIALS PROFESSIONALISM  
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- H 12 CONDEMNATION REIMBURSEMENT  
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- H 1215 CONSERVE WATER/PROMOTE GREEN ENERGY  
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- S 1260 CONSERVE WATER/PROMOTE GREEN ENERGY  
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- H 1514 DEPARTMENT OF HEALTH AND HUMAN SERVICES  
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H	1572	ENVIRONMENTAL REPORTS AMENDMENTS (Ch. SL 2002-148) .....	40, 373, 409, 488, 499, 502, 729.
H	1007	ENVIRONMENTAL TECHNICAL CORRECTIONS (Ch. SL 2002-165) .....	561, 627, 661, 733.
H	1131	FEDERAL FUNDS (Postponed Indefinitely).....	609.
H	1569	FLEXIBLE HOURS FOR STATE EMPLOYEES (Postponed Indefinitely).....	39, 316, 704.
S	1163	FLEXIBLE HOURS FOR STATE EMPLOYEES (Postponed Indefinitely).....	242, 717.
H	1737	GOVERNOR'S EFFICIENCY STUDY COMMISSION (Postponed Indefinitely).....	87, 656.
S	1078	IMPROVE AIR QUALITY/ELECTRIC UTILITIES (Ch. SL 2002-4) .....	52, 62, 101, 117.
H	1298	INCREASE COMMERCIAL UNDERGROUND STORAGE TANK FEES (Postponed Indefinitely).....	649.
H	1394	INFORMATION TECHNOLOGY EMPLOYEE RESERVE FUNDS (Postponed Indefinitely).....	540, 615.
H	1688	INTERBASIN TRANSFER EXCEPTION (Postponed Indefinitely).....	75, 706.
H	4	LAW OFFICERS' 25-YEAR RETIREMENT (Postponed Indefinitely).....	589.
H	1302	LEAKING UNDERGROUND STORAGE TANKS/EXTEND SUNSET/INCREASE TANK FEES (Postponed Indefinitely) .....	649.
H	915	LIMIT BUDGET EXPENSES/PRIOR FISCAL YEAR REVENUE (Postponed Indefinitely) .....	605.
H	1500	LOCAL GOVERNMENT REVERSE AUCTIONS (Postponed Indefinitely).....	21, 578.
S	1170	LOCAL GOVERNMENT REVERSE AUCTIONS (Ch. SL 2002-107) .....	263, 335, 377, 385, 426.
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S	1211	NATURE AND HISTORIC PRESERVE AND PARK SYSTEM REMOVALS (Ch. SL 2002-149) .....	251, 331, 353, 365, 380, 439, 493, 501, 503, 558, 729.



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H	1541	NOLICHUCKY RIVER BASIN (Senate).....	34, 330, 347.
H	56	NORTH CAROLINA COMPETITION INITIATIVE (Postponed Indefinitely).....	669.
H	1746	PERFORMANCE CONTRACTING FOR STATE AGENCIES (Postponed Indefinitely).....	88, 708.
S	1283	PRESIDENT PRO TEM AND SPEAKER APPOINTMENTS (Vetoed - November 3, 2002).....	562, 719, 725, 739, 742.
H	1508	PUBLIC HEALTH BIOTERRORISM PREPAREDNESS (Ch. SL 2002-179).....	24, 56, 230, 267, 405, 423, 453, 463, 554, 564, 573, 584, 736.
H	1105	REGULATORY FUND CHANGES (Ch. SL 2002-144).....	510, 547, 566, 571, 728.
H	1424	RESTORE FISCAL RESPONSIBILITY TO STATE BUDGET (Postponed Indefinitely).....	616.
H	197	SALE OF TIMBER AT SAMARKAND YOUTH ACADEMY (Postponed Indefinitely).....	522, 593.
H	1490	SECURE LOCAL REVENUES (Ch. SL 2002-120).....	17, 45, 57, 83, 405, 423, 434, 486.
S	1455	SECURITIES FRAUD PROTECTIONS AND STUDY (Ch. SL 2002-189).....	264, 462, 573, 620, 658, 719, 738.
H	374	STATE BOXING COMMISSION (Postponed Indefinitely).....	677.
H	441	STATE EMPLOYEES INCENTIVE BONUS PROGRAM (Postponed Indefinitely).....	598.
H	623	STATE ENERGY CONSERVATION PROGRAM (Ch. SL 2002-161).....	275, 288, 298, 302, 320, 461, 469, 506, 544, 549, 563, 584, 732.
H	944	STATE FISCAL RESPONSIBILITY ACT (Postponed Indefinitely).....	605.
H	764	TAXPAYER PROTECTION ACT (Postponed Indefinitely).....	686.

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- H 1716 UNIVERSITY OF NORTH CAROLINA  
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- S 1210 WINERY WASTEWATER MANAGEMENT  
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- S 1115 MODIFY APPROPRIATIONS ACT OF 2001  
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- H 1199 TEXTBOOK SELECTION AT LOCAL LEVEL  
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- H 511 2001 EDUCATION LOTTERY  
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- S 1217 2002 TECHNICAL CORRECTIONS  
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- H 1737 GOVERNOR'S EFFICIENCY STUDY COMMISSION  
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- H 84 IMPLEMENT 4-YEAR TERMS  
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- H 1499 INTERNET PRIVACY POLICY ACT  
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- H 1489 LIMIT SESSIONS/FOUR-YEAR TERMS  
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- S 1170 LOCAL GOVERNMENT REVERSE AUCTIONS  
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- H 1 LOTTERY FOR EDUCATION/INFRASTRUCTURE  
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- S 1115 MODIFY APPROPRIATIONS ACT OF 2001  
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345, 440, 441, 446, 449, 456, 463, 464, 538.
- S 1248 PENSION ASSURANCE FUND  
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- H 94 QUALITY ASSURANCE PROGRAM  
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- S 441 STATE SCHOOL SUPERINTENDENT APPOINTED  
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- H 662 BORN-ALIVE INFANT PROTECTION ACT  
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- H 1430 BUDGET FEE PROVISIONS  
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- H 1520 EXTEND QUALIFIED BUSINESS VENTURE TAX  
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- H 1096 NO RETAINAGE/CERTAIN CONSTRUCTION  
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- H 1533 CERTAIN COUNTIES DELINQUENT TAXES  
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- H 511 2001 EDUCATION LOTTERY  
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- H 1022 28-YEAR RETIREMENT/RETENTION  
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- S 394 ADVISORY STATE BOARD OF EDUCATION  
MEMBERS/HEART TASK FORCE/STUDY  
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- H 957 AGE FOR ENTRY INTO PUBLIC SCHOOLS/STUDY  
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- H 1300 ALTERNATIVE ENERGY SOURCES/STUDY  
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- H 1577 AMEND POLLUTION ABATEMENT TAX EXCLUSION  
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S	1253	AMEND POLLUTION ABATEMENT TAX EXCLUSION (Ch. SL 2002-104) .....	276, 331, 336, 354, 375, 382, 426.
S	1161	AMEND USE VALUE STATUTES AND OTHER TAX LAWS (Ch. SL 2002-184) .....	276, 350, 359, 394, 399, 414, 475, 737.
H	1231	APPORTIONMENT FORMULA/STUDY (Postponed Indefinitely).....	696.
H	1120	BEACH AND FAIR PLAN AMENDMENTS (Ch. SL 2002-185) .....	586, 658, 662, 737.
H	991	BILL LEE ACT STUDY (Postponed Indefinitely).....	692.
H	1753	BOND AND INCENTIVE ACT OF 2002 (Remained on Calendar) .....	90, 539.
H	1336	CERTIFICATE OF NEED LAWS/LRC STUDY (Postponed Indefinitely).....	699.
H	1074	CERTIFYING ACKNOWLEDGEMENTS/LRC STUDY (Postponed Indefinitely).....	693.
H	456	CHILD ABUSE IN CHILD CARE FACILITY STUDY (Postponed Indefinitely).....	678.
H	1374	CLOSE THE ACHIEVEMENT GAP/FUNDS (Postponed Indefinitely).....	534, 613.
H	1121	COASTAL RECREATIONAL FISHING LICENSE (Postponed Indefinitely).....	648.
H	1153	COLLECTION OF COMMERCIAL DEBT/STUDY (Postponed Indefinitely).....	695.
H	21	COMMISSION CONTRACT AGENT STUDY (Included Ch. SL 2002-126) (Postponed Indefinitely).....	668.
H	1264	COMMITTEE ON HEPATITIS C/STUDY (Postponed Indefinitely).....	697.
H	1671	COMMUNITY ALTERNATIVES PROGRAM/ DISABLED ADULTS FUNDS (Postponed Indefinitely).....	71, 618.
H	1702	COMPARATIVE TAX BURDEN/STUDY (Postponed Indefinitely).....	77, 706.
H	1215	CONSERVE WATER/PROMOTE GREEN ENERGY (Ch. SL 2002-167) .....	587, 658, 662, 733.
S	1260	CONSERVE WATER/PROMOTE GREEN ENERGY (Environment and Natural Resources) .....	351, 439.
H	1560	COORDINATE DRUG PROGRAM ACCESS (Postponed Indefinitely).....	37, 703.

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S	1199	COORDINATE DRUG PROGRAM ACCESS (Postponed Indefinitely).....	145, 717.
S	938	DATE RAPE DRUG ANALOGUES STUDY (Postponed Indefinitely).....	716.
H	1137	DEAF SCHOOLS CHANGES (Postponed Indefinitely).....	694.
H	59	DEFINED CONTRIBUTION PENSION PLAN/ STUDY (Postponed Indefinitely) .....	669.
H	1516	DEPARTMENT OF TRANSPORTATION PLANNING (Ch. SL 2002-170).....	28, 206, 256, 574, 582, 585, 734.
H	772	DEPOSITS ON BEVERAGE CONTAINERS (Postponed Indefinitely).....	686.
H	810	DOMESTIC VIOLENCE FATALITY REVIEW TEAM/STUDY (Postponed Indefinitely).....	688.
S	1275	DROPOUT REDUCTION/LOCAL EDUCATION AGENCY ACCOUNTABILITY (Ch. SL 2002-178) ....	161, 193, 358, 395, 400, 467, 735.
H	1420	DRUG OFFENSES/LRC STUDY (Postponed Indefinitely).....	700.
H	79	EARLY RETIREMENT STUDY COMMISSION (Postponed Indefinitely).....	669.
H	1044	EAST CAROLINA UNIVERSITY SCHOOL OF ENGINEERING (Postponed Indefinitely).....	534, 608.
H	1680	EDUCATION OVERSIGHT STUDY/RENAME FAYETTEVILLE STATE UNIVERSITY (Postponed Indefinitely).....	73, 705.
H	260	ELECTION LAWS REVISION (Postponed Indefinitely).....	674.
S	391	ELIMINATE DISPARITIES IN HEALTH CARE (Postponed Indefinitely).....	715.
H	1106	ENACT MORTGAGE LENDING ACT (Postponed Indefinitely).....	648.
H	1150	ENSURE FAIRNESS IN SCHOOL TESTING PROGRAM (Postponed Indefinitely) .....	534, 610.
H	1274	ENTERTAINMENT TAX/REVENUE LAWS STUDY (Postponed Indefinitely).....	697.
H	1555	EXTEND 1898 WILMINGTON RACE RIOT COMMISSION (Postponed Indefinitely) .....	36, 703.
H	1557	EXTEND CORE SOUND MORATORIUM/MARINE FISHERIES STUDIES (Ch. SL 2002-15) .....	36, 103, 129, 158, 189.

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S	1443	FACILITATE JOB SHARING BY TEACHERS (Ch. SL 2002-174) .....	352, 415, 417, 487, 505, 506, 547, 559, 734.
H	1099	FINANCIAL INSTITUTIONS ASSET SECURITIZATION (Ch. SL 2002-88).....	224, 302, 325, 335, 367.
H	1479	FIRE SAFETY IN JAILS (Postponed Indefinitely).....	12, 702.
H	1077	FIREFIGHTERS' AND RESCUE SQUAD WORKERS' RETIREMENT (Postponed Indefinitely).....	693.
H	1078	FIREFIGHTERS' EARLY RETIREMENT/STUDY (Postponed Indefinitely).....	693.
H	1297	GANG VIOLENCE AND JUVENILE CRIME PREVENTION/STUDY (Postponed Indefinitely).....	698.
H	1363	GLOBAL TRANSPARK AUTHORITY DECOMMISSIONING/LRC STUDY (Postponed Indefinitely).....	700.
H	384	GOVERNMENT TORT CLAIMS/LRC STUDY (Postponed Indefinitely).....	677.
H	1559	GROUP HEALTH INSURANCE/LONG-TERM CARE STAFF (Postponed Indefinitely) .....	37, 703.
H	246	GUARDIANSHIP STUDY (Postponed Indefinitely).....	674.
H	1152	HABITUAL FELON DEFINITION/STUDY (Postponed Indefinitely).....	695.
H	1279	HIGHER EDUCATION RESIDENCY REQUIREMENTS/STUDY (Postponed Indefinitely).....	698.
H	1233	HIGHWAY PROSPERITY PLANNING ACT/ LRC STUDY (Postponed Indefinitely).....	696.
H	1416	HIV RISK/TREAT-RAPE VICTIM/HEALTH WORKER/STUDY (Postponed Indefinitely).....	700.
H	1405	HIV/AIDS PUBLIC HEALTH CRISIS (Postponed Indefinitely).....	615.
S	1078	IMPROVE AIR QUALITY/ELECTRIC UTILITIES (Ch. SL 2002-4) .....	52, 62, 101, 117.
H	123	INCREASE 2ND DEGREE ARSON PENALTY/ STUDY (Postponed Indefinitely) .....	670.
H	1710	INDEPENDENT GOVERNMENT REVIEW COMMISSION/FUNDS (Postponed Indefinitely).....	79, 707.

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H	1713	INSTRUCTIONAL SUPPORT PERSONNEL SALARIES/STUDY (Postponed Indefinitely).....	79, 707.
H	229	INSURANCE AVAILABILITY BEACH AREAS/ LRC STUDY (Postponed Indefinitely).....	673.
H	1712	INTERNET SPAM/FUNDS (Postponed Indefinitely).....	79, 707.
H	315	JUVENILES WHO ESCAPE/STUDY (Postponed Indefinitely).....	676.
H	1291	LIMIT EXERCISE OF EXTRATERRITORIAL JURISDICTION POWER (Postponed Indefinitely).....	698.
H	1104	LIVING INCOME STUDY COMMISSION (Postponed Indefinitely).....	694.
H	1757	LOCAL FLEXIBILITY FOR SCHOOL SYSTEMS/ STUDY (Postponed Indefinitely) .....	91, 709.
H	500	LOCAL SCHOOL BOARD ELECTIONS-STUDY (Postponed Indefinitely).....	679.
H	1561	LONG-TERM CARE CRIMINAL RECORD CHECK STUDY (Postponed Indefinitely) .....	37, 703.
H	161	LONG-TERM CARE LOCAL LEAD AGENCY (Postponed Indefinitely).....	672.
H	244	LONG-TERM CARE/ENHANCEMENT FUNDS (Postponed Indefinitely).....	527, 594.
H	1	LOTTERY FOR EDUCATION/INFRASTRUCTURE (Postponed Indefinitely).....	668.
H	648	MEDICAL EXAMINER STUDY (Postponed Indefinitely).....	684.
H	1240	MEDICAL USE OF MARIJUANA/STUDY (Postponed Indefinitely).....	696.
H	82	MILITARY MUSEUM STUDY FUNDS (Postponed Indefinitely).....	521, 591.
S	1115	MODIFY APPROPRIATIONS ACT OF 2001 (Ch. SL 2002-126) .....	118, 307, 309, 313, 332, 340, 345, 440, 441, 446, 449, 456, 463, 464, 538.
H	650	MORATORIUM ON SOFT DRINK CONTRACTS/ SCHOOLS (Postponed Indefinitely).....	639.
H	1134	MUST REPORT THREATS OF SCHOOL VIOLENCE (Postponed Indefinitely).....	694.
H	1734	NC ECONOMIC STIMULUS AND JOB CREATION ACT (Ch. SL 2002-172).....	86, 293, 362, 363, 369, 370, 587, 622, 624, 632, 633, 635, 662, 734.

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H	823	NONPUBLIC STUDENTS/PUBLIC SCHOOLS ACT/EDUCATION OVERSIGHT STUDY (Postponed Indefinitely).....	688.
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H	1759	ON-LINE VOTING STUDY (Postponed Indefinitely).....	92, 709.
H	1340	POST-TOWING PROCEDURES/LRC STUDY (Postponed Indefinitely).....	699.
H	480	PREKINDERGARTEN PROGRAM FOR AT-RISK CHILDREN (Postponed Indefinitely).....	639.
H	1101	PRIVACY PROTECTIONS STUDY (Postponed Indefinitely).....	694.
H	1315	RAPIST PARENTAL RIGHTS/STUDY (Postponed Indefinitely).....	698.
H	1213	REBATE AND GRANT PROGRAM FOR ALTERNATIVE FUEL VEHICLES (Postponed Indefinitely).....	610.
H	1440	REFORM BILL LEE ACT (Postponed Indefinitely).....	651.
H	230	REVIEW OF LOW-WEALTH SCHOOL FUNDING FORMULA (Postponed Indefinitely) .....	673.
H	1338	SCHOOL OF SCIENCE AND MATH/LRC STUDY (Postponed Indefinitely).....	699.
S	1455	SECURITIES FRAUD PROTECTIONS AND STUDY (Ch. SL 2002-189) .....	264, 462, 573, 620, 658, 719, 738.
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H	1251	STATE PAYS FULL MEDICAID SHARE/ LRC STUDY (Postponed Indefinitely).....	696.
S	98	STUDIES ACT OF 2002 (Ch. SL 2002-180) .....	714, 720, 726, 736.
H	1715	STUDY ON TEACHER RECRUITMENT AND RETENTION (Postponed Indefinitely) .....	80, 707.
H	1670	SUBSIDIARY DIVIDEND CHANGES (Included Ch. SL 2002-126) (Ch. SL 2002-136) .....	71, 213, 233, 236, 489, 504, 544, 546, 664.
H	601	SUBSTANDARD SUBDIVISION ROAD STUDY (Postponed Indefinitely).....	682.



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- H 1256 TEACHER PORTFOLIO REQUIREMENT/  
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- H 419 TOURISM INDUSTRY/LRC STUDY  
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- H 945 TRANSPORTATION FUNDING EQUITY  
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- H 1275 UNDERAGE DRINKING STUDY COMMISSION  
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- H 1253 UNINSURED MOTORIST COVERAGE  
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- H 536 USE OF RED LIGHT CAMERAS/LRC STUDY  
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- H 1151 VIOLENT HABITUAL FELON LAW/STUDY  
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- H 1122 WORKERS' COMPENSATION LOSS  
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- H 400 WRONGFUL DEATH PROCEEDS/LRC STUDY  
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- S 910 CRIME TO DEFRAUD DRUG TEST  
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- S 1162 DEFRAUD DRUG TESTS/URINE SAMPLE SALES  
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- H 241 FAMILY/JUVENILE DRUG TREATMENT COURT  
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- H 194 MANAGED CARE PATIENTS' BILL OF RIGHTS  
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- H 808 MENTAL HEALTH/CHEMICAL DEPENDENCY  
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- S 1115 MODIFY APPROPRIATIONS ACT OF 2001  
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- H 950 RAISE AIDS DRUG ASSISTANCE PROGRAM  
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H 1271 NORTH CAROLINA NATIONAL HERITAGE AREA/  
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H 511 2001 EDUCATION LOTTERY  
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S 1217 2002 TECHNICAL CORRECTIONS  
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H 1633 ACCELERATE LOCAL OPTION SALES TAX  
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H 1432 ADDITIONAL TRANSIT AUTHORITY REGISTRATION  
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H 1523 AMEND PROPERTY TAX LAWS  
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S	1161	AMEND USE VALUE STATUTES AND OTHER TAX LAWS (Ch. SL 2002-184).....	276, 350, 359, 394, 399, 414, 475, 737.
H	1548	APPLY SALES TAX TO CERTAIN VEHICLES (Postponed Indefinitely).....	35, 653.
H	1422	BACK-TO-SCHOOL SALES TAX HOLIDAY (Postponed Indefinitely).....	650.
S	1008	BAN VIDEO POKER/ALL BUT RESERVATIONS (Postponed Indefinitely).....	242, 716.
H	379	BILL LEE ACT CHANGES (Postponed Indefinitely).....	644.
H	1441	BILL LEE ACT CHANGES (Postponed Indefinitely).....	701.
H	1434	BILL LEE TIER DESIGNATION CHANGE (Postponed Indefinitely).....	651.
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H	1753	BOND AND INCENTIVE ACT OF 2002 (Remained on Calendar) .....	90, 539.
H	1066	BROADBAND INTERNET TAX CREDIT (Postponed Indefinitely).....	648.
H	1430	BUDGET FEE PROVISIONS (Postponed Indefinitely).....	536, 616.
H	1547	CIGARETTE TAX \$1 A PACK (Postponed Indefinitely).....	35, 653.
H	1601	CIGARETTE TAX 50 CENTS A PACK (Postponed Indefinitely).....	47, 654.
H	1507	CIGARETTE TAX FOR PUBLIC EDUCATION (Postponed Indefinitely).....	24, 652.
H	1531	CIGARETTE TAX FOR PUBLIC SCHOOLS (Postponed Indefinitely).....	30, 653.
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H	1694	CLOSE CORPORATE TAX LOOPHOLES (Postponed Indefinitely).....	76, 655.
H	1521	CONFORM MOBILE TELECOMMUNICATIONS SOURCING (Ch. SL 2002-16).....	29, 58, 99, 106, 149, 189.
H	433	CONFORM PERSONAL TAX DEDUCTION AND EXEMPTION TO INTERNAL REVENUE CODE (Postponed Indefinitely).....	645.

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H	1551	CONFORM TAX ON BANKS (Postponed Indefinitely).....	35, 653.
H	1642	CONFORM TAX RATE ON CERTAIN VEHICLES (Postponed Indefinitely).....	66, 654.
H	1436	CONTINUING CARE RETIREMENT CENTER LEASED PROPERTY (Postponed Indefinitely) .....	651.
S	1407	CONTRACTS TO REIMBURSE FUEL TAX/FUEL TAX CHANGE (Ch. SL 2002-108).....	276, 297, 320, 355, 376, 382, 426.
S	1137	COUNTY UTILITIES AUTHORITY (Postponed Indefinitely).....	631, 716.
H	416	CREDIT FOR VALUE-ADDED AGRIBUSINESS (Postponed Indefinitely).....	645.
H	1516	DEPARTMENT OF TRANSPORTATION PLANNING (Ch. SL 2002-170).....	28, 206, 256, 574, 582, 585, 734.
H	1417	EARNED INCOME TAX CREDIT/INCREASE UPPER RATES (Postponed Indefinitely).....	650.
H	1693	EARNED INCOME TAX CREDIT/SALES TAX ON FOOD (Postponed Indefinitely) .....	75, 655.
H	1549	EARNED INCOME TAX CREDIT/SALES TAX ON MACHINERY (Postponed Indefinitely).....	35, 653.
H	1176	ELECTRONIC PROPERTY TAX LISTING (Postponed Indefinitely).....	649.
H	1446	ELIMINATE VEHICLE PROPERTY TAX (Postponed Indefinitely).....	652.
H	1762	ENFORCE MASTER SETTLEMENT AGREEMENT (Postponed Indefinitely).....	93, 656.
H	1565	ESTABLISH ELECTRONICS RECYCLING PROGRAM (Environment and Natural Resources) .....	38.
H	276	ESTATE TAX ON MULTI-STATE PROPERTY (Postponed Indefinitely).....	644.
H	845	EXCLUDE PENSIONS FROM INCOME TAX (Postponed Indefinitely).....	647.
H	1438	EXEMPT CERTAIN MILITARY PAY FROM INCOME TAX (Postponed Indefinitely) .....	651.
H	53	EXEMPT CHILD CARE PROPERTY (Postponed Indefinitely).....	642.
H	58	EXEMPT TOBACCO PAYMENTS FROM INCOME TAX (Postponed Indefinitely) .....	642.
H	513	EXPAND BANK DEDUCTION TO ALL (Postponed Indefinitely).....	645.

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H	1181	EXPAND CALL CENTERS ELIGIBLE FOR BILL LEE ACT (Postponed Indefinitely).....	649.
H	1444	EXPAND CHILD HEALTH INSURANCE (Postponed Indefinitely).....	652.
H	180	EXPAND DEVELOPMENT ZONES (Postponed Indefinitely).....	643.
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H	1596	FIREFIGHTER/RESCUE SQUAD TAX DEDUCTION (Postponed Indefinitely).....	46, 654.
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- H 1591 MENTAL HEALTH REVENUE  
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 (Postponed Indefinitely)..... 690.  
 H 1667 RALEIGH POLICE JURISDICTION  
 (Local Government I)..... 71.  
 H 489 SWIFT CREEK INCORPORATION  
 (Postponed Indefinitely)..... 645.  
 H 890 TOWN OF CARY LOCAL ACT  
 (Postponed Indefinitely)..... 690.  
 H 1452 WAKE COUNTY AREA NORTH CAROLINA  
 HOUSE REDISTRICTING PLAN  
 (Postponed Indefinitely)..... 701.  
 H 1453 WAKE COUNTY AREA NORTH CAROLINA  
 HOUSE REDISTRICTING PLAN  
 (Postponed Indefinitely)..... 701.  
 H 889 WAKE COUNTY LOCAL ACT  
 (Postponed Indefinitely)..... 690.

**WALEND, TRUDI**

BILLS INTRODUCED - 1479, 1490, 1491, \*1511, \*1522, 1528, 1534,  
 1536, 1595, \*1610, \*1611, 1636, 1699, \*1711, 1741, 1742, 1755, 1758,  
 1774, 1775, 1783, 1798, 1804, 1814.  
 EXCUSED ABSENCES .....422, 425, 438, 444, 447, 455.

**WALKER, R. TRACY**

BILLS INTRODUCED - 1485, 1489, 1490, 1491, 1529, 1595, 1596,  
 1671, 1699, 1708, 1711, 1752, 1774, 1775, 1786, 1787, 1798, 1803,  
 1808, 1814.  
 EXCUSED ABSENCE ..... NONE.

**WARNER, ALEX**

APPROVAL OF VOTE CHANGE ON CONFERENCE  
 REPORT FOR S.B. 1115 ..... 457.  
 BILLS INTRODUCED - 1490, 1529, \***1532**, 1566, 1594, 1595, 1680,  
 1715, 1719, 1751, 1752, \***1773**, 1774, 1775, 1786.  
 CONFEREE ON S.B. 163..... 550.  
 CONFEREE ON S.B. 1292..... 271.  
 EXCUSED ABSENCES .....164, 334, 425.  
 SECONDS ADJOURNMENT..... 283.

**WARREN COUNTY**

H 233 22ND HOUSE DISTRICT LOCAL ACT  
 (Postponed Indefinitely)..... 673.  
 H 234 22ND HOUSE DISTRICT LOCAL ACT  
 (Postponed Indefinitely)..... 674.

**WARREN, EDITH D.**

APPROVAL OF VOTE CHANGE ON H.B. 1520 ..... 338.  
 BILLS INTRODUCED - 1490, 1491, 1529, \***1587**, \***1604**, 1612, 1636,  
 1642, 1644, 1645, \***1651**, 1719, 1752, 1769, 1775, \***1778**, 1785, 1786.  
 EXCUSED ABSENCES .....13, 117, 422, 425.  
 SECONDS ADJOURNMENT..... 303.

**WARWICK, NURHAM O.**

APPROVAL OF VOTE CHANGE ON AMENDMENT NO. 1  
 OF S.B. 1078 .....62.  
 BILLS INTRODUCED - 1490, 1491, 1526, 1529, 1537, 1558, 1566,  
 1588, 1595, 1612, 1711, 1719, 1751, 1752, \***1769**, 1775, 1776, 1780,  
 1785, 1786.  
 EXCUSED ABSENCES ..... 112, 323, 341, 349, 373, 410, 422,  
 425, 429, 434.

**WASHINGTON COUNTY**

H 403 6TH HOUSE DISTRICT LOCAL ACT  
 (Postponed Indefinitely)..... 677.  
 H 404 6TH HOUSE DISTRICT LOCAL ACT  
 (Postponed Indefinitely)..... 677.  
 H 756 WASHINGTON TRANSFER TAX CHANGE  
 (Postponed Indefinitely)..... 646.

**WATAUGA COUNTY**

S 1195 AVERY COUNTY OCCUPANCY TAX  
 (Ch. SL 2002-94) .....152, 223, 265,  
 279, 298, 318, 321, 326, 384, 402.

**WATAUGA COUNTY-Contd.**

- H 557 BEECH MOUNTAIN LOCAL ACT  
(Postponed Indefinitely)..... 681.
- H 611 BEECH MOUNTAIN LOCAL ACT  
(Postponed Indefinitely)..... 683.
- H 1271 NORTH CAROLINA NATIONAL HERITAGE AREA/  
COMMISSION (Postponed Indefinitely) ..... 697.

**WATER AND SEWER SYSTEMS (G.S. 162A)**

- S 1137 COUNTY UTILITIES AUTHORITY  
(Postponed Indefinitely)..... 631, 716.
- H 148 NONPROFIT WATER CORPORATIONS  
(Ch. SL 2002-76) .....276, 289, 305, 342.
- H 720 REGULATE INTERBASIN TRANSFERS  
(Postponed Indefinitely)..... 685.

**WAYNE COUNTY**

- H 1683 WAYNE COMMISSIONERS TERMS  
(Ch. SL 2002-44) .....74, 126, 147, 249, 273.
- H 407 WAYNE COUNTY LOCAL ACT  
(Postponed Indefinitely)..... 677.
- H 523 WAYNE COUNTY LOCAL ACT  
(Postponed Indefinitely)..... 680.
- H 706 WAYNE COUNTY LOCAL ACT  
(Postponed Indefinitely)..... 685.

**WEAPONS**

- H 622 FIREARM REGULATION AMENDMENTS  
(Ch. SL 2002-77) .....211, 286, 295, 305, 343.
- H 1744 GUN TRAFFICKING  
(Postponed Indefinitely)..... 88, 708.
- H 985 OUT-OF-STATE HANDGUN PERMITS VALID  
(Postponed Indefinitely)..... 430.

**WEATHERLY, JOHN H.**

BILLS INTRODUCED - 1482, \*1511, 1536, 1582, 1595, 1596, \*1655,  
1671, 1742, 1774, 1775, 1786, 1808.  
EXCUSED ABSENCES .....312, 422, 425, 455, 466.

**WEEKS, DENISE G. - PRINCIPAL CLERK**

GRANTED LEAVE BY THE SPEAKER..... 741.

**WEISS, JENNIFER**

BILLS INTRODUCED - 1490, 1526, \*1543, \*1544, 1546, 1547, 1548, 1549, 1550, 1551, 1559, 1560, 1561, 1563, 1565, 1566, \*1568, 1601, 1605, \*1606, 1612, \*1642, \*1643, \*1644, \*1645, 1671, 1677, 1711, 1719, \*1743, \*1744, 1752, 1761, 1767, 1775, 1778, \*1784, 1785.

CONFEREE ON S.B. 759..... 148.

CONFEREE ON S.B. 1292..... 271.

ESCORT FOR MISS NORTH CAROLINA ..... 397.

EXCUSED ABSENCES .....291, 416, 438.

SECONDS ADJOURNMENT.....44, 48, 100, 307, 433, 437.

**WEST, ROGER**

BILLS INTRODUCED - 1526, 1595, 1636, 1671, 1699, 1741, 1774, 1775, 1786, 1798, 1803, 1804, 1808, 1814.

EXCUSED ABSENCES .....32, 112, 140, 143, 149, 157.

**WILKES COUNTY**

H 201 41ST HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 673.

H 202 41ST HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 673.

H 203 41ST HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 673.

H 237 41ST HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 674.

H 238 41ST HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 674.

H 773 MILLERS CREEK INCORPORATED  
(Postponed Indefinitely)..... 646.

H 1271 NORTH CAROLINA NATIONAL HERITAGE AREA/  
COMMISSION (Postponed Indefinitely) ..... 697.

**WILLINGHAM, SHELLY**

**(Replaced Representative Milton F. Fitch, Jr. 1/28/02)**

APPROVAL OF VOTE CHANGE ON S.B. 1115 ..... 311.

BILLS INTRODUCED - 1529, 1559, 1560, 1561, 1612, 1636, 164, 1645, 1671, 1719, 1744, 1785, 1786.

EXCUSED ABSENCE..... NONE.

**WILSON COUNTY**

H 657 72ND HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 684.

H 745 72ND HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 686.

**WILSON COUNTY-Contd.**

H 579 WILSON COUNTY LOCAL ACT  
(Postponed Indefinitely)..... 682.

**WILSON, CONSTANCE K.**

BILLS INTRODUCED - 1485, 1490, 1491, 1536, 1581, 1595, 1596,  
1625, 1699, 1710, 1718, 1729, 1741, 1775, 1787, 1801, 1803, 1808,  
1812, 1814.  
EXCUSED ABSENCE ..... NONE.

**WILSON, W. EUGENE**

BILLS INTRODUCED - 1490, 1491, 1527, 1528, 1595, 1631, 1741,  
1752, 1774, 1775, 1783, 1786, 1798, 1803, 1808, 1812, 1814.  
EXCUSED ABSENCE ..... NONE.

**WOMBLE, LARRY W.**

BILLS INTRODUCED - 1521, 1529, 1612, 1636, 1642, 1643, 1644,  
1645, 1660, 1671, 1719, 1758, 1761, \*1782, 1785.  
CONFEREE ON S.B. 1292..... 271.  
EXCUSED ABSENCE ..... 407.  
SECONDS ADJOURNMENT..... 116.

**WORKERS' COMPENSATION ACT (G.S. 97)**

H 1495 FISCAL RESPONSIBILITY ACT  
(Postponed Indefinitely)..... 20, 702.  
H 1566 TEMPORARY COMPENSATION REDUCTIONS  
(Postponed Indefinitely)..... 39, 704.

**WRIGHT, THOMAS E.**

BILLS INTRODUCED - \*1506, \*1555, 1559, 1560, 1561, \*1580, 1586,  
1624, 1642, 1643, 1644, 1645, 1671, 1688, \*1719, \*1720, \*1771, 1778,  
1785, 1786.  
CONFEREE ON S.B. 1115..... 333.  
EXCUSED ABSENCES .....44, 140, 341, 422, 537, 558, 584, 721.

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**YADKIN COUNTY**

H 201 41ST HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 673.  
H 202 41ST HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 673.  
H 203 41ST HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 673.

**YADKIN COUNTY-Contd.**

- H 237 41ST HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 674.
- H 238 41ST HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 674.
- H 1620 JONESVILLE OCCUPANCY TAX  
(Ch. SL 2002-95) .....59, 222, 264, 278, 384, 402.

**YANCEY COUNTY**

- H 660 49TH HOUSE DISTRICT LOCAL ACT  
(Postponed Indefinitely)..... 684.
- H 1271 NORTH CAROLINA NATIONAL HERITAGE AREA/  
COMMISSION (Postponed Indefinitely) ..... 697.

**YONGUE, DOUGLAS Y.**

- BILLS INTRODUCED - 1490, 1566, \*1593, 1597, \*1619, 1624, 1642,  
1646, 1671, \*1672, 1708, \*1715, \*1716, 1719, \*1750, \*1757, \*1765,  
1785, 1786.
- CONFEREE ON S.B. 163..... 550.
- CONFEREE ON S.B. 1115..... 333.
- EXCUSED ABSENCE ..... 741.

**YOUTH SERVICES**

- H 1728 BUNCOMBE YOUTH DETENTION CENTER  
OPERATIONS (Postponed Indefinitely)  
(Included Ch. SL 2002-126) ..... 82, 619.
- H 197 SALE OF TIMBER AT SAMARKAND  
YOUTH ACADEMY  
(Postponed Indefinitely)..... 522, 593.

**CHAPTERED BILLS  
2002 SECOND SESSION**

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6	H 1482	45	H 1684	83	H 1691
7	H 1510	46	H 1690	84	H 1697
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10	H 1578	49	S 1132	87	S 1416
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25	H 1488	63	H 1552	101	S 1113
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130	S 1219	154	H 1564	178	S 1275
131	S 1326	155	S 1252	179	H 1508
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\*The 2002 Extra Session began May 14, 2002 and ran concurrently with the 2002 Short Session when it began May 28, 2002. House Bills 3, 4, and Senate Bill 3 of the 2002 Session Laws were ratified and given Chapter Numbers 1, 2, and 3 during the Extra Session. They may be found at the end of the Extra Session Index.