

JOURNAL
OF THE
House of Representatives
OF THE
2003
GENERAL ASSEMBLY
OF THE
STATE OF NORTH CAROLINA

FIRST
SESSION 2003

VOLUME I

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OFFICERS AND MEMBERS
OF THE
HOUSE OF REPRESENTATIVES
FIRST SESSION 2003

James B. Black, *Democratic Speaker* Matthews, Mecklenburg County
Richard T. Morgan, *Republican Speaker* Eagle Springs, Moore County
Denise G. Weeks, *Principal Clerk* Willow Springs, Wake County
Robert R. Samuels, *Sergeant-at-Arms* Charlotte, Mecklenburg County

REPRESENTATIVES

- 1st District (1): Camden, Currituck, Gates (Part), and Pasquotank.
William C. Owens, Jr. (D) Pasquotank Elizabeth City
- 2nd District (1): Chowan, Dare, Gates (Part), Perquimans, and Tyrrell.
William T. Culpepper, III (D) .. Chowan Edenton
- 3rd District (1): Craven (Part), and Pamlico.
Michael A. Gorman (R) Craven Trent Woods
- 4th District (1): Craven (Part), Martin and Pitt (Part).
Charles E. Johnson (D) Pitt Greenville
- 5th District (1): Bertie, Hertford, and Northampton.
Howard J. Hunter, Jr. (D) Hertford Winton
- 6th District (1): Beaufort, Hyde, and Washington.
Arthur J. Williams (D) Beaufort Washington
- 7th District (1): Halifax (Part) and Nash (Part).
John D. Hall (D) Halifax Scotland Neck
- 8th District (1): Greene, Martin (Part), and Pitt (Part).
Edith D. Warren (D) Pitt Farmville
- 9th District (1): Pitt (Part).
Marian N. McLawhorn (D) Pitt Grifton

10th District (1): Duplin (Part) and Lenoir (Part).
Stephen A. LaRoque (R)..... Lenoir..... Kinston

11th District (1) Wayne (Part).
Louis M. Pate, Jr. (R)..... Wayne..... Mt. Olive

12th District (1): Craven (Part), Jones, and Lenoir (Part).
William L. Wainwright (D) Craven..... Havelock

13th District (1): Carteret and Onslow (Part).
Jean R. Preston (R) Carteret Emerald Isle

14th District (1): Onslow (Part).
Keith P. Williams (R) Onslow..... Hubert

15th District (1): Onslow (Part).
W. Robert Grady (R) Onslow..... Jacksonville

16th District (1): New Hanover (Part) and Pender.
Carolyn H. Justice (R) Pender..... Hampstead

17th District (1): Brunswick (Part) and New Hanover (Part).
Bonner L. Stiller (R) Brunswick..... Oak Island

18th District (1) Brunswick (Part), Columbus (Part), and
New Hanover (Part).
Thomas E. Wright (D) New Hanover Wilmington

19th District (1): New Hanover (Part).
Daniel F. McComas (R)..... New Hanover..... Wilmington

20th District (1): Brunswick (Part) and Columbus (Part).
Dewey L. Hill (D)..... Columbus..... Lake Waccamaw

21st District (1): Duplin (Part), Sampson (Part), and Wayne (Part).
Larry M. Bell (D)..... Sampson..... Clinton

22nd District (1): Bladen and Sampson (Part).
Edd Nye (D). Bladen..... Elizabethtown

- 23rd District (1): Edgecombe (Part) and Wilson (Part).
Joe P. Tolson (D) Edgecombe Pinetops
- 24th District (1): Edgecombe (Part) and Wilson (Part).
Jean Farmer-Butterfield (D)..... Wilson..... Wilson
- 25th District (1): Nash (Part).
William G. Daughtridge, Jr. (R)...Nash..... Rocky Mount
- 26th District (1): Johnston (Part) and Wayne (Part).
Billy J. Creech (R) Johnston Clayton
- 27th District (1): Granville (Part), Vance (Part), and Warren (Part).
Stanley H. Fox (D)..... Granville Oxford
- 28th District (1): Johnston (Part).
N. Leo Daughtry (R) Johnston Smithfield
- 29th District (1): Durham (Part).
Paul Miller (D)..... Durham Durham
- 30th District (1): Durham (Part).
Paul Luebke (D)..... Durham Durham
- 31st District (1): Durham (Part).
Henry M. Michaux, Jr. (D) Durham Durham
- 32nd District (1): Durham (Part), Granville (Part), and Vance (Part).
James W. Crawford, Jr. (D) Granville Oxford
- 33rd District (1): Wake (Part).
Bernard Allen (D) Wake Raleigh
- 34th District (1): Wake (Part).
Don Munford (R) Wake Raleigh
- 35th District (1): Wake (Part).
Jennifer Weiss (D) Wake Cary
- 36th District (1): Wake (Part).
David M. Miner (R) Wake Cary

- 37th District (1): Wake (Part).
Paul Stam (R)..... Wake.....Apex
- 38th District (1): Wake (Part).
Deborah K. Ross (D) Wake..... Raleigh
- 39th District (1): Wake (Part).
J. Sam Ellis (R)..... Wake..... Raleigh
- 40th District (1): Wake (Part).
Rick L. Eddins (R)..... Wake..... Raleigh
- 41st District (1): Cumberland (Part) and Harnett (Part).
Margaret H. Dickson (D)..... CumberlandFayetteville
- 42nd District (1): Cumberland (Part) and Harnett (Part).
Marvin W. Lucas (D)..... CumberlandSpring Lake
- 43rd District (1): Cumberland (Part).
Mary E. McAllister (D) CumberlandFayetteville
- 44th District (1): Cumberland (Part).
Rick Glazier (D) CumberlandFayetteville
- 45th District (1): Cumberland (Part).
Alex Warner (D)..... Cumberland Hope Mills
- 46th District (1): Hoke (Part), Robeson (Part), and Scotland (Part).
Douglas Y. Yongue (D)..... ScotlandLaurinburg
- 47th District (1): Hoke (Part) and Robeson (Part).
Ronnie N. Sutton (D)..... Robeson Pembroke
- 48th District (1): Hoke (Part), Robeson (Part), and Scotland (Part).
Donald A. Bonner (D) Robeson Rowland
- 49th District (1): Franklin, Halifax (Part), and Warren (Part).
Lucy T. Allen (D) Franklin..... Louisburg
- 50th District (1): Wake (Part).
J. Russell Capps (R)..... Wake..... Raleigh
- 51st District (1): Harnett (Part), Lee, and Moore (Part).
John I. Sauls (R) Lee Sanford

- 52nd District (1): Moore (Part).
Richard T. Morgan (R) Moore..... Eagle Springs
- 53rd District (1): Harnett (Part).
David R. Lewis (R)..... HarnettDunn
- 54th District (1): Chatham and Orange (Part).
Joe Hackney (D) Orange Chapel Hill
- 55th District (1): Orange (Part) and Person.
Gordon P. Allen (D) Person Roxboro
- 56th District (1): Orange (Part).
Verla C. Insko (D) Orange Chapel Hill
- 57th District (1): Guilford (Part).
Joanne W. Bowie (R)..... Guilford Greensboro
- 58th District (1): Guilford (Part).
Alma S. Adams (D) Guilford Greensboro
- 59th District (1): Guilford (Part).
Maggie Jeffus (D) Guilford Greensboro
- 60th District (1): Guilford (Part).
Earl Jones (D) Guilford Greensboro
- 61st District (1): Guilford (Part).
Stephen W. Wood (R)..... Guilford High Point
- 62nd District (1): Guilford (Part).
John M. Blust (R) Guilford Greensboro
- 63rd District (1): Alamance (Part).
Alice L. Bordsen (D) AlamanceMebane
- 64th District (1): Alamance (Part).
Cary D. Allred (R) Alamance Burlington
- 65th District (1): Caswell and Rockingham (Part).
E. Nelson Cole (D) Rockingham..... Reidsville
- 66th District (1): Forsyth (Part) and Rockingham (Part).
P. Wayne Sexton, Sr. (R)..... Rockingham..... Eden

- 67th District (1): Randolph (Part).
Arlie F. Culp (R)..... Randolph..... Ramseur
- 68th District (1): Richmond and Stanly (Part).
G. Wayne Goodwin (D)..... Richmond..... Rockingham
- 69th District (1): Anson, Montgomery, and Union (Part).
Pryor A. Gibson, III (D)..... Montgomery Troy
- 70th District (1): Stanly (Part) and Union (Part).
Bobby H. Barbee, Sr. (R)..... Stanly Locust
- 71st District (1): Forsyth (Part).
Larry W. Womble (D) Forsyth Winston-Salem
- 72nd District (1): Forsyth (Part).
Earline W. Parmon (D) Forsyth Winston-Salem
- 73rd District (1): Union (Part).
J. Curtis Blackwood, Jr. (R)..... Union Matthews
- 74th District (1): Cabarrus (Part).
Linda P. Johnson (R) Cabarrus Kannapolis
- 75th District (1): Cabarrus (Part).
Jeffrey L. Barnhart (R)..... Cabarrus Concord
- 76th District (1): Rowan (Part).
W. Eugene McCombs (R)..... Rowan Faith
- 77th District (1): Rowan (Part).
Lorene T. Coates (D) Rowan Salisbury
- 78th District (1): Randolph (Part).
Harold J. Brubaker (R)..... Randolph..... Asheboro
- 79th District (1): Davidson (Part), Davie, and Iredell (Part).
Julia C. Howard (R)..... Davie..... Mocksville
- 80th District (1): Davidson (Part).
Jerry C. Dockham (R)..... Davidson..... Denton
- 81st District (1): Davidson (Part).
L. Hugh Holliman (D) Davidson..... Lexington

- 82nd District (1): Ashe and Watauga.
W. Eugene Wilson (R)..... Watauga Boone
- 83rd District (1): Wilkes.
R. Tracy Walker (R) Wilkes Wilkesboro
- 84th District (1): Avery, Caldwell (Part), and Mitchell.
Phillip D. Frye (R) Mitchell Spruce Pine
- 85th District (1): Burke (Part), Caldwell (Part), and McDowell.
Mitch Gillespie (R) McDowell Marion
- 86th District (1): Burke (Part).
Walter G. Church, Sr. (D)..... Burke Valdese
- 87th District (1): Alexander and Caldwell (Part).
Edgar V. Starnes (R)..... Caldwell Granite Falls
- 88th District (1): Catawba (Part).
Mark K. Hilton (R) Catawba Conover
- 89th District (1): Catawba (Part).
Mitchell S. Setzer (R) Catawba Catawba
- 90th District (1): Alleghany and Surry (Part).
James A. Harrell, III (D)..... Surry Elkin
- 91st District (1): Forsyth (Part), Stokes, and Surry (Part).
Rex L. Baker (R)..... Stokes King
- 92nd District (1): Forsyth (Part) and Yadkin.
George M. Holmes (R) Yadkin Hamptonville
- 93rd District (1): Forsyth (Part).
William C. McGee (R)..... Forsyth Clemmons
- 94th District (1): Forsyth (Part).
Michael P. Decker (D)..... Forsyth Walkertown
- 95th District (1): Catawba (Part) and Iredell (Part).
Karen B. Ray (R) Iredell Mooresville
- 96th District (1): Iredell (Part).
W. Franklin Mitchell (R) Iredell Olin

- 97th District (1): Lincoln.
Joe L. Kiser (R)..... Lincoln..... Vale
- 98th District (1): Mecklenburg (Part).
John W. Rhodes (R)..... Mecklenburg..... Cornelius
- 99th District (1): Mecklenburg (Part).
Drew P. Saunders (D) Mecklenburg..... Huntersville
- 100th District (1): Mecklenburg (Part).
James B. Black (D) Mecklenburg..... Matthews
- 101st District (1): Mecklenburg (Part).
Beverly M. Earle (D) Mecklenburg..... Charlotte
- 102nd District (1): Mecklenburg (Part).
Becky Carney (D) Mecklenburg..... Charlotte
- 103rd District (1): Mecklenburg (Part).
Jim Gulley (R) Mecklenburg..... Matthews
- 104th District (1): Mecklenburg (Part).
Constance K. Wilson (R) Mecklenburg..... Charlotte
- 105th District (1): Mecklenburg (Part).
W. Edwin McMahan (R)..... Mecklenburg..... Charlotte
- 106th District (1): Mecklenburg (Part).
Martha B. Alexander (D) Mecklenburg..... Charlotte
- 107th District (1): Mecklenburg (Part).
W. Pete Cunningham (D)..... Mecklenburg..... Charlotte
- 108th District (1): Gaston (Part).
John M. Rayfield (R) Gaston..... Belmont
- 109th District (1): Gaston (Part).
Patrick T. McHenry (R) Gaston..... Gastonia
- 110th District (1): Cleveland (Part) and Gaston (Part).
Debbie A. Clary (R)..... Cleveland..... Cherryville
- 111th District (1): Cleveland (Part).
Tim Moore (R)..... Cleveland..... Kings Mountain

- 112th District (1): Cleveland (Part) and Rutherford.
Bobby F. England (D)..... Rutherford.....Ellenboro
- 113th District (1): Henderson (Part), Polk and Transylvania (Part).
Trudi Walend (R)..... TransylvaniaBrevard
- 114th District (1): Buncombe (Part).
Martin L. Nesbitt, Jr. (D) Buncombe Asheville
- 115th District (1): Buncombe (Part).
D. Bruce Goforth (D)..... Buncombe Asheville
- 116th District (1): Buncombe (Part).
Wilma M. Sherrill (R)..... Buncombe Asheville
- 117th District (1): Henderson (Part) and Transylvania (Part).
Carolyn K. Justus (R)..... Henderson Hendersonville
- 118th District (1): Haywood (Part), Madison, and Yancey.
Raymond C. Rapp (D) Madison Mars Hill
- 119th District (1): Haywood (Part), Jackson, Macon (Part), and Swain.
R. Phillip Haire (D)..... Jackson..... Sylva
- 120th District (1): Cherokee, Clay, Graham, and Macon (Part).
Roger West (R) Cherokee Marble

HOUSE JOURNAL

SESSION 2003

FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, January 29, 2003

This day, in accordance with the Constitution of the State of North Carolina and G.S. 120-11.1, which fixes the date for the meeting of the General Assembly of North Carolina, the Members of the House of Representatives assemble in the House Chamber of the State Legislative Building in the City of Raleigh at 12:00 Noon and are called to order by the Honorable Denise G. Weeks, Principal Clerk of the 2001 House of Representatives.

The following prayer is offered by Glen Krans, Command Chaplain, School of Infantry, Camp Geiger.

"Lord, teach us to pray.

"Our spirits long for Your Spirit and reach out to feel You are near us.

"As You are many, so we are many; as You are one, so we are one. In Your presence we humbly stand. We set aside this moment of solemn remembrance to thank You for Your goodness and to pray for Your continued guidance. This day and each day, with new hearts, lead us in the way of peace and justice.

"Bless all who do the important work of this place. We remember especially all those who are sworn in today. May Your wisdom and power always dwell within us. Renew in each of us the spirit of joy in serving You as we serve our fellow men and women.

"Eternal Father, strong to save, our hearts are full of love and concern for our fellow countrymen and women in the Armed Services. As they go into harms way in these uncertain times surround them with Your strength and courage, that our world may be blessed by a just and enduring peace.

"As for us, we pray, O God, guide us into Your own right way; Gird us with Your might and clothe us with Your beauty and fill us with Your peace; So that round about us wherever we may sail, there shall be clear spaces for thought and work, fair winds and smooth, following seas.

"For You alone are our strength, salvation, and shalom. Amen."

The following children, who are relatives of the Members, serve as Honorary Pages and lead the Body in the Pledge of Allegiance: Bernard Allen, III; Lenai Butterfield; Valeisha Butterfield; Monica Carney; Lauren Church; Nicole Scheidt; Coltrane Milholen; Sidney Milholen; Gray Daughtridge; Meredith Daughtridge; Wyatt Dickson; Seavy Dickson; Ethan Hollifield; Megan Glazier; Cort Radford; Brittany Hill; Jake Hill; Nick Hill; Rachel Radford; Bill Gorman; Erik Biggs; Montario Hunter; Eric LaRoque; Webb LaRoque; Will McGee; Mac McHenry; Mary Corinne McHenry; Clarke Munford; Franklin Munford; Kathryn King; Anna King; Nathan Nye; Sholanda Ingram; Phillip Ingram; Tobias Rosen; Aaron Rapp; Kristy Stiller; Danielle Stiller; and Ashley Williams.

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

THE 2003 NORTH CAROLINA HOUSE OF REPRESENTATIVES

I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify that the State Board of Elections met Tuesday, the 19th day of November, A.D., 2002, in accordance with Chapter 163 of the General Statutes of North Carolina, at which time the Board did open, canvass and judicially determine the returns of votes cast in the election held on Tuesday, November 5th, 2002, and certified to me the persons duly elected as members of the House of Representatives from the various Representative Districts comprising of more than one county, and all others have been certified to me in the abstracts by the State Board of Elections as having the highest number of votes cast in the election for the House of Representatives from districts composed of one county only, for the General Assembly of 2003, to wit:

DISTRICT	NAME
First	W. C. "Bill" Owens, Jr.
Second	Bill Culpepper

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Third	Michael A. Gorman
Fourth	Charles Johnson
Fifth	Howard Hunter, Jr.
Sixth	Arthur Williams
Seventh	John D. Hall
Eighth	Edith D. Warren
Ninth	Marian N. McLawhorn
Tenth	Stephen LaRoque
Eleventh	Louis M. Pate, Jr.
Twelfth	William L. Wainwright
Thirteenth	Jean R. Preston
Fourteenth	Keith P. Williams
Fifteenth	Robert Grady
Sixteenth	Carolyn H. Justice
Seventeenth	Bonner Stiller
Eighteenth	Thomas E. Wright
Nineteenth	Danny McComas
Twentieth	Dewey L. Hill
Twenty-first	Larry M. Bell
Twenty-second	Edd Nye
Twenty-third	Joe Tolson
Twenty-fourth	Jean Farmer Butterfield

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Twenty-fifth	Bill Daughtridge
Twenty-sixth	Billy Creech
Twenty-seventh	Stan Fox
Twenty-eighth	Leo Daughtry
Twenty-ninth	Paul Miller
Thirtieth	Paul Luebke
Thirty-first	H. M. (Mickey) Michaux, Jr.
Thirty-second	Jim Crawford
Thirty-third	Bernard Allen
Thirty-fourth	Don Munford
Thirty-fifth	Jennifer Weiss
Thirty-sixth	David Miner
Thirty-seventh	Paul Stam
Thirty-eighth	Deborah Ross
Thirty-ninth	J. Sam Ellis
Fortieth	Rick Eddins
Forty-first	Margaret Highsmith Dickson
Forty-second	Marvin W. Lucas
Forty-third	Mary E. McAllister
Forty-fourth	Rick Glazier
Forty-fifth	Alex Warner
Forty-sixth	Douglas Y. Yongue

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Forty-seventh	Ronnie Sutton
Forty-eighth	Donald A. Bonner
Forty-ninth	Lucy T. Allen
Fiftieth	J. Russell Capps
Fifty-first	John Sauls
Fifty-second	Richard T. Morgan
Fifty-third	David Lewis
Fifty-fourth	Joe Hackney
Fifty-fifth	Gordon P. Allen
Fifty-sixth	Verla Insko
Fifty-seventh	Joanne W. Bowie
Fifty-eighth	Alma Adams
Fifty-ninth	Maggie Jeffus
Sixtieth	Earl Jones
Sixty-first	Steve Wood
Sixty-second	John M. Blust
Sixty-third	Alice Bordsen
Sixty-fourth	Cary D. Allred
Sixty-fifth	Nelson Cole
Sixty-sixth	Wayne Sexton
Sixty-seventh	Arlie F. Culp
Sixty-eighth	Wayne Goodwin

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Sixty-ninth	Pryor Gibson
Seventieth	Bobby Harold Barbee, Sr.
Seventy-first	Larry Womble
Seventy-second	Earline W. Parmon
Seventy-third	Curtis Blackwood
Seventy-fourth	Linda P. Johnson
Seventy-fifth	Jeff Barnhart
Seventy-sixth	Eugene McCombs
Seventy-seventh	Lorene T. Coates
Seventy-eighth	Harold J. Brubaker
Seventy-ninth	Julia Craven Howard
Eightieth	Jerry C. Dockham
Eighty-first	L. Hugh Holliman
Eighty-second	Gene Wilson
Eighty-third	R. Tracy Walker
Eighty-fourth	Phillip Frye
Eighty-fifth	Mitch Gillespie
Eighty-sixth	Walt Church
Eighty-seventh	Edgar V. Starnes
Eighty-eighth	Mark K. Hilton
Eighty-ninth	Mitchell S. Setzer
Ninetieth	Jim Harrell

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Ninety-first	Rex L. Baker
Ninety-second	George M. Holmes
Ninety-third	William C. (Bill) McGee
Ninety-fourth	Michael (Mike) Decker
Ninety-fifth	Karen Ray
Ninety-sixth	Frank Mitchell
Ninety-seventh	Joe L. Kiser
Ninety-eighth	John W. Rhodes
Ninety-ninth	Drew Saunders
One hundredth	James B. (Jim) Black
One hundred-first	Beverly M. Earle
One hundred-second	Becky Carney
One hundred-third	Jim Gulley
One hundred-fourth	Connie Wilson
One hundred-fifth	Ed McMahan
One hundred-sixth	Martha Alexander
One hundred-seventh	W. Pete Cunningham
One hundred-eighth	John Melvin Rayfield
One hundred-ninth	Patrick McHenry
One hundred-tenth	Debbie A. Clary
One hundred-eleventh	Tim Moore
One hundred-twelfth	Bob England

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One hundred-thirteenth	Trudi Walend
One hundred-fourteenth	Martin L. Nesbitt
One hundred-fifteenth	D. Bruce Goforth
One hundred-sixteenth	Wilma M. Sherrill
One hundred-seventeenth	Carolyn Justus
One hundred-eighteenth	Ray Rapp
One hundred-nineteenth	Phil Haire
One hundred-twentieth	Roger West

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

DONE IN OFFICE at Raleigh, this 13th day of January, 2003.

S/Elaine F. Marshall
Secretary of State

The roll is called and one hundred twenty Members-elect are present.

The Members-elect take and subscribe to the following oath of office, which is administered by Chief Justice I. Beverly Lake, Jr., Supreme Court of North Carolina.

**OATH FOR MEMBERS OF THE
2003 HOUSE OF REPRESENTATIVES**

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

The foregoing oath was administered to Representative Steve Wood by Allyson Wood, Notary Public, on January 26, 2003, and to Representative Michael Decker by Beverly Adams, Notary Public, on January 28, 2003.

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

ELECTION OF OFFICERS

The Chair recognizes Representative McMahan who places the name of Representative George Holmes as a Republican Nominee for the Speaker of the House of Representatives.

"Madame Clerk and Members of the House, it is my distinct honor to nominate Representative George Holmes for Speaker of the 2003 Session of the North Carolina House.

"Representative Holmes has served as a Member and leader of this institution for 13 terms – 26 years.

"-- George, how is that possible? –

"As you can imagine, Representative Holmes has served this General Assembly in many positions of responsibility over the past 26 years. Of course, most of us here remember the outstanding job George did in 1995-1998 as Senior Co-Chair of the House Appropriations Committee. Over the years other prominent assignments have included chairing the Governor's Advisory Budget Commission, Joint Legislative Commission on Government Operations, Transportation Oversight, Utility Review Commission, Commission on Capital Outlay and Special Programs, the State-Federal Energy Committee and many others including the North Carolina Sports Hall-of-Fame Board of Directors.

"Representative Holmes has been recognized with many awards and honors over the years, including the recipient of the Order of the Long Leaf Pine in 1995.

"Representative Holmes was born in Mt. Airy, educated in the Mt. Airy Public Schools and Appalachian State University where he was named the Distinguished Alumnus of the Year Award also in 1995.

"Representative Holmes has been married to Barbara, a beautiful person for 46 years. They have one daughter – Dr. Jennifer Crawley and three beautiful grandchildren that I have had the honor to meet.

"In closing, I ask you to support Representative George Holmes because he will be a person that will reach out to both sides of the aisle.

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"I believe he will surround himself with the very best minds from the entire Body and be a strong consensus-building leader. We face a great challenge this session – possibly the greatest in the history of this Body – and we must work together in a non-partisan way to be able to successfully complete our work and in a timely manner.

"I proudly stand before you today and nominate Representative George W. Holmes as the next Speaker of this great institution.

"Thank you Madame Clerk and my fellow Members."

The Chair recognizes Representative McComas who places in nomination the name of Representative Richard T. Morgan as a Republican Nominee for the Speaker of the House of Representatives.

"We are gathered here today after much media attention to the race for Speaker of the North Carolina House of Representatives. We are all part of what is being called the greatest show in town. But the truth is, we are here for very serious business. We cannot forget we are here to do the work of the people. But let us not forget the fact that we are a State in crisis and a Nation on the brink of war. Our State budget is in shambles, and shortly our young men and women will be engaged in a war to preserve our freedom.

"Politics is called a blood sport and we can truly say we have witnessed it firsthand these past several weeks. But our battles will only pale in comparison to the men and women who are poised to make the ultimate sacrifice for this great Nation.

"General Norman Schwartzkopf once said that, 'knowing the right thing to do is easy but doing the right thing is the hard part'. I know in my heart that Representative Richard Morgan not only knows what is the right thing to do, but he is committed to doing the right thing. We are faced with many tough decisions in the coming months. We need a leader whom we can trust, who has character and conviction, someone who is true to his word, and someone who will be true to the citizens of our State. There is no doubt that we need a leader who knows and understands that each one of us represents different constituencies and different needs, wants and desires, a leader who can balance these and still make this State even greater. Each of us knows that Richard Morgan is that leader.

"While it may be difficult to accept not always getting what we expect from the legislative process, we must all remember that our duty is to the people who elected us, and not to ourselves. For that, and for only that

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reason are we called public servants. My friends, my fellow citizens, I place into nomination, Richard Morgan, a Member who is committed to leading this Institution to find real solutions to real problems for the people of North Carolina. Thank you."

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

- "Madame Chairman...
- Ladies and gentlemen of the House...
- Distinguished visitors and guests...
- First of all, I want to extend a special recognition to Representative Donald Bonner, who left his sick bed to cast his vote.
- I am proud to come before you today to nominate Jim Black for Speaker of the North Carolina House of Representatives.
- I am proud because Jim Black is a fellow resident of Mecklenburg County who has spent his whole political career working for all of North Carolina.
- I am also proud because Jim Black is my friend.
- But most of all I am proud because I believe Jim Black is the most qualified person for this most important job.
- Any number of people in this room have the skills to be a good Speaker of the House.
- But Jim Black has proven himself many times under fire.
- He has steered the House through some very rough waters over the past four years.
- He has sought counsel and advice from a variety of House Members.
- Also he has reached out and talked to those on the other side of the aisle.

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- The budget will again be a challenge.
- And our wounds may be slow to heal.
- But Jim Black, will combine our individual skills, knowledge and experience to make the House stronger.
- His patience will guide us toward common ground.
- That is why I am proud to nominate Jim Black for Speaker of the North Carolina House of Representatives.
- Thank you."

The nomination is seconded by Representative McLawhorn.

"Thank you, Madame Chair.

"It is my pleasure to second the nomination of Jim Black for Speaker of the House.

"Speaker Black has served us very well during his previous two terms as Speaker.

"We need his knowledge and experience to continue to lead us with the Governor and the Senate leadership during the critical years ahead. He will reach across the aisle.

"I am proud to ask for your support for Jim Black for Speaker of the House."

The nomination is seconded by Representative Haire.

"In times of hardship and uncertainty, it is necessary that strong positive leadership come forward to guide us in the troubled times.

"It is my honor to second the nomination of James B. Black as Speaker of the North Carolina House of Representatives."

Representative Holmes' nomination is seconded by Representative Ray.

"Today as the North Carolina General Assembly enters a new era, we have the opportunity to elect someone that can guide us as we face the difficult task we have before us.

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"Representative George Holmes has been nominated as Speaker of the House and has proven himself as the person that we can depend on. Representative Holmes has served admirably in this Chamber for 24 years and has built friendships with Members from both sides of the aisle. He has worked tirelessly to find solutions for all issues that a majority of our Members can agree to.

"George has served in this Body during difficult times when North Carolina needed a guiding hand to insure financial stability. He has also seen North Carolina prosper and has been a champion for economic growth. Always, he and other leaders were able to reach agreements, which were best for our citizens.

"George has never been one to take center stage. He does not speak needlessly. When he does speak, people listen and take heed with what he has to say.

"George has asked me to keep this short but I cannot close without telling you a little about him. He was born in Yadkin Valley near the small town of Hamptonville where he and his wife, Barbara, raised their daughter. George taught in the Yadkin County Public Schools and is a strong advocate for education. He has championed economic development and that has made our State attractive to industries creating jobs for our economy.

"Farmers throughout North Carolina have always been able to depend on the support of George Holmes when they have faced difficult times.

"He has always been a strong advocate on environmental issues so that future generations will have clean air to breathe and clean water to drink. The panoramic view of the mountains and the Yadkin River has inspired George over the years to protect the natural resources of our State.

"It is with great honor that I have the privilege of seconding the nomination of Representative George Holmes as Speaker of the North Carolina House of Representatives."

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

The following Members vote for Representative Black: Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Bell, Black, Bonner, Bordsen, Carney, Church, Coates, Cole, Crawford, Culpepper, Cunningham, Decker, Dickson, Earle, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth,

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Goodwin, Hackney, Haire, Hall, Harrell, Hill, Holliman, Hunter, Insko, Jeffus, C. Johnson, Jones, Lucas, Luebke, McAllister, McLawhorn, Michaux, Miller, Nesbitt, Nye, Owens, Parmon, Rapp, Ross, Saunders, Sutton, Tolson, Wainwright, Warner, Warren, Weiss, A. Williams, Womble, Wright, and Yongue - 60.

The following Members vote for Representative Holmes: Representatives Allred, Baker, Barbee, Barnhart, Blackwood, Blust, Bowie, Capps, Clary, Creech, Culp, Daughtride, Daughtry, Dockham, Eddins, Ellis, Frye, Gillespie, Gorman, Grady, Gulley, Hilton, Holmes, L. Johnson, Justice, Justus, Kiser, LaRoque, Lewis, McCombs, McGee, McHenry, McMahan, Miner, Mitchell, Moore, Munford, Pate, Preston, Ray, Rayfield, Rhodes, Sauls, Setzer, Sexton, Stam, Starnes, Stiller, Walend, Walker, West, K. Williams, C. Wilson, G. Wilson, and Wood - 55.

The following Members vote for Representative Morgan: Representatives Brubaker, Howard, McComas, Morgan, and Sherrill - 5.

No Member having received a majority of the vote, the House proceeds to a second ballot.

The roll of the House is called.

The following Members vote for Representative Black: Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Bell, Black, Bonner, Bordsen, Carney, Church, Coates, Cole, Crawford, Culpepper, Cunningham, Decker, Dickson, Earle, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth, Goodwin, Hackney, Haire, Hall, Harrell, Hill, Holliman, Hunter, Insko, Jeffus, C. Johnson, Jones, Lucas, Luebke, McAllister, McLawhorn, Michaux, Miller, Nesbitt, Nye, Owens, Parmon, Rapp, Ross, Saunders, Sutton, Tolson, Wainwright, Warner, Warren, Weiss, A. Williams, Womble, Wright, and Yongue - 60.

The following Members vote for Representative Holmes: Representatives Allred, Baker, Barbee, Barnhart, Blackwood, Blust, Bowie, Capps, Clary, Creech, Culp, Daughtride, Daughtry, Dockham, Eddins, Ellis, Frye, Gillespie, Gorman, Grady, Gulley, Hilton, Holmes, L. Johnson, Justice, Justus, Kiser, LaRoque, Lewis, McCombs, McGee, McHenry, McMahan, Miner, Mitchell, Moore, Munford, Pate, Preston, Ray, Rayfield, Rhodes, Sauls, Setzer, Sexton, Stam, Starnes, Stiller, Walend, Walker, West, K. Williams, C. Wilson, G. Wilson, and Wood - 55.

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The following Members vote for Representative Morgan: Representatives Brubaker, Howard, McComas, Morgan, and Sherrill - 5.

No Member having received a majority of the vote, the Chair states that the House will proceed to a third ballot.

Representative Allred moves that the roll be called in reverse order. The motion fails.

Representative Baker moves that the House recess for thirty minutes.

The motion fails by electronic vote (21-98).

Representative Culpepper moves that the roll be called in reverse order.

Representative Wood inquires if the Chair would state the rules.

The Chair states, "in the absence of adopted rules, the House is governed by usage, custom and precedent and by the general parliamentary law. The best evidence of what are the established usages and customs is the rules as last in effect."

Representative Wood inquires if the motion is contrary to the rules as stated.

The Chair states that there are no adopted rules, so the motion can proceed.

Representative Wood inquires if the motion can be decided by a simple majority. The Chair states that it can.

Representative Ellis inquires if he can make a substitute motion.

The Chair states that a substitute motion is not in order but a motion of higher precedence is in order.

Representative Creech raises a point of order and asks if a similar motion has previously been defeated, is the same motion in order. The Chair states that business was entertained between motions and the House is not at the same stage of debate, thus the motion is in order.

The motion to call the roll in reverse order carries, by electronic vote (68-52).

January 29, 2003

The roll of the House is called.

The following Members vote for Representative Black: Yongue, Wright, Womble, A. Williams, Weiss, Warren, Warner, Wainwright, Tolson, Sutton, Saunders, Ross, Rapp, Parmon, Owens, Nye, Nesbitt, Miller, Michaux, McLawhorn, McAllister, Luebke, Lucas, Jones, C. Johnson, Jeffus, Insko, Hunter, Holliman, Hill, Harrell, Hall, Haire, Hackney, Goodwin, Goforth, Glazier, Gibson, Fox, Farmer-Butterfield, England, Earle, Dickson, Decker, Cunningham, Culpepper, Crawford, Cole, Coates, Church, Carney, Bordsen, Bonner, Black, Bell, L. Allen, G. Allen, B. Allen, Alexander, and Adams - 60.

The following Members vote for Representative Holmes: Representatives Wood, G. Wilson, C. Wilson, K. Williams, West, Walker, Walend, Stiller, Starnes, Stam, Sexton, Setzer, Sauls, Rhodes, Rayfield, Ray, Preston, Pate, Munford, Moore, Mitchell, Miner, McMahan, McHenry, McGee, McCombs, Lewis, LaRoque, Kiser, Justus, Justice, L. Johnson, Holmes, Hilton, Gully, Grady, Gorman, Gillespie, Frye, Ellis, Eddins, Dockham, Daughtry, Daughtridge, Culp, Creech, Clary, Capps, Bowie, Blust, Blackwood, Barnhart, Barbee, Baker, and Allred - 55.

The following Members vote for Representative Morgan: Representatives Sherrill, Morgan, McComas, Howard, and Brubaker - 5.

No Member having received a majority of the vote, the Chair states that the House will proceed to a fourth ballot.

On motion of Representative Culpepper, the House recesses at 1:20 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Chair.

On motion of Representative Culpepper, the House recesses at 1:50 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Chair.

Representative Culpepper requests a roll call quorum call.

January 29, 2003

The following Members answer the call of the roll: Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Black, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 120.

The Chair declares a quorum present.

The roll of the House is called for the fourth ballot of the election of a Speaker.

The following Members vote for Representative Black: Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Bell, Black, Bonner, Bordsen, Carney, Church, Coates, Cole, Crawford, Culpepper, Cunningham, Decker, Dickson, Earle, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth, Goodwin, Hackney, Haire, Hall, Harrell, Hill, Holliman, Hunter, Insko, Jeffus, C. Johnson, Jones, Lucas, Luebke, McAllister, McLawhorn, Michaux, Miller, Nesbitt, Nye, Owens, Parmon, Rapp, Ross, Saunders, Sutton, Tolson, Wainwright, Warner, Warren, Weiss, A. Williams, Womble, Wright, and Yongue - 60.

The following Members vote for Representative Holmes: Representatives Allred, Baker, Barbee, Barnhart, Blackwood, Blust, Bowie, Capps, Clary, Creech, Culp, Daughtridg, Daughtry, Dockham, Eddins, Ellis, Frye, Gillespie, Gorman, Grady, Gulley, Hilton, Holmes, L. Johnson, Justice, Justus, Kiser, LaRoque, Lewis, McCombs, McGee, McHenry, McMahan, Miner, Mitchell, Moore, Munford, Pate, Preston, Ray, Rayfield, Rhodes, Sauls, Setzer, Sexton, Stam, Starnes, Stiller, Walend, Walker, West, K. Williams, C. Wilson, G. Wilson, and Wood - 55.

The following Members vote for Representative Morgan: Representatives Brubaker, Howard, McComas, Morgan, and Sherrill - 5.

January 29, 2003

No Member having received a majority of the vote, the House proceeds to a fifth ballot.

The roll of the House is called.

The following Members vote for Representative Black: Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Bell, Black, Bonner, Bordsen, Carney, Church, Coates, Cole, Crawford, Culpepper, Cunningham, Decker, Dickson, Earle, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth, Goodwin, Hackney, Haire, Hall, Harrell, Hill, Holliman, Hunter, Insko, Jeffus, C. Johnson, Jones, Lucas, Luebke, McAllister, McLawhorn, Michaux, Miller, Nesbitt, Nye, Owens, Parmon, Rapp, Ross, Saunders, Sutton, Tolson, Wainwright, Warner, Warren, Weiss, A. Williams, Womble, Wright, and Yongue - 60.

The following Members vote for Representative Holmes: Representatives Allred, Baker, Barbee, Barnhart, Blackwood, Blust, Bowie, Capps, Clary, Creech, Culp, Daughtridg, Daughtry, Dockham, Eddins, Ellis, Frye, Gillespie, Gorman, Grady, Gulley, Hilton, Holmes, L. Johnson, Justice, Justus, Kiser, LaRoque, Lewis, McCombs, McGee, McHenry, McMahan, Miner, Mitchell, Moore, Munford, Pate, Preston, Ray, Rayfield, Rhodes, Sauls, Setzer, Sexton, Stam, Starnes, Stiller, Walend, Walker, West, K. Williams, C. Wilson, G. Wilson, Wood - 55.

The following Members vote for Representative Morgan: Brubaker, Howard, McComas, Morgan, and Sherrill - 5.

Representative Kiser moves that the House recess until 3:00 p.m. The motion fails for lack of a majority, by electronic vote (60-60).

On motion of Representative Starnes, seconded by Representative Baker, the House adjourns at 2:35 p.m., by electronic vote (61-59), to reconvene Thursday, January 30, at 9:00 a.m.

SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, January 30, 2003

The House meets at 9:00 a.m. pursuant to adjournment and is called to order by Denise G. Weeks, House Principal Clerk.

January 30, 2003

The following prayer is offered by the Reverend Jim Lambeth, Western Boulevard Presbyterian Church, Raleigh, North Carolina.

"God of the Nations, God of the States, God of all power, our God. We thank You for the blessings of a new day. We lift today our prayers for our nation and its leaders and for the leaders of the world. We lift today prayers for those who faced the terror of a plant explosion in Kinston yesterday - for those who now fight for their lives. We pray for all those medics and firefighters and police everywhere who work so hard to keep us safe. We pray for our State, for the place in which we live, and for its leaders. We pray for the important deliberations of this day, the leaders in this House, chosen for their ideals. We pray that You will guide us as a Speaker is selected. Grant this Body wisdom in all the decisions they make and may their work be a blessing to the people they serve. In God's great name, we pray. Amen."

Representative Culpepper moves that the Journal of January 29 be approved as written.

Representative Kiser moves that the House recess until 11:00 a.m.

Representative Culpepper inquires of the Chair if a recess can come before Journal approval. The Chair rules that recess is of a higher precedence.

Representative Culpepper calls the previous question on the motion to recess.

The Chair rules that the call for the previous question is not of higher precedent and not in order.

Representative Culpepper withdraws his motion.

Representative Hackney inquires of the Chair if the motion to table is of higher precedence than the motion to recess.

The Chair states that House Rules have not recognized a motion to recess, but Mason's Manual does. The only motions of higher precedent than recess are a call of the House and the motion to adjourn.

Representative Culpepper raises a point of order concerning Mason's Manual, Section 216, paragraph 3 and asks if the motion to recess is debatable.

January 30, 2003

The Chair rules that the motion to recess is not debatable.

Representative Daughtry inquires of the Chair if we are following custom and usage and have debated the motion in the past, then has not the custom and usage precedent already been set and should we not now continue and follow that custom.

The Chair rules that the point of order was not previously raised, but it was raised today and that the Chair has ruled.

Representative Stam inquires of the Chair if in the case of conflicting precedence, can the point of order be submitted to the Body.

The Chair states that Mason's Manual says if the Chair is unwilling to make a ruling, the point may be submitted to the Body.

Representative Stam inquires if an appeal is made of the Chair's ruling is it by majority vote. The Chair states that it is.

Representative Ellis inquires of the Chair if the Members are not allowed to debate the question, would a motion to overrule the Chair be debatable and would it require a majority vote instead of two-thirds. The Chair says that it would.

Representative Ellis appeals from the ruling of the Chair on being able to debate the motion to recess.

Representative Culpepper moves that the motion of Representative Ellis, to appeal from the ruling of the Chair, do lie upon the table. The motion is seconded by Representative Luebke.

Representative Stam inquires if the question should be stated as in Mason's Manual, "shall the decision of the Chair stand as the judgment of the House?".

The Chair states that the question before the House is the motion of Representative Culpepper to table Representative Ellis' appeal from the ruling of the Chair.

Representative Sexton inquires of the Chair if the motion is debatable. The Chair rules that it is not.

January 30, 2003

The motion to table Representative Ellis' appeal carries by electronic vote (60-59).

The motion before the Body is the motion of Representative Kiser that the House be in recess until 11:00 a.m.

Representative Ellis inquires if, pursuant to House Rule 13, the motion to recess can be reduced to writing.

Representative Hackney raises a point of order and inquires if the Body has not passed that point. The Chair rules that is correct and the motion to reduce to writing is out of order.

Representative Starnes raises a point of order and asks have we not established precedent earlier on this motion. The Chair states that on the previous day, the point of order was not raised and it does not invalidate the action taken on the previous day, but it has been raised and ruled on today.

Representative Starnes inquires of the Chair at what point in time does custom and precedent and usage of past rules take effect. The Chair states that that is what we are operating under now.

Representative Gorman inquires of the Chair if it is proper to have the "ayes" and "noes" on this voice vote.

The Chair asks if the call for the "ayes" and "noes" is sustained. The call is sustained by at least one-fifth of the Members present.

The motion to recess fails by the following vote:

Those voting in the affirmative are: Representatives Baker, Barbee, Barnhart, Blackwood, Blust, Bowie, Brubaker, Capps, Clary, Creech, Culp, Daughtridge, Daughtry, Dockham, Eddins, Ellis, Frye, Gillespie, Gorman, Grady, Gulley, Hilton, Holmes, Howard, L. Johnson, Justice, Justus, Kiser, LaRoque, Lewis, McComas, McCombs, McGee, McHenry, McMahan, Miner, Mitchell, Moore, Morgan, Munford, Pate, Preston, Ray, Rayfield, Rhodes, Sauls, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Walend, Walker, West, K. Williams, C. Wilson, G. Wilson, and Wood - 59.

Those voting in the negative are Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Bell, Black, Bonner, Bordsen, Carney, Church, Coates, Cole, Crawford, Culpepper, Cunningham, Decker, Dickson, Earle, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth, Goodwin, Hackney, Haire, Hall, Harrell, Hill, Holliman, Hunter, Insko, Jeffus, C. Johnson,

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Jones, Lucas, Luebke, McAllister, McLawhorn, Michaux, Miller, Nesbitt, Nye, Owens, Parmon, Rapp, Ross, Saunders, Sutton, Tolson, Wainwright, Warner, Warren, Weiss, A. Williams, Womble, Wright, and Yongue - 60.

The motion before the Body is the approval of the Journal of January 29.

Representative Culpepper calls the previous question on the approval of the Journal.

Representative Stam raises a point of order regarding Mason's Manual, Section 331, paragraph 2(a), and asks if the motion to table a procedural motion is in order.

Representative Culpepper inquires of the Chair if Representative Stam is debating a motion that is not before us.

Representative Stam states that he is inquiring about a motion that he believes was never in order under Mason's Manual.

Representative Hackney inquires of the Chair if the point of order raised is on something that has happened or is finished. The Chair states that the action took place earlier and has already been decided.

Representative Stam states that he is raising a different point of order regarding whether a tabling motion is applicable to procedural motions.

The Chair states that pursuant to Mason's Manual, Section 233, she understood that Representative Culpepper's motion to table Representative Ellis' motion would be in order.

Representative Stam states that he was raising a different point of order and that point was not the one that was voted on by the Body.

Representative Ellis inquires of the Chair if we are back to the motion on recess and the Chair states that we are not, but we are back to the call for the previous question on the approval of the Journal.

Representative Grady inquires of the Chair if he could have a copy of the Journal before voting on the motion.

Representative Hackney raises a point of order and states that it is not the custom of the House to have a printed copy of the Journal and he feels this is a delaying tactic and not in order.

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The Chair states that the point is well taken and we have never provided copies daily.

Representative Creech inquires of the Chair if the rules they are being guided by allow for the Journal to be read to them.

Representative Hackney raises a point of order and asks if the question is in order and if it is debatable.

Representative Hackney raises a point of order and asks has the question been answered. He states that pursuant to Mason's Manual, Section 180, he believes these questions to be dilatory motions. The Chair states that that is understood.

Representative Ellis raises a point of order regarding the customs of the House and adopted rules. Pursuant to House Rule 11, he calls for the reading of the text of the Journal.

Representative Hackney raises a point of order and asks if the Gentleman is providing a delaying procedural matter in view of the fact that the custom of the House is to vote on the minutes without reading them or distribution of copies.

The Chair states that she believes the Gentleman is. She states that actions are recorded in the Journal, not spoken words and if a Member wants words spread upon the Journal, there is provision in the Rules and proper procedure for that to occur.

Representative Culpepper raises a point of order and states that he believes Representative Ellis' comments are out of order.

The Chair states that she has not ruled on Representative Ellis' request to provide a Journal to this Body.

Representative Capps inquires of the Chair if there has been a ruling on Representative Stam's point of order.

The Chair states that she understood the question to be different from what Representative Stam did and action has been taken on that matter.

Representative Stam inquires of the Chair if he can clarify, that his second point of order was on Representative Culpepper's motion to table and was it in order under Section 331, paragraph 2(a) of Mason's Manual.

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The Chair states that Representative Culpepper's motion was to table the appeal of Representative Ellis, not to table Representative Kiser's motion to recess.

The Chair states that the question before the House is the call for the previous question on the approval of the Journal of January 29.

Representative Ellis states that he has a pending point of order to be clarified regarding Rule 11, having papers presented to the Body.

Representative Culpepper raises a point of order and states that the question has been put before the Body and both Representative Ellis and himself are out of order.

The Chair states that Representative Ellis raised the point of order of having the Journal provided before the question was placed.

The Chair states that under Mason's Manual, if the Chair is unwilling to make a ruling, the question may be submitted to the Body and it will be their decision whether the Journal will be provided prior to approval. The Chair will not make the ruling.

The Chair inquires of Representative Ellis, under his point of order, if he wants the Journal read or printed. He states read.

Representative Culpepper inquires of the Chair if the issue is put before the Body, is it debatable.

The Chair rules that it is debatable.

Representative Ellis withdraws his request to have the Journal read.

The motion before the Body is the call for the previous question on the approval of the Journal. The call is sustained by electronic vote (118-2).

The Journal of January 29 is approved by electronic vote (115-5).

The question before the House is the election of a Speaker.

On the sixth ballot, the roll of the House is called.

Those voting for Representative Black are: Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Bell, Black, Bonner, Bordsen, Carney, Church, Coates, Cole, Crawford, Culpepper, Cunningham, Decker, Dickson, Earle, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth,

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Goodwin, Hackney, Haire, Hall, Harrell, Hill, Holliman, Hunter, Insko, Jeffus, C. Johnson, Jones, Lucas, Luebke, McAllister, McLawhorn, Michaux, Miller, Nesbitt, Nye, Owens, Parmon, Rapp, Ross, Saunders, Sutton, Tolson, Wainwright, Warner, Warren, Weiss, A. Williams, Womble, Wright and Yongue - 60.

Those voting for Representative Holmes are: Representatives Allred, Baker, Barbee, Barnhart, Blackwood, Blust, Bowie, Capps, Clary, Creech, Culp, Daughtridge, Daughtry, Dockham, Eddins, Ellis, Frye, Gillespie, Gorman, Grady, Gulley, Hilton, Holmes, L. Johnson, Justice, Justus, Kiser, LaRoque, Lewis, McCombs, McGee, McHenry, McMahan, Miner, Mitchell, Moore, Munford, Pate, Preston, Ray, Rayfield, Rhodes, Sauls, Setzer, Sexton, Stam, Starnes, Stiller, Walend, Walker, West, K. Williams, C. Wilson, G. Wilson, and Wood - 55.

Those voting for Representative Morgan are: Representatives Brubaker, Howard, McComas, Morgan, and Sherrill - 5.

No Member having received a majority of the vote, the Chair states that the House will proceed to a seventh ballot.

On motion of Representative Culpepper and without objection, the House recesses at 10:40 a.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Chair.

On motion of Representative Culpepper and without objection, the House recesses at 2:02 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Chair.

Representative Ellis moves, seconded by Representative Baker, that the House adjourn to reconvene Friday, January 31, at 9:00 a.m. The motion fails by electronic vote (57-59).

On motion of Representative Culpepper, seconded by Representative Gibson, the House adjourns, by electronic vote (61-59), at 6:05 p.m., to reconvene Monday, February 3, 2003, at 7:00 p.m.

January 30, 2003

THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, February 3, 2003

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Denise G. Weeks, House Principal Clerk.

The following prayer is offered by Representative K. Williams:

"Our most gracious and loving Heavenly Father, we come before You tonight asking that Your blessings be upon this House. Guide us, we pray, that as we endeavor to do the people's business, that Your Holy Spirit will lead us into Your perfect will for our Great State. Fill each Member with Your wisdom and understanding, that we might fulfill our calling to serve the people of North Carolina at such a time as this.

"We ask that You be with our Nation tonight, as we mourn the loss of the seven brave souls on board Columbia. We honor their memory and their ultimate sacrifice in service to the human race. We pray that Your peace that passes understanding be with their families.

"Now unto You, Who is able to do more exceedingly abundantly above all we ask or think, be glory and honor and praise. In the name of Your Son, Jesus. Amen."

The Principal Clerk leads the Body in the Pledge of Allegiance.

On motion of Representative Culpepper, seconded by Representative Hackney, the House adjourns at 7:04 p.m., by electronic vote (111-8), to reconvene February 4, at 2:00 p.m.

FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 4, 2003

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by Denise G. Weeks, House Principal Clerk.

February 3, 2003

The following prayer is offered by the Reverend Jim Lambeth, Western Boulevard Presbyterian Church, Raleigh, North Carolina.

"Our Great God, we gather today with thanksgiving. We recognize that You are the Source of all that is - of beautiful days, of rain, wind - Source of all power. We gather in thanksgiving and celebration of this great State - its beauty and the diversity of its people and we give all thanks to You.

"God, this Body comes together today with important work to be done and we celebrate the diversity that is expressed here in this House of Representatives. May the variety of thought and wisdom and expression be an asset that enables these leaders to make decisions that promote the well being of the people of this State.

"May they always be able to put faces on their votes, the faces of those whom they serve and may their work also always be a blessing to them individually. In Your great name, we lift our prayer. Amen."

On motion of Representative Culpepper, the House recesses at 2:04 p.m., by electronic vote (62-53).

RECESS

The House reconvenes pursuant to recess and is called to order by the Chair.

On motion of Representative Culpepper, seconded by Representative Goodwin, the House adjourns, by electronic vote (105-13), at 4:03 p.m. to reconvene February 5 at 4:00 p.m.

FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 5, 2003

The House meets at 4:00 p.m. pursuant to adjournment and is called to order by Denise G. Weeks, House Principal Clerk.

Prayer is offered by Representative Sauls.

February 5, 2003

Representative Culpepper moves that the House elect a Speaker by resolution.

Representative Culpepper calls the previous question on the motion.

Representative Ellis moves, seconded by Representative Creech, that the House adjourn to reconvene February 6 at 11:00 a.m. The motion fails by electronic vote (48-72).

Representative Starnes inquires of the Chair what the resolution is. The Chair states that the question before the Body is the call for the previous question on the motion and she does not have a resolution.

The call for the previous question on the motion to elect a Speaker by resolution carries by electronic vote (74-45).

The motion to elect a Speaker by resolution carries by electronic vote (72-48).

Representative Culpepper is recognized and states that he has placed a resolution with the Chair for consideration by the Body.

Representative Stam inquires of the Chair if the previous motion to elect a Speaker by resolution, was not debatable under Mason's Manual, Section 81, paragraph 4. The Chair rules that the motion was in order under Mason's Manual, Section 545, paragraph 3.

Representative Stam inquires of the Chair if the resolution is debatable. The Chair rules that it is.

H.R. 1, A HOUSE RESOLUTION ELECTING JAMES B. BLACK AS SPEAKER OF THE HOUSE OF REPRESENTATIVES, is before the Body.

Representative Culpepper calls the previous question and the call is sustained by electronic vote (67-53).

The roll of the House is called, pursuant to Article VI, Section 5, of the North Carolina Constitution and the Members vote as follows:

Those voting in the affirmative are: Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Bell, Black, Bonner, Bordsen, Carney, Church, Coates, Cole, Crawford, Culpepper, Cunningham, Decker, Dickson, Earle, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth, Goodwin, Hackney,

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Haire, Hall, Harrell, Hill, Holliman, Hunter, Insko, Jeffus, C. Johnson, Jones, Lucas, Luebke, McAllister, McLawhorn, Michaux, Miller, Nesbitt, Nye, Owens, Parmon, Rapp, Ross, Saunders, Sutton, Tolson, Wainwright, Warner, Warren, Weiss, A. Williams, Womble, Wright, and Yongue - 60.

Those voting in the negative are: Representatives Allred, Baker, Barbee, Barnhart, Blackwood, Blust, Bowie, Brubaker, Capps, Clary, Creech, Culp, Daughtride, Daughtry, Dockham, Eddins, Ellis, Frye, Gillespie, Gorman, Grady, Gulley, Hilton, Holmes, Howard, L. Johnson, Justice, Justus, Kiser, LaRoque, Lewis, McComas, McCombs, McGee, McHenry, McMahan, Miner, Mitchell, Moore, Morgan, Munford, Pate, Preston, Ray, Rayfield, Rhodes, Sauls, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Walend, Walker, West, K. Williams, C. Wilson, G. Wilson, and Wood - 60.

The resolution fails of adoption for lack of a majority.

Representative Culpepper is recognized and states that he has placed a resolution with the Chair for consideration by the Body.

Representative Allred moves that the vote by which **H.R. 1** failed be reconsidered.

Representative Allred calls the previous question on the motion. The motion carries by electronic vote (99-9).

Representatives Howard, Baker, Grady, Gorman, and Blackwood request and are granted permission to be recorded as voting "no". Representatives G. Wilson and Rayfield request and are granted permission to be recorded as voting "aye". The adjusted vote total is (101-14).

The motion to reconsider the vote by which **H.R. 1** failed, carries by electronic vote (65-55).

Representative Culpepper inquires of the Chair if **H.R. 1** is before the Body. The Chair states that it is.

Representative Culpepper calls the previous question on the adoption of the resolution.

Representative Ellis moves, seconded by Representative Kiser, that the call for the previous question do lie upon the table. The motion fails by electronic vote (58-62).

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Representative Kiser moves, seconded by Representative Baker, that the House adjourn to reconvene February 6 at 10:00 a.m. The motion fails by electronic vote (58-62).

Representative Ellis requests and is granted a question of privilege.

Representative Culpepper inquires of the Chair if pursuant to custom and usage, the Member is out of order.

The Chair inquires of Representative Ellis if he is speaking to a question of privilege or a point of personal privilege. Representative Ellis states that he is speaking to a question of privilege.

The Chair admonishes the Member to adhere to the rule.

The motion before the Body is the call for the previous question on the adoption of **H.R. 1**. The motion carries by electronic vote (66-54).

The roll of the House is called, pursuant to Article VI, Section 5, of the North Carolina Constitution and Members vote as follows:

Those voting in the affirmative are: Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Bell, Black, Bonner, Bordsen, Carney, Church, Coates, Cole, Crawford, Culpepper, Cunningham, Decker, Dickson, Earle, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth, Goodwin, Hackney, Haire, Hall, Harrell, Hill, Holliman, Hunter, Insko, Jeffus, C. Johnson, Jones, Lucas, Luebke, McAllister, McLawhorn, Michaux, Miller, Nesbitt, Nye, Owens, Parmon, Rapp, Ross, Saunders, Sutton, Tolson, Wainwright, Warner, Warren, Weiss, A. Williams, Womble, Wright, and Yongue - 60.

Those voting in the negative are: Representatives Allred, Baker, Barbee, Barnhart, Blackwood, Blust, Bowie, Brubaker, Capps, Clary, Creech, Culp, Daughtridg, Daughtry, Dockham, Eddins, Ellis, Frye, Gillespie, Gorman, Grady, Gulley, Hilton, Holmes, Howard, L. Johnson, Justice, Justus, Kiser, LaRoque, Lewis, McComas, McCombs, McGee, McHenry, McMahan, Miner, Mitchell, Moore, Morgan, Munford, Pate, Preston, Ray, Rayfield, Rhodes, Sauls, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Walend, Walker, West, K. Williams, C. Wilson, G. Wilson, and Wood - 60.

The resolution fails of adoption for lack of a majority.

Representatives Ellis inquires of the Chair if he has the floor pending the reading of the resolution.

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Representative Culpepper inquires of the Chair if he would be recognized first to explain the resolution. The Chair states that she would recognize him first.

Representative Ellis raises a point of order and states that he has not yielded the floor. The Chair states that the resolution has not been read and is therefore not before the Body.

H.R. 2, A HOUSE RESOLUTION ELECTING JAMES B. BLACK AS DEMOCRATIC SPEAKER OF THE HOUSE OF REPRESENTATIVES AND RICHARD T. MORGAN AS REPUBLICAN SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND PROVIDING FOR POWER-SHARING IN THE HOUSE OF REPRESENTATIVES, is before the Body.

Representative Ellis moves to amend the resolution.

The Chair states that she will not recognize him as it has always been the practice of the House to allow the Member introducing a measure to explain it before other Members may debate.

The Chair recognizes Representative Culpepper.

Representative Culpepper calls the previous question on the adoption of the resolution.

Representative Ellis moves, seconded by Representative Creech, that the House adjourn to reconvene February 6 at 11:00 a.m. The motion fails by electronic vote (46-74).

The call for the previous question is sustained by electronic vote (74-46).

The roll of the House is called, pursuant to Article VI, Section 5, of the North Carolina Constitution and Members vote as follows:

Those voting in the affirmative are: Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Baker, Bell, Black, Bonner, Bordsen, Brubaker, Carney, Church, Clary, Coates, Cole, Crawford, Culpepper, Cunningham, Decker, Dickson, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth, Goodwin, Gorman, Grady, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, LaRoque, Lucas, Luebke, McAllister, McComas, McLawhorn, Michaux, Miller, Miner, Moore, Morgan, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ross, Sauls,

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Saunders, Sherrill, Starnes, Stiller, Sutton, Tolson, Wainwright, Walker, Warner, Warren, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 89.

Those voting in the negative are: Representatives Allred, Barbee, Barnhart, Blackwood, Blust, Bowie, Capps, Creech, Culp, Daughtridge, Daughtry, Dockham, Frye, Gillespie, Gulley, Holmes, Kiser, Lewis, McCombs, McGee, McHenry, McMahan, Mitchell, Ray, Rayfield, Rhodes, Setzer, Sexton, Stam, Walend, and West - 31.

The resolution is adopted and ordered printed.

Having voted with the prevailing side, Representative Ellis moves that the vote by which **H.R. 2** was adopted, be reconsidered.

Representative Culpepper moves, seconded by Representative Wainwright, that Representative Ellis' motion to reconsider do lie upon the table. The motion carries by electronic vote (88-25).

Representatives Black and Morgan, having received a majority vote, are declared Speakers of the 2003 House of Representatives.

Representative Black is escorted to the Chair by Representatives Alexander, Crawford, Cunningham, Decker, Earle, Glazier, Haire, Michaux, Nesbitt, Sutton, Wainwright, and Wood.

Representative Morgan is escorted to the Chair by Representatives Sherrill, Brubaker, L. Johnson, Justice, Justus, Howard, and McComas.

James B. Black and Richard T. Morgan take and subscribe to the following oath of office administered by Judge Milton F. Fitch, Jr., North Carolina Superior Court.

**OATH FOR SPEAKERS OF THE
HOUSE OF REPRESENTATIVES
2003 SESSION**

"I do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not

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inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

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

Speaker Black makes the following remarks:

"Members of the North Carolina House of Representatives...

"Distinguished visitors and guests...

"I am honored - and humbled - to stand before you today.

"This is a cherished spot - and for good reason.

"Only 59 people have stood here as Speaker of the House of Representatives over the past 130 years.

"Since colonial times, fewer than 150 people have served as Speaker of the House of Representatives, the House of Commons and, before that, the House of Burgesses.

"It's possible that at some point in our State's history, the struggle to elect a Speaker was more contentious than this.

"But I doubt it.

"It's hard to imagine that even the Speaker's election in 1866 was more contentious.

"According to research by one of our legislative interns, that election took five ballots. Thirteen candidates received votes on the first ballot.

"But do you know what happened after that? The State kept moving forward.

"The State kept moving forward after other hotly-contested races for Speaker, too.

"Ladies and gentlemen of the House, it's time to move on from this Speaker's election.

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"It is time for us to put our wounded egos aside and start acting on legislation that will improve the lives of our citizens.

"It is time to look beyond the issues that divide us, and focus on issues where we agree.

"Surely all of us agree that our schools should be among the best in the nation.

"And that all children deserve the best education that we can provide, so they will grow into productive citizens.

"Surely we agree that as a society - and as a government - we owe our frail and our mentally ill a helping hand.

"Surely we agree that in these troubled times, one of the fundamental duties of government is to protect its citizens.

"Surely we agree that there are ways to spend the taxpayers' money more wisely - and surely we agree that we need to help our people find jobs, and move off the unemployment rolls.

"All of us know that this Session will be a difficult one.

"We face a potential revenue shortfall of more than \$1.5 billion.

"It's not hard to push that figure to \$2 billion, depending on the budget assumptions you want to build into your calculations.

"In spite of the difficulty, I believe this can be one of the best Sessions in the State's history.

"This can be the Session where we think more creatively, where we are willing to consider new and innovative solutions.

"We have a choice, ladies and gentlemen.

"Working together, the 120 Members of this House can make this one of the best Sessions in the State's history.

"We can use the best of our talents and skills to move North Carolina forward in spite of the difficult economic climate.

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"Working apart, continuing our fussing and fighting, as my parents would say, we can go down in history as the session of squandered opportunities.

"My sincere pledge is that I will work hard every day to make this one of the best Sessions ever.

"I hope and pray that each and every one of you will join me in that effort.

"Thank you."

Speaker Black assumes the duties of the Chair.

On motion of Representative Culpepper, seconded by Representative Cole, the House adjourns at 5:13 p.m., to reconvene February 6 at 9:00 a.m.

SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 6, 2003

The House meets at 9:00 a.m. pursuant to adjournment and is called to order by Speaker Morgan.

The following prayer is offered by Representative Wainwright:

"O Merciful God,

"For this wonderful day of life, blessings and service, we give Thee thanks. We are grateful that Thou has chosen us to be Your servants and servants of Your people. Teach us, O Lord, that greatness is not found in the positions we hold, the power we wield or the prestige we gain. Rather, true greatness is shown by a willingness to become a servant of others and by our willingness to help in a time of need. We humbly pray for Your continuous guidance. Touch each heart and mind as we do the work of this House. Help us, O God, to focus on our likenesses rather than our differences. Open the eyes of our faith to Your will, for it is only with You as our focus that we truly see clearly. Help us to use this time and this place to create positive change in a world where change is sorely needed. Bless

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the Speakers of the House with Your wisdom, love and directions. Continue to give us the courage to stand up for that which is right. For it is in God's Holy name that we pray. Amen."

Representative Culpepper reports the Journals of January 30, February 3, 4, and 5 have been examined and found correct. Upon his motion, the Journals are approved as written.

Leaves of absence are granted Representatives Alexander, Bonner, Ellis, and McLawhorn for today.

Speaker Morgan makes the following remarks:

"Fellow Members of the House of Representatives, it is an honor and a privilege to stand before you today. It is also a great responsibility and one that I do not take lightly. In the past week, we have all been a part of making history. There have been many political battles waged on both sides of the aisle, but at the end of the day, we found resolution. Our vote was not about Jim Black or Richard Morgan, it was a vote to set aside our differences and unite this Body. It was a vote to start the process of restoring fiscal soundness and economic stability to North Carolina.

"We have now entered a new chapter in our State's history and it is incumbent upon all of us to make this Legislative Session one of solutions and results. The people of North Carolina are watching and they are expecting all of us, Republicans and Democrats as well, to stop our political bickering and do the work of the people.

"We begin this Legislative Session with a sobering number of budget and policy issues before us. But as challenging as these problems might seem, North Carolina is in far better financial shape than many other states across the country. The problems before us are not insurmountable if we are willing to keep the lines of communication open, respect differing points of view, and work together for the common good of the people of North Carolina.

"How do we bring North Carolina together? I believe we must first get the State's budget balanced and stabilized, not only to protect our AAA bond rating, but also to position the State to attract and retain new business and industry. And we must be willing to find the right balance that restores fiscal stability without hurting education and economic development. For

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only through education can we grow the sort of workforce that will make economic development possible and sustainable.

"It is clear that North Carolina's economy is undergoing some very fundamental changes that have far-reaching implications. For generations, our economy has been rooted in agriculture, textiles, and manufacturing. But over the past decade, this State has lost about 120,000 manufacturing jobs - roughly half of them in the past year alone. These jobs - which paid well and didn't require much education - aren't coming back, and we must find viable ways to replace them with good-paying jobs that will be here for decades to come.

"I am among those who believe that investing in education and training, in research and technology, and in the creativity and talent of our people is the key to creating economic opportunity and a better quality of life for all North Carolinians. We have a long tradition of supporting education, and it has provided our State with a competitive advantage. We must realize that our State and our world is changing, and we must respond to that change by insuring our children are provided the education they need to compete in a world-class economy. For many years we have led the nation in building new jobs and industries. Quality education is critical to maintaining our competitive advantage in creating jobs for the future - jobs that will build new hopes and new dreams for all our citizens.

"One area where I hope we can agree that such investment is good for North Carolina is biotechnology. We can build on the nationally recognized teaching and research being conducted at our universities, the workforce-training capacity of our community colleges, as well as the established presence of major biotech firms to attract more jobs in biopharmaceuticals and biomanufacturing to all regions of the State. The industry predicts that it will need 3,000 to 5,000 new workers a year for the foreseeable future. These are high-wage, but also high-skill jobs.

"If we are to take advantage of this opportunity, it will require the training facilities and infrastructure needed to extend our advantage in this arena. It will require a renewed commitment to education at all levels -- K-12, our community colleges, and our University system. By any measure, education is the foundation for economic development - in biotechnology as well as all other segments of the new knowledge economy.

"Second, if we are to achieve long-term fiscal stability, we must also get our arms around the spiraling costs of Medicaid. While ensuring that

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we continue to serve the health-care needs of North Carolina's neediest citizens, we must find reasonable ways to get these costs under control. Otherwise, even the most heroic efforts to balance the remainder of the State's budget will be for naught.

"And finally, if we are really serious about bringing North Carolina together, we must build bipartisan coalitions that work. There are plenty of skeptics who do not believe shared leadership has a prayer of working in North Carolina - particularly in the House of Representatives. But in the interest of the citizens who elected all of us, we must prove those nay sayers wrong.

"Leadership is built on the concepts of communication and respect - you need to keep communications open with those you are working with, and you must respect all those you must work with. If you are able to do this, then trust is built. Trust is the key to a successful effort in this next year and how the legislature operates.

"I pledge to work in partnership with each of you to make that happen, and I urge each of you - on both sides of the aisle - to also look beyond the issues that have divided us in the past and work together to the challenges that face our State.

"We must all remember that the greatness of North Carolina does not come from its government, or its political parties - it comes from its people. We must restore confidence and trust within this Legislative Body and we must prove to all our citizens that we are truly committed to providing the government they expect and they deserve.

"We owe that to the people of this great State.

"Thank you."

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

Cindy Morgan, wife

Jean Richards, mother-in-law

Martha Blake, sister-in-law

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Ashley Blake, niece

Michael Lee, nephew

Speaker Morgan extends the courtesies of the floor to Michael Weeks, brother of the Principal Clerk.

Representative Culpepper is recognized and states that he has placed a resolution with the Clerk for consideration by the Body.

Speaker Morgan directs the Principal Clerk to number the resolution and places **H.R. 3**, A HOUSE RESOLUTION TO ESTABLISH THE OFFICE OF PRINCIPAL CLERK OF THE HOUSE OF REPRESENTATIVES, before the Body.

On motion of Representative Culpepper, the resolution is adopted, by electronic vote (112-0), and ordered printed.

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

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

"I rise to nominate Ms. Denise Gale Weeks for the Office of House Principal Clerk. Ms. Weeks has served as Principal Clerk since 1993 and in the spirit of cooperation, she has served under both Democratic and Republican Speakers. She was elected by her colleagues throughout the country to serve as President of the American Society of Legislative Clerks and Secretaries from 1998-1999.

"Ms. Weeks demonstrates dedication, professionalism, and efficiency in managing the Clerk's office. She is highly qualified for the job and also has a deep respect and love for this institution. Ms. Weeks is a true friend to each Member in this Chamber.

"As a fellow resident of Wake County, I am proud and honored to nominate Denise Weeks for the Office of Principal Clerk."

Representative Insko seconds the nomination.

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

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"I am pleased and honored to second the nomination of Denise Weeks as Principal Clerk of the North Carolina House of Representatives.

"While our proceedings during these past few days have been often tense and occasionally undignified, they have not been ugly or personal. Much of the credit for our civil behavior goes to our House Principal Clerk, Denise Weeks.

"Without fail, Ms. Weeks ruled on questions correctly, politely, firmly. She remained calm and in control, and at just the right times, called on her graceful good humor to keep us on track.

"We begin this Session pledging to work together, to be united in serving the people of North Carolina. We are most certainly united in respect and admiration for our House Principal Clerk.

"I ask you to vote for her to continue in that position."

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

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

**OATH FOR PRINCIPAL CLERK OF THE
HOUSE OF REPRESENTATIVES
2003 SESSION**

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

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

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On motion of Representative Culpepper, seconded by Representative K. Williams, the House adjourns at 9:34 a.m. to reconvene Monday, February 10, 2003, at 7:00 p.m.

SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, February 10, 2003

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

The following prayer is offered by the Reverend William Allen, First United Methodist Church, Fuquay-Varina, North Carolina.

"Almighty God, our Heavenly Father,

"Before beginning our work in this Chamber, we pause to acknowledge Your presence with us. We bow our hearts and heads as we ask for Your guidance over the decisions to be made here tonight.

"Lord we pray Your blessings over our President, George Bush, as he and others weigh the prospects of our country going to war. For the men and women, especially those here in our own State, who will be on the front lines for the sake of freedom - we ask You to protect them.

"Lord, I ask for Your Spirit to guide the men and women in this room that they may keep before them the needs and concerns of all North Carolinians. Grant them peace and wisdom.

"Thank You for this day and the chance to serve. Forgive us of our sins.

"In Your name we pray. Amen."

Speaker Morgan leads the Body in the Pledge of Allegiance.

Representative Culpepper reports the Journal of February 6 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 Earle, Goodwin, Nesbitt, and Sexton for today.

SPECIAL MESSAGE FROM THE SENATE

**2003 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
January 29, 2003

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate is organized and is now ready to proceed with the public business. For your further information, the following officers have been elected for the 2003 Session:

Senator Marc Basnight	President <i>Pro Tempore</i>
Senator Charlie Dannelly	Deputy President <i>Pro Tempore</i>
Ms. Janet Pruitt	Principal Clerk
Mr. Ted Harrison	Reading Clerk
Mr. Cecil Goins	Sergeant-at-Arms

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

Senator Tony Rand	Majority Leader
Senator Jeanne Lucas	Majority Whip
Senator Charlie Albertson	Majority Caucus Secretary
Senator R. C. Soles, Jr.	Permanent Caucus Chair
Senator Patrick J. Ballantine	Republican Leader
Senator James S. Forrester	Deputy Republican Leader

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Senator Fern Shubert

Republican Whip

Senator Tom Apodaca

Deputy Republican Whip

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

**2003 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber

February 4, 2003

Mr. Speaker:

Please be advised that the Senate has been notified of the election of Senator Phil Berger as Secretary of the Republican Caucus, effective November 17, 2002.

Respectfully
S/ Janet B. Pruitt
Principal Clerk

On motion of Representative Culpepper, seconded by Representative Ray, the House adjourns at 7:14 p.m. to reconvene February 11 at 2:00 p.m.

EIGHTH DAY

HOUSE OF REPRESENTATIVES

Tuesday, February 11, 2003

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

The following prayer is offered by the Reverend Jim Lambeth, Western Boulevard Presbyterian Church, Raleigh, North Carolina.

"Great God of all people, all nations, and all states,

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You created us for You and called us to till and to keep the earth in peace.

We admit before You that we often fail.

Our different ideals and customs become misunderstandings, misunderstandings become conflict, hearts are hardened, our fears sometimes rule us, conflict becomes war.

We come before You today with prayers for a vision of Your peace that will fill the world.

Bless our President, our Nation's leaders, and the leaders of all the nations of the world as they struggle to make good decisions.

May Your blessing on them bring an end to what seems to be a situation that can't be resolved without conflict.

Bless all those men and women of our military and support services who now are being sent to places apart from family and friends and country.

Be their shield and safety.

"We give You thanks, O God, for the progress made in the deliberations of this Body called to serve the people of North Carolina.

Grant to each one here a sense of celebration of the diversity of opinion, give to each attentive ears, creative minds and hearts of working together for the benefit of the people of our State.

Bless, O God, the deliberations of this day.

"We pray in the name of the God who calls us. Amen."

Representative Culpepper reports the Journal of February 10 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bonner, Earle, and Nesbitt for today.

On motion of Representative Culpepper, seconded by Representative Adams, the House adjourns at 2:16 p.m. to reconvene February 12 at 2:00 p.m.

NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 12, 2003

February 12, 2003

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by Speaker Black, designated to preside by Speaker Morgan.

The following prayer is offered by the Reverend Jim Lambeth, Western Boulevard Presbyterian Church, Raleigh, North Carolina.

"Covenant-keeping God, since Your promise to Your Chosen Israel, You have kept Your word with us.

"You are a faithful God who comes seeking us when we are lost, welcoming us home when we return to You. Like a mother who will not forsake her nursing child, like a father who runs to welcome the prodigal home, You are a faithful God.

"We admit our own unfaithfulness and come today asking for Your blessings on us in our feeble attempts to be true to You. Bless Your word with Your shalom, Your salaam, Your peace.

"Use governments and leaders everywhere that Your peace may fill the earth. We remember today especially the Speaker's mother, Mrs. Morgan. We pray Your blessings on the work done in this place today. Be in the minds, hearts, the words and hands of these women and men devoted to serve their State and Nation and Your world.

"In the name of the God of promise, we pray. Amen."

Representative Culpepper reports the Journal of February 11 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bonner, Crawford, Culp, and Hilton for today.

Representative Culpepper reduces the following motion to writing and moves its adoption:

"I move that the Permanent Rules of the 2001 Session be adopted as the temporary Rules of the 2003 Session, with the following changes:

"1) any references in the Rules to '2001' are changed to '2003'

"2) Rule 6 shall read:

RULE 6. Duties and Powers of the Speaker. – The Speaker shall have general direction of the Hall. The Speaker may name any member to perform the duties of the chair, but substitution shall not extend beyond one

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day, except in the case of sickness or by leave of the House. If the Speaker is absent and has not designated a member to perform the duties of the chair, the Principal Clerk shall preside during such absence. If there is a vacancy in the office of Speaker, the Principal Clerk shall preside in place of that Speaker until a replacement is elected by the House'."

"3) Rules 26(f) and (h) shall read:

'(f) Either the chair or acting chair, designated by the chair or by the Speaker, and five other members of the standing committee or permanent subcommittee, or a majority of the standing committee or permanent subcommittee, whichever is fewer, shall constitute a quorum of that standing committee or permanent subcommittee. For purposes of determining a quorum, the persons designated by the Speaker when serving only as ex officio members under subsection (h) of this rule, shall be counted among the membership of the committee or subcommittee only when present.

"

'(h) Four members designated by the Speaker at the time of appointments of chairs of standing committees are ex officio members of every standing committee and permanent subcommittee, except the standing committees on Congressional Redistricting and Legislative Redistricting and any permanent subcommittees thereof, with the right to vote'."

"4) Rule 31.1 shall read:

RULE 31.1. Deadlines on Introduction and Receipt; Single Subject Rule. – (a) All public bills or resolutions recommended by commissions or standing committees authorized or directed by act or resolution of the General Assembly to report to the 2003 Regular Session of the General Assembly, or to report prior to convening of that session, must have been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on the fourth Wednesday in February (February 26) and must be introduced not later than 3:00 P.M. on the next Wednesday (March 5) of the first year of the biennial session; and

'(a1) All bills prepared to be introduced for departments, agencies, or institutions of the State must have been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on the fourth Wednesday in February (February 26) and must be introduced not later than 3:00 P.M. on the next Wednesday (March 5). A bill introduced under this subsection shall be identified as an Agency Bill after its short title.

'(a2) All local bills must have been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on the third Wednesday in March (March 19) and must be introduced not later than 3:00 P.M. on the next Wednesday (March 26) of the first year of the biennial session.

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'(b) All public bills which would not be required to be re-referred to the Appropriations or Finance Committees under Rule 38 must have been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on the first Wednesday in April (April 2) and must be introduced not later than 3:00 P.M. on the next Wednesday (April 9) of the first year of the biennial session.

'(c) All public bills which under Rule 38 would be required to be re-referred to the Appropriations Committee, or to both the Appropriations and Finance Committees, must have been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on the third Wednesday in April (April 16) and must be introduced not later than 3:00 P.M. on the next Wednesday (April 23) of the first year of the biennial session. All public bills which under Rule 38 would be required to be re-referred to the Finance Committee but not the Appropriations Committee must have been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on the first Wednesday in May (May 7) and must be introduced not later than 3:00 P.M. on the next Wednesday (May 14) of the first year of the biennial session. If any bill is eligible for introduction on account of the date only under this subsection, and the bill is amended so that qualifying appropriation or tax law change does not remain in the bill, it shall not be eligible for further consideration. For the purpose of this section, a "tax law change" includes any provision that would require a bill under Rule 38(b) to be referred to the Standing Committee on Finance.

'(d) In order to be eligible for consideration by the House during the first Regular Session, all Senate bills other than finance or appropriations bills which would be required to be re-referred to the Appropriations or Finance Committees under Rule 38 or adjournment resolutions must be received and read on the floor of the House as a message from the Senate no later than April 24; provided that a message from the Senate received by the next legislative day stating that a bill has passed its third reading and is being engrossed shall comply with the requirements of this subsection and provided that the Senate has a similar rule.

'(d1) Except by motion approved by a majority of members of the House present and voting, no public House bill other than the Current Operations Appropriations Act or the Capital Improvement Appropriations Act may contain more than one subject.

'(e) This rule, other than subsection (d1), does not apply to bills establishing districts for Congress or State or local entities. This rule, other than subsection (d1), does not apply to measures ratifying an amendment or amendments to the Constitution of the United States'."

"5) Rule 45 shall read:

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'RULE 45. **Elected Officers.** – (a) The House shall elect its Speaker from among its membership.

'(b) The House may elect at least one but not more than two of its members Speaker Pro Tempore who shall perform such duties as the Speaker may assign.

'(c) The House shall elect a Principal Clerk, who shall continue in office until another is elected. The Speaker shall appoint a Reading Clerk and a Sergeant-at-Arms, who shall serve at the Speaker's pleasure. The Principal Clerk, Reading Clerk, and Sergeant-at-Arms shall have and perform duties and responsibilities, not inconsistent with these rules, as the Speaker may assign. Unless directed otherwise by the Speaker on behalf of the House, the Principal Clerk or an employee designated by the Principal Clerk shall receive House bills not approved by the Governor. In addition, the Sergeant-at-Arms may assign the Reading Clerk additional duties, to be performed while the House is not in its daily session'."

Representative Adams offers Amendment No. 1 to the motion to adopt temporary rules.

"I move to amend the proposed temporary rules to add the following:

1) Rule 12(f) shall read:

'(f) Smoking shall not be permitted on the floor of the House or in the galleries at any time. The consumption of food or beverages shall not be permitted in the galleries at any time."

Amendment No. 1 is adopted by electronic vote (71-43).

The motion to adopt temporary rules, as amended, is before the Body.

Representative Ellis inquires of Speaker Black if it would be his intention that other Members would be allowed to offer amendments. Speaker Black states that they could be offered when Representative Culpepper yields the floor.

Representative Culpepper calls the previous question on the motion to adopt temporary rules as amended. The call for the previous question is sustained by electronic vote (101-13).

The motion to adopt temporary rules, as amended, carries by electronic vote (105-8).

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SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.J.R. 21, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF BLADENBORO ON THE TOWN'S 100TH ANNIVERSARY.

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

The resolution passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

POINT OF PERSONAL PRIVILEGE

On motion of Representative Wright, the following remarks by Representative Womble are spread upon the Journal.

"Thank you, Mr. Speaker:

"Many people have asked me about the scarf that I am wearing and why I am wearing it? Some have said, 'Are you a Preacher, are you wearing it because of the cold weather and, etc.?'"

"Mr. Speaker and Members of this great House, I am wearing this scarf because the month (February) is Black History Month. This type of cloth is called 'Kente' cloth. I got this while I was traveling in Ghana and Kenya.

"Mr. Speaker, this is a great and important month of February. There are many events that occur in this very short month. Many people associate Valentines and presidents' birthdays with February. However, February is also Black History Month across this State and this Nation. So, I am wearing this scarf all this month to signify and call attention to the fact that this is Black History Month.

"I have placed at your desk some information about Black History Month. I will not read all of the information. However, I would like to highlight a couple of facts. For example: February 23, 1868, W.E.B.

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DuBois, important civil rights leader and co-founder of the N.A.A.C.P., was born. February 3, 1870, the 15th Amendment was passed - granting blacks the right to vote. February 1, 1960 - in what would become a civil rights movement milestone - a group of black Greensboro, North Carolina, college students began a sit-in at a segregated Woolworth's lunch counter.

"A full appreciation of the celebration of Black History Month requires a review and reassessment of the social and academic climate that prevailed in the Western world, and especially in North America before 1926 when Black History Month was established.

"It is important to recall that between 1619 and 1926, African Americans and other peoples of African descent were classified as a race that had not made any contribution to human civilization. Within the public and private sector, African Americans and other peoples of African descent were continually dehumanized and relegated to the position of non-citizens and often defined as fractions of humans. It is estimated that between 1890 and 1925, an African American was lynched every two and a half days.

"African Americans were so dehumanized and their history so distorted in academia that 'slavery, peonage, segregation and lynching' were considered justifiable conditions. In fact, Professor John Burgess, the founder of Columbia University Graduate School of Political Science and an important figure in American scholarship, defined the African race as 'a race of men which has never created any civilization of any kind...!'

"It was this kind of climate and the sensational, racist scholarship that inspired the talented and brilliant African American scholar, Dr. Carter Godwin Woodson, to lead the struggle and search for the truth and institutionalize what was then referred to as 'Negro History Week'. A Harvard trained Ph.D., Dr. Woodson dropped out of mainstream academia to devote his life to the scientific study of the African experience in America, Africa and throughout the world.

"Under Woodson's direction and contributions from other African American and white scholars, the 'Negro History Week' was launched on a serious platform in 1926. Meetings, exhibitions, lectures and symposia were organized to climax the scientific study of the African experience throughout the year in order to give a more objective and scholarly balance in American and World history.

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I, Too

By Langston Hughes

"I, too, sing America.

"I am the darker brother.
They send me to eat in the kitchen
When company comes,
But I laugh,
And eat well,
And grow strong.

"Tomorrow,
I'll sit at the table
When company comes.
Nobody'll dare
Say to me, 'Eat in the kitchen,'
Then.

"Besides,
They'll see how beautiful I am
And be ashamed-

"I, too, am America.

"Mr. Speaker and Members of this House of Representatives, Black History is not just Black History, it is American History.

"I thank you."

On motion of Representative Culpepper, seconded by Representative Bowie, the House adjourns at 3:08 p.m. to reconvene February 13 at 10:00 a.m.

TENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 13, 2003

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by Speaker Morgan, designated to preside by Speaker Black.

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The following prayer is offered by the Reverend Jim Lambeth, Western Boulevard Presbyterian Church, Raleigh, North Carolina.

"God of love,

"As a new day dawns we are given new opportunities to serve.

"Open our eyes that in each step we take today we may see new possibilities, new glimpses of what life in Your kingdom might be.

"And give us the grace and courage to make Your challenges become reality.

"Our God, as war seems to loom in our future, we pray for our Nation's leaders and the leaders of our world. Give them the wisdom to make right choices in these difficult days.

"We pray for these leaders gathered here this morning. We remember Speaker Morgan's mother and lift to You all the prayers of our hearts.

"We pray for the labors of this day.

"Give to these women and men who lead our State - wisdom, openness, creativity, patience, and a measure of Your love.

"In decisions made today may there be shown forth signs of your kingdom of peace and justice.

"In the name of our loving God, we pray. Amen."

Representative Culpepper reports the Journal of February 12 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Alexander, Baker, Bonner, Crawford, and Daughtry for today.

ENROLLED BILLS

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

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S.J.R. 21, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF BLADENBORO ON THE TOWN'S 100TH ANNIVERSARY. (RESOLUTION 2003-1)

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Baker, Culp, Hilton, McHenry, and Walend:

H.B. 4, A BILL TO BE ENTITLED AN ACT TO PROVIDE ECONOMIC STIMULI FOR NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Owens, Cole, Dickson, Glazier, Goforth, Hunter, and A. Williams:

H.B. 5, 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 Baker, Allred, Frye, Gillespie, Gorman, Hilton, Justus, McGee, McHenry, Moore, Pate, Preston, Rhodes, Sauls, Sexton, Stiller, and Walend:

H.B. 6, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION, SUBJECT TO APPROVAL OF THE VOTERS OF THE STATE, TO PROTECT LOCAL GOVERNMENT REVENUES COLLECTED BY THE STATE FOR LOCAL GOVERNMENTS AND TO PROTECT LOCAL GOVERNMENT REIMBURSEMENTS AND APPROPRIATIONS AUTHORIZED BY THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gulley, Allred, Barnhart, Blackwood, Bowie, Capps, Clary, Culp, Daughtridge, Ellis, Frye, Gillespie, Gorman, Hilton, L. Johnson, Justice, Justus, McGee, McHenry, McMahan, Mitchell, Moore, Pate, Preston, Ray, Rayfield, Rhodes, Sauls, Setzer, Sexton, Stiller, Walend, K. Williams, and Wood:

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H.B. 7, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ZERO-BASED BUDGETING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Blust, Capps, Clary, Ellis, Frye, Gorman, Hilton, McGee, McHenry, McMahan, Mitchell, Moore, Pate, Preston, Ray, Sauls, Sexton, Stam, Stiller, Walend, and Wood:

H.B. 8, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ZERO-BASED BUDGETING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Blust, Barnhart, Capps, Frye, Gillespie, Gorman, Hilton, Howard, McGee, Moore, Rayfield, Rhodes, Sauls, Setzer, Stam, Stiller, Walend, West, G. Wilson, and Wood:

H.B. 9, A BILL TO BE ENTITLED AN ACT TO PROVIDE GOVERNMENTAL ACCOUNTABILITY AND PROTECTION TO THE TAXPAYERS BY LIMITING INCREASES IN THE GENERAL FUND BUDGET, REFORMING THE BUDGET PROCESS, AND ESTABLISHING AN EMERGENCY RESERVE TRUST FUND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baker, Crawford, McMahan, Owens (Primary Sponsors); Gorman, McGee, and Rayfield:

H.B. 10, A BILL TO BE ENTITLED AN ACT CREATING THE INDEPENDENT GOVERNMENT REVIEW COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Stam, Culp, and Pate.

H.B. 11, A BILL TO BE ENTITLED AN ACT TO REPEAL ONLY THOSE STATUTES WHICH HAVE BEEN DECLARED UNCONSTITUTIONAL BY A STATE OR FEDERAL COURT OF COMPETENT JURISDICTION AND FROM WHICH NO APPEAL HAS BEEN TIMELY PERFECTED OR THE APPEAL HAS BEEN FULLY CONCLUDED ADVERSELY TO THE STATE, is referred to the Committee on Judiciary I.

By Representatives Gulley, Capps, Daughtridge, Frye, Hilton, Justus, McHenry, McMahan, Mitchell, Moore, Preston, Ray, Rayfield, Rhodes, Setzer, Sexton, Stiller, Walend, and Wood:

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H.B. 12, A BILL TO BE ENTITLED AN ACT TO LIMIT GENERAL FUND BUDGET EXPENDITURES FOR A FISCAL YEAR TO THE GENERAL FUND OPERATING BUDGET APPROPRIATIONS FOR THE PRIOR FISCAL YEAR, is referred to the Committee on Appropriations.

By Representative Walend:

H.B. 13, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN TRANSYLVANIA COUNTY AND TO REQUIRE WRITTEN PERMISSION BEFORE HUNTING ON THE LAND OF ANOTHER IN TRANSYLVANIA COUNTY, is referred to the Committee on Wildlife Resources.

By Representatives Walend, Capps, Frye, Moore, and Wood:

H.B. 14, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE DEADLINES FOR PASSAGE OF BUDGET ITEMS RELATING TO CRITICAL MATTERS SUCH AS EDUCATION AND ITEMS THAT IMPACT LOCAL BUDGETS, is referred to the Committee on Appropriations.

By Representatives Howard, Bowie, Capps, Clary, Cole, Daughtridge, Dickson, Frye, Gillespie, Glazier, Gorman, Hunter, Justice, Justus, LaRoque, McGee, McHenry, Moore, Rapp, Sauls, Sexton, Stiller, Walend, Warren, K. Williams, and Wood:

H.B. 15, 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 and, if favorable, to the Committee on Appropriations.

By Representatives Miller, Capps, and Cole:

H.B. 16, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT FOOD OR RETAIL BUSINESSES THAT HOLD ABC PERMITS AND ARE LOCATED IN A STATE DEVELOPMENT ZONE SHALL NOT HAVE ALCOHOLIC BEVERAGE SALES IN EXCESS OF FIFTY PERCENT OF THE BUSINESS'S TOTAL ANNUAL SALES, is referred to the Committee on Alcoholic Beverage Control.

By Representatives Miller and Cole:

H.B. 17, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE CONSUMER EDUCATION IN GRADES NINE THROUGH TWELVE, is referred to the Committee on Education.

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By Representatives McLawhorn, C. Johnson, and Warren:

H.B. 18, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROGRAM IN PITT COUNTY FOR COLLECTION IN WORTHLESS CHECK CASES, is referred to the Committee on Judiciary IV.

On motion of Representative Culpepper, seconded by Representative Justice, the House adjourns at 10:12 a.m. to reconvene Monday, February 17, 2003, at 7:00 p.m.

ELEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, February 17, 2003

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Speaker Morgan, designated to preside by Speaker Black.

The following prayer is offered by Representative K. Williams:

"Almighty and most merciful God,

"We come before You this night, seeking Your guidance and Your wisdom as we prepare to do the people's business. We ask that You bless the work of this House, that we might fulfill Your perfect will. While our minds may be of differing opinions and conflicting views, we pray that our hearts will be united in doing that which is best for all of our citizens.

"We lift Speaker Morgan's mother up in prayer, that you would touch her body, and be to her Jehovah Rapha, the Lord Who heals. And for those Members of this House who may be traveling on treacherous highways, we ask You to keep them safe.

"We pray tonight for our military, the brave men and women who are fighting the war on terror, that You will keep them safely beneath Your wings, that no weapon formed against them will prosper, and that they will return swiftly and securely to their families. And for those families, that Your peace might rest upon each of their hearts and minds, until the day of trouble has passed.

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"We ask these things in the name of Your Holy Child, Jesus. Amen."

Speaker Morgan leads the Body in the Pledge of Allegiance.

Representative Culpepper reports the Journal of February 13 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, G. Allen, L. Allen, Baker, Barnhart, Blackwood, Bowie, Carney, Cole, Decker, England, Farmer-Butterfield, Haire, Holliman, L. Johnson, Jones, Justus, McCombs, McLawhorn, Miller, Nesbitt, Parmon, Pate, Preston, Ray, Sauls, Setzer, Walend, Warren, Weiss, Womble, Wood, and Yongue for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives K. Williams, Blust, Church, Coates, Dickson, Frye, Gillespie, Glazier, Gorman, Grady, Hilton, Justus, Lucas, McHenry, Miner, Moore, Munford, Pate, Preston, Rapp, Sauls, and Sherrill:

H.R. 19, A HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE MILITARY TROOPS FIGHTING THE WAR AGAINST TERRORISM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Crawford, Coates, Cole, Glazier, and Jeffus:

H.B. 20, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON EARNINGS BY RETIRED DEPARTMENT OF TRANSPORTATION ENGINEERS AND ENGINEERING TECHNICIANS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is referred to the Committee on Pensions and Retirement.

By Representatives Crawford, Coates, and Cole:

H.B. 21, A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND TO AUTHORIZE THE USE OF HIGHWAY TRUST FUND FUNDS TO MATCH FEDERAL-AID HIGHWAY FUNDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is referred to the Committee on Transportation.

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By Representatives Crawford, Coates, Cole, and Glazier:

H.B. 22, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE THE PORTION OF CONTRACT MAINTENANCE RESURFACING FUNDS ALLOCATED TO WIDENING EXISTING NARROW PAVEMENTS SCHEDULED FOR RESURFACING TO BE USED TO WIDEN ANY EXISTING NARROW PAVEMENTS AND TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE HIGHWAY TRUST FUND SECONDARY ROAD PAVING FUNDS ALLOCATED TO EACH COUNTY FOR THE ADDITIONAL PURPOSE OF SAFETY IMPROVEMENTS ON PAVED AND UNPAVED ROADS IN THE SAME COUNTY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is referred to the Committee on Transportation.

By Representatives Crawford, Coates, and Cole:

H.B. 23, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE DEPARTMENT OF TRANSPORTATION AS THE STATE AGENCY RESPONSIBLE FOR FIXED GUIDEWAY TRANSIT SAFETY, PURSUANT TO FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is referred to the Committee on Transportation.

By Representatives McCombs, Barbee, Barnhart, Coates, Gillespie, Mitchell, Preston, Rayfield, and Rhodes:

H.B. 24, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE VETERANS ADMINISTRATION POLICE OFFICERS TO PROVIDE ASSISTANCE TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES IN THE SAME MANNER AS OTHER FEDERAL LAW ENFORCEMENT OFFICERS, is referred to the Committee on Judiciary III.

By Representatives Gillespie and Church (Primary Sponsors); Frye, Hilton, Mitchell, Pate, Ray, Setzer, and Starnes:

H.B. 25, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE PROGRAM FOR COLLECTION IN WORTHLESS CHECK CASES IN BURKE, CALDWELL, CATAWBA, AND MCDOWELL COUNTIES, is referred to the Committee on Judiciary IV.

By Representatives Miller and McComas:

H.B. 26, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT DEVICES DESIGNED TO COVER REGISTRATION PLATES TO

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PREVENT THE TAKING OF A CLEAR PHOTOGRAPH BY TRAFFIC CONTROL SYSTEMS USING CAMERAS ARE UNLAWFUL, is referred to the Committee on Judiciary II.

By Representatives Rhodes, Barnhart, Blust, Culp, Ellis, Frye, Gorman, Gulley, Hilton, Holmes, McCombs, McGee, McHenry, McMahan, Preston, Setzer, Stam, and Wood:

H.B. 27, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE STATE'S DNA DATABASE AND DATABANK TO PROVIDE THAT A DNA SAMPLE SHALL BE TAKEN FROM ANY PERSON WHO IS CONVICTED OF A FELONY OR WHO IS FOUND NOT GUILTY OF A FELONY BY REASON OF INSANITY AND TO MAKE CONFORMING STATUTORY CHANGES, is referred to the Committee on Judiciary I.

By Representatives McHenry and Rapp (Primary Sponsors); B. Allen, Barnhart, Blust, Clary, Daughtridge, England, Fox, Goforth, Goodwin, Hill, Justice, LaRoque, Lewis, Miner, Moore, Munford, Pate, Preston, Rayfield, Rhodes, Setzer, Stiller, Walend, and C. Wilson:

H.B. 28, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO LIMIT THE LENGTH OF LEGISLATIVE SESSIONS, AND TO PROVIDE FOR AN EARLIER CONVENING OF THE GENERAL ASSEMBLY FOR ORGANIZATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nye:

H.B. 29, A BILL TO BE ENTITLED AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATIONS BY THE TOWN OF BLADENBORO, is referred to the Committee on Finance.

By Representatives LaRoque, Daughtridge, and Glazier (Primary Sponsors); Blust, Clary, Goodwin, Gorman, Justice, McGee, McHenry, Moore, Munford, Sauls, Stiller, C. Wilson, and Wood:

H.B. 30, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO LIMIT THE LENGTH OF LEGISLATIVE SESSIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Allred, Blust, Gillespie, and Gulley:

H.B. 31, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS, is referred to the Committee on Education.

By Representatives Gorman, Blust, Gulley, McHenry, Miner, and K. Williams:

H.B. 32, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS, is referred to the Committee on Education.

On motion of Representative Culpepper, seconded by Representative K. Williams, the House adjourns at 7:08 p.m. to reconvene February 18 at 4:00 p.m.

TWELFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 18, 2003

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

The following prayer is offered by the Reverend Jim Lambeth, Western Boulevard Presbyterian Church, Raleigh, North Carolina.

"God of rain and wind, of ice and snow:

"Sometimes it only takes a little ice to remind us that we are not in absolute control of very much in this world. As we slip and slide around we are reminded of our total dependence on You for all of life and we give You thanks for Your providence and care.

"We pray today for our Nation and all the nations of the world. We pray for those whom we call enemy as well as friend. And we pray that calm, wise minds of peace will prevail in our current world situation.

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"We continue to remember Speaker Morgan's mother and give You thanks for improvement and we remember Jack Dossenbach of the Sergeant-at-Arms staff in his battle with cancer.

"And we lift to You all the prayers that may be on our minds and hearts this afternoon.

"God of all governments:

"We pray for Your blessing on these good women and men and on the work they do in this place today. May the result of their efforts in some way provide a glimpse of Your kingdom of justice, wholeness and peace.

"In Your powerful name we pray. Amen."

Representative Culpepper reports the Journal of February 17 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blackwood, Haire, Luebke, and Sutton for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative Luebke (By Request):

H.B. 33, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PRIVATE PROSECUTIONS OF FELONY OFFENSES AND TO AMEND THE NORTH CAROLINA CONSTITUTION TO AUTHORIZE PRIVATE PROSECUTIONS OF FELONY OFFENSES, is referred to the Committee on Judiciary I.

By Representative Luebke:

H.B. 34, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CHARTER SCHOOLS TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is referred to the Committee

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on Education and, if favorable, to the Committee on Pensions and Retirement.

By Representatives Haire and Rapp (Primary Sponsors):

H.B. 35, A BILL TO BE ENTITLED AN ACT EXEMPTING THE TOWN OF WAYNESVILLE FROM THE MAILED NOTICE PROVISION OF G.S. 160A-384 WHEN THE ENTIRE ZONING JURISDICTION IS REZONED, is referred to the Committee on Local Government I.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.B. 8, A BILL TO BE ENTITLED AN ACT PROVIDING IMMEDIATE ELIGIBILITY FOR UNEMPLOYMENT BENEFITS TO INDIVIDUALS UNEMPLOYED DUE TO A MAJOR INDUSTRIAL DISASTER, is read the first time and referred to the Committee on Insurance.

APPOINTMENT OF OFFICERS

Pursuant to Rule 45(c), Speaker Morgan appoints Mr. Robert R. Samuels as Sergeant-at-Arms for the 2003 Session.

Mr. Samuels takes and subscribes to the following oath administered by Speaker Morgan as authorized under G.S. 120-5.

OATH FOR SERGEANT-AT-ARMS OF THE 2003 HOUSE OF REPRESENTATIVES

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

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

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Pursuant to Rule 47, Speaker Morgan appoints the Reverend Jim Lambeth, Pastor of Western Boulevard Presbyterian Church, Raleigh, North Carolina, as Chaplain for the 2003 House of Representatives.

ANNOUNCEMENT OF CAUCUS LEADERS

Representative Kiser is recognized and he reports that the Republican Caucus has been held and sends forth the following report:

February 13, 2003

MEMORANDUM

TO: Speaker Richard T. Morgan
Speaker James B. Black
Members of the House of Representatives

FROM: Joe Kiser

RE: Republican Caucus Leadership

The House Republican Caucus met on Sunday, November 17, 2002 and the following officers were elected:

Republican Leader
Joe Kiser

Republican Whip
Trudi Walend

Republican Freshmen Chair
John Sauls

Representative Hackney is recognized and he reports that the Democratic Caucus has been held and sends forth the following report:

February 18, 2003

MEMORANDUM

TO: Speaker Richard T. Morgan
Speaker James B. Black
Members of the House of Representatives

February 18, 2003

FROM: Joe Hackney

RE: Democratic Caucus Leadership

The House Democratic Caucus met on Wednesday, February 12, 2003 and the following officers were elected:

Democratic Leader
Joe Hackney
Democratic Whips
Beverly M. Earle
R. Phillip Haire
Paul Miller
Marian N. McLawhorn

Earlier, the following officers were elected:

Permanent Caucus Chair
Edd Nye
Democratic Freshman Chair
Rick Glazier

Speaker Morgan orders a Special Message sent to the Senate advising that Honorable Body that the House is organized and ready to proceed with the business of the State.

On motion of Representative Culpepper, seconded by Representative Weiss, the House adjourns at 4:14 p.m. to reconvene February 19 at 2:00 p.m.

THIRTEENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 19, 2003

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

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

February 19, 2003

"O God, Parent of us all:

"We pray for all Your children on earth, of every nation and every race; that they may be strong to do Your will. You called forth a people, Israel, as Your beloved and expected of them not success but faithfulness. You blessed them with great leaders who sought to do Your will. And today, You call us to that same faithfulness.

"Bless our Nation's leaders and the leaders of all the world's nations with creative peace-filled ideas as they work in the tense situation that seems to grow more volatile each day. Give to them calm, patient understanding.

"O God, we remember and lift to You the joys and concerns that fill us today:

Thanksgiving for the improvement in Speaker Morgan's mother's condition;
The battle of Jack Dossenbach with cancer;
The grief of staff attorney, Phyllis Pickett, and her family at the loss of her mother;
The continued suffering as a result of the Kinston plant explosion.

"And, God we pray that You will work through the toil of these women and men who lead us in this House of Representatives.

"Take places of confusion and make them thought-filled, places of slavery to unproductive traditions and make them free, places of conflict and make them peace-filled, places of uncertainty and make them sure.

"And may the work of this day be a blessing to You and to those who accomplish it.

"In Your challenging name we pray. Amen."

Representative Culpepper reports the Journal of February 18 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blackwood and Haire for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

February 19, 2003

By Representatives Womble, Luebke, Weiss and Insko (Primary Sponsors); Adams, Alexander, B. Allen, Bell, Black, Farmer-Butterfield, Hall, Holliman, Jones, Lucas, McAllister, McGee, Miller, Parmon, Pate, Ross, Wainwright, and Wood:

H.B. 36, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW THAT AUTHORIZES THE INVOLUNTARY STERILIZATION OF PERSONS WHO ARE MENTALLY ILL OR MENTALLY RETARDED AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES, is referred to the Committee on Health.

On motion of Representative Culpepper, seconded by Representative Adams, the House adjourns at 2:16 p.m. to reconvene February 20 at 1:00 p.m.

FOURTEENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 20, 2003

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

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

"God of prophecy:

"You spoke through Your prophet to the nations saying, 'Do not remember the former things, nor consider the things of old. I am about to do a new thing; now it springs forth, do You not perceive it?'

"God, You continue to call us to celebrate and be informed by our past, but to be open to Your newness - even in nations and governments.

"Bless this Body in the deliberations of today. Open them to the perception of Your new things. Give them minds of creative compromise in their work together.

"We remember today:

Jack Dossenbach of the Sergeant-at-Arms staff and his family as he battles the last stages of cancer;

February 20, 2003

Representative Bowie's grand-niece, Emma;
And on this day of memorial service, the injured and the families
who lost loved ones in the Kinston plant explosion.

"And we pray for Your traveling mercies for those who return home for
the weekend.

"Hold us and Your world in the peaceable safety of Your arms.

"In Your caring name, we pray. Amen."

Representative Culpepper reports the Journal of February 19 has been
examined and found correct. Upon his motion, the Journal is approved as
written.

Leaves of absence are granted Representatives Blackwood, Bowie,
Cole, Culp, Haire, Holmes, Sutton, and West for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Adams, Alexander, B. Allen, Cunningham, Farmer-
Butterfield, Jones, Luebke, Parmon, Wainwright, and Womble:

H.B. 37, A BILL TO BE ENTITLED AN ACT AMENDING THE
WAGE AND HOUR ACT TO RAISE THE STATE MINIMUM WAGE
TO A LIVABLE WAGE, is referred to the Committee on Economic
Growth and Community Development.

By Representatives Adams, B. Allen, Bell, Cunningham, Farmer-
Butterfield, Jones, Mitchell, Parmon, Pate, Wainwright, and Womble:

H.B. 38, A BILL TO BE ENTITLED AN ACT TO PERMIT CAREER
TEACHERS TO RETAIN CAREER STATUS WHEN THEY CHANGE
SCHOOL SYSTEMS OR RETURN TO TEACHING AFTER LEAVING
THE PROFESSION, is referred to the Committee on Education.

By Representatives Blust, Frye, Hilton, Holmes, Kiser, McGee, Pate,
and Preston:

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H.B. 39, A BILL TO BE ENTITLED AN ACT TO PROHIBIT STATE OFFICERS OR MEMBERS OF THEIR IMMEDIATE HOUSEHOLDS FROM APPEARING IN STATE-ADMINISTERED PUBLIC SERVICE ANNOUNCEMENTS, is referred to the Committee on State Government and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representative Owens:

H.B. 40, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO LIMIT THE LENGTH OF LEGISLATIVE SESSIONS AND PROVIDE FOR FOUR-YEAR TERMS FOR MEMBERS OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Holliman, Alexander, G. Allen, Hill, Luebke, and Wainwright:

H.B. 41, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, is referred to the Committee on Finance.

By Representatives Goodwin, Hall, Moore, and Stiller (Primary Sponsors):

H.B. 42, 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 II.

By Representatives Rayfield, Barbee, Barnhart, Capps, Creech, Culp, Daughtry, Earle, Fox, Frye, Gorman, Grady, Gulley, Hilton, Holmes, Hunter, L. Johnson, Justice, Justus, LaRoque, Lewis, McCombs, McGee, McHenry, McMahan, Mitchell, Pate, Preston, Ray, Rhodes, Sauls, Setzer, Stam, Walend, Walker, K. Williams, C. Wilson, G. Wilson, Womble, and Wood:

H.B. 43, A BILL TO BE ENTITLED AN ACT TO REQUIRE NEW PARTY CANDIDATES TO PAY FILING FEES ON A SIMILAR BASIS TO MAJOR PARTY CANDIDATES, is referred to the Committee on Election Law and Campaign Finance Reform.

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By Representatives Luebke, G. Allen, Hill, Holliman, and Wainwright:

H.B. 44, A BILL TO BE ENTITLED AN ACT TO ADOPT THE STREAMLINED SALES TAX CHANGES, is referred to the Committee on Finance.

By Representatives Baker, Daughtridge, Lewis, and Pate:

H.B. 45, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM INCOME TAX PAYMENTS MADE TO TOBACCO FARMERS, TOBACCO WORKERS, ALLOTMENT HOLDERS, AND OTHERS, AS COMPENSATION FOR THEIR LOSSES, PURSUANT TO THE TOBACCO SETTLEMENT AND RELATED AGREEMENTS WITH TOBACCO MANUFACTURERS, is referred to the Committee on Finance.

By Representative Baker:

H.B. 46, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE NORTH CAROLINA GOVERNMENT COMPETITION COMMISSION TO PROVIDE FOR BETTER GOVERNMENT IN NORTH CAROLINA THROUGH A COMPREHENSIVE STATE GOVERNMENT COMPETITION INITIATIVE, is referred to the Committee on Ways and Means.

By Representative Baker:

H.B. 47, A BILL TO BE ENTITLED AN ACT ADOPTING THE CAROLINA LILY AS THE OFFICIAL WILDFLOWER OF NORTH CAROLINA, is referred to the Committee on State Government.

By Representatives Crawford and Cole (Primary Sponsors); Culpepper, Dickson, Glazier, Lucas, Luebke, and A. Williams:

H.B. 48, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT NORTH CAROLINA: MOVING AHEAD! BY ALLOWING CASH BALANCES IN THE HIGHWAY TRUST FUND TO BE USED TO MEET CRUCIAL TRANSPORTATION NEEDS, is referred to the Committee on Transportation and, if favorable, to the Committee on Appropriations.

By Representative Sherrill:

H.B. 49, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BUNCOMBE AND THE CITY OF ASHEVILLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Sherrill:

H.B. 50, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BUNCOMBE AND THE CITY OF ASHEVILLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McAllister, Dickson, Lucas, and Glazier (Primary Sponsors); Adams, Alexander, B. Allen, Bell, Gorman, Hunter, Michaux, Nesbitt, Pate, and Warner:

H.B. 51, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MEMBER OF THE MILITARY WHO ATTENDS A CONSTITUENT INSTITUTION OR A COMMUNITY COLLEGE SHALL BE CHARGED ONLY THE IN-STATE TUITION RATE, is referred to the Committee on Education.

By Representatives Insko, Brubaker, and Fox (Primary Sponsors); L. Allen, Bordsen, Coates, Cunningham, Hackney, Lewis, Luebke, McLawhorn, Mitchell, Pate, Rapp, Setzer, Wainwright, Walend, Warren, and Weiss:

H.B. 52, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA FARMLAND PRESERVATION TRUST FUND, is referred to the Committee on Appropriations.

By Representatives Owens and Culpepper (Primary Sponsors); Alexander, Farmer-Butterfield, Luebke, and Pate:

H.J.R. 53, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF VERNON GRANT JAMES, FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hill and Stiller (Primary Sponsors); Baker, Carney, Church, Cunningham, Hilton, Justice, LaRoque, Lucas, Luebke, Munford, Pate, Sauls, Setzer, Sherrill, Starnes, Walend, A. Williams, K. Williams, and Wright:

H.B. 54, A BILL TO BE ENTITLED AN ACT DESIGNATING MAY OF EACH YEAR AS MOTORCYCLE AWARENESS MONTH, is referred to the Committee on Rules, Calendar, and Operations of the House.

February 20, 2003

On motion of Representative Culpepper, seconded by Representative Kiser, the House adjourns at 1:13 p.m. to reconvene Monday, February 24, 2003, at 7:30 p.m.

FIFTEENTH DAY

HOUSE OF REPRESENTATIVES
Monday, February 24, 2003

The House meets at 7:30 p.m. pursuant to adjournment and is called to order by Speaker Morgan.

Prayer is offered by the Reverend Doctor William J. Barber, II, Greenleaf Christian Church, Goldsboro, North Carolina.

Speaker Morgan leads the Body in the Pledge of Allegiance.

Representative Culpepper reports the Journal of February 20 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bordsen, Bowie, Cole, Decker, Holmes, McCombs, Nesbitt, Ray, Sexton, and Stiller for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Ray, Culp, Daughtry, Dockham, Gillespie, Gorman, Hilton, Howard, Kiser, Lewis, McCombs, Mitchell, Rhodes, Setzer, Walend, Walker, Warner, West, K. Williams, and G. Wilson:

H.B. 55, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FIRE DEPARTMENTS TO HONOR DECEASED OR RETIRING FIREFIGHTERS BY AWARDING THEM WITH THEIR FIRE HELMETS, is referred to the Committee on Ways and Means.

By Representatives A. Williams, L. Allen, Culp, England, Frye, Gorman, Haire, C. Johnson, McLawhorn, Miller, Nye, Pate, Rhodes, Sauls, Warner, Warren, K. Williams, Womble, and Wood:

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H.B. 56, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, is referred to the Committee on Pensions and Retirement.

By Representatives Brubaker and Culp:

H.B. 57, A BILL TO BE ENTITLED AN ACT TO ALLOW RANDOLPH COUNTY TO REAPPOINT MEMBERS OF ITS TOURISM DEVELOPMENT AUTHORITY, is referred to the Committee on Local Government I.

By Representative C. Wilson:

H.B. 58, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS, is referred to the Committee on Judiciary III.

By Representatives Wainwright, Adams, Alexander, B. Allen, Bell, Bonner, Cunningham, Earle, Farmer-Butterfield, Hall, Hunter, Insko, Jones, Lucas, Luebke, McAllister, Michaux, Miller, Parmon, Warner, Weiss, Womble, and Wright:

H.J.R. 59, A JOINT RESOLUTION HONORING BOOKER T. WASHINGTON, FOUNDER OF THE TUSKEGEE INSTITUTE; HONORING THE INSTITUTE'S MOST RENOWNED FACULTY MEMBER, GEORGE WASHINGTON CARVER; AND SALUTING TOM JOYNER, AN ALUMNUS OF TUSKEGEE INSTITUTE, ALONG WITH THE TOM JOYNER FOUNDATION, FOR FUND-RAISING EFFORTS TO BENEFIT HISTORICALLY BLACK COLLEGES AND UNIVERSITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Mitchell, Gorman, Hilton, Ray, and Setzer:

H.B. 60, A BILL TO BE ENTITLED AN ACT TO GIVE CERTAIN LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER, is referred to the Committee on Education.

By Representatives G. Allen, Alexander, Hill, Holliman, Luebke, and Wainwright:

H.B. 61, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DIVIDEND RECEIVED DEDUCTION FOR REGULATED INVESTMENT

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COMPANIES AND REAL ESTATE INVESTMENT TRUSTS TO ENSURE THAT ALL DIVIDENDS ARE TREATED UNIFORMLY, TO EXTEND FOR TWO YEARS THE DEPARTMENT OF REVENUE'S AUTHORITY TO OUTSOURCE THE COLLECTION OF IN-STATE TAX DEBTS, AND TO MAKE VARIOUS ADMINISTRATIVE CHANGES IN THE TAX LAWS, is referred to the Committee on Finance.

By Representatives G. Allen, Alexander, Hill, Holliman, Luebke, McComas, and Wainwright:

H.B. 62, A BILL TO BE ENTITLED AN ACT TO PROMOTE EFFICIENCY IN STATE GOVERNMENT BY ALLOWING A SALES AND USE TAX EXEMPTION FOR STATE AGENCIES INSTEAD OF A SALES AND USE TAX REFUND TO STATE AGENCIES, is referred to the Committee on Finance.

By Representative Goodwin:

H.B. 63, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT SO THAT VACANCIES IN THE OFFICE OF SHERIFF OF RICHMOND COUNTY WILL BE FILLED IN ACCORDANCE WITH G.S. 162-5, is referred to the Committee on Local Government II.

By Representatives Gillespie, Allred, Barbee, Barnhart, Capps, Church, Clary, Culp, Daughtry, Dockham, Eddins, Ellis, Frye, Gorman, Gulley, Hilton, Howard, L. Johnson, Kiser, Lewis, McGee, McHenry, Moore, Nye, Pate, Preston, Ray, Rayfield, Rhodes, Sauls, Setzer, Stam, Walend, Walker, Warner, West, K. Williams, C. Wilson, and G. Wilson:

H.B. 64, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "CHOOSE LIFE" SPECIAL LICENSE PLATE, is referred to the Committee on Finance.

By Representatives Ray, Barnhart, Frye, Gorman, Gulley, L. Johnson, Justus, McGee, Pate, Preston, Rhodes, Setzer, K. Williams, and Wood:

H.B. 65, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PHOTOGRAPHS AND VIDEO OR AUDIO RECORDINGS MADE PURSUANT TO AN AUTOPSY ARE NOT A PUBLIC RECORD, is referred to the Committee on Judiciary II.

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By Representatives Daughtridge, Farmer-Butterfield, and Tolson:

H.B. 66, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ROCKY MOUNT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Blust, Gorman, Hilton, Pate, Rhodes, and West:

H.B. 67, A BILL TO BE ENTITLED AN ACT TO REQUIRE A VOTER SIGNATURE AT THE POLLS, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representative Lucas:

H.B. 68, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SPRING LAKE TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS, is referred to the Committee on Local Government II.

MESSAGES FROM THE SENATE

The following is received from the Senate:

S.B. 3 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO LIMIT THE LENGTH OF LEGISLATIVE SESSIONS AND TO PROVIDE FOR AN EARLIER CONVENING OF THE GENERAL ASSEMBLY FOR ORGANIZATION, 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 February 24 are introduced to the membership. They are: Faithe Harrington of Wake; Rachel Celeste Pointer of Person; Elizabeth Grafton of Rockingham; Ryan T. Blankenship of Wake; Lindsay Nicole Willis of Surry; Jordan Jeffrey Cline of Davie; Lindsey Ricks of Wake; and Kyle Ray Hensley of Madison.

On motion of Representative Culpepper, seconded by Representative McGee, the House adjourns at 7:48 p.m. to reconvene February 25 at 4:00 p.m.

February 24, 2003

SIXTEENTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 25, 2003

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

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

"The mighty one, God the Lord, speaks and summons the earth from the rising of the sun to its setting.' (Psalm 50)

"God of all power, the media is full these days of words of expected bloodshed:

From opposing forces in Afghanistan, Iraq, Korea, Israel, Palestine, even our own country. May it be not so - may Your will and power for peace prevail.

There are even those who write that there have been bloody battles in this House of Representatives. May it be not so - may Your will and power for peace prevail.

"God, we pray for Your blessing on the work of this place on this day. May the differences of opinion that exist be occasions for creative government, not bloodshed. May the many opportunities that exist for work that will make a positive difference in the lives of the people of this great State become a reality in the labors of these dedicated Representatives.

"We lift to You the prayers of our hearts as we remember Jim McElroy of the Clerk's staff.

"God, speak and summon each of us once more to a vision of Your peaceable kingdom of justice and righteousness.

"In Your almighty name we pray. Amen."

Representative Culpepper reports the Journal of February 24 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 Bowie, Crawford, Decker, Harrell, and Ray for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative Goodwin:

H.J.R. 69, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THOMAS BELL HUNTER, FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Justice:

H.B. 70, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT SO THAT THE GENERAL LAW ON DEFINITION OF A SUBDIVISION APPLIES IN PENDER COUNTY, is referred to the Committee on Local Government I.

By Representatives Walend, McHenry and Rayfield (Primary Sponsors); Bowie, Frye, Gorman, Grady, Hilton, Lewis, Moore, Munford, Ray, and Sauls:

H.B. 71, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE AN EARLIER CONVENING OF THE GENERAL ASSEMBLY FOR ORGANIZATIONAL PURPOSES, SO AS TO ALLOW INCREASED EFFICIENCY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Walend:

H.B. 72, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF POLK, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Walend:

H.B. 73, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF POLK, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Walend:

H.B. 74, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HENDERSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Walend:

H.B. 75, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HENDERSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Walend:

H.B. 76, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF TRANSYLVANIA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Walend:

H.B. 77, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF TRANSYLVANIA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

H.B. 78, A BILL TO BE ENTITLED AN ACT TO ENACT REVISED ARTICLE 6 OF THE UNIFORM COMMERCIAL CODE, BULK SALES, AND CONFORMING AMENDMENTS TO OTHER ARTICLES OF THE UNIFORM COMMERCIAL CODE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary IV.

By Representatives Alexander, Pate and Saunders:

H.B. 79, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED OF A VIOLENT FELONY OR CERTAIN OTHER CRIMINAL OFFENSES AND TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON CONVICTED OF ANY FELONY OR CERTAIN OTHER CRIMINAL OFFENSES, is referred to the Committee on Judiciary I.

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By Representative Insko:

H.B. 80, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT CERTAIN REPORTS BE MADE TO THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, is referred to the Committee on Health.

By Representative Insko:

H.B. 81, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE REHABILITATION PSYCHOLOGY PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL SCHOOL OF MEDICINE, is referred to the Committee on Appropriations.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S.B. 29 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE EFFECTIVE DATE OF THE EXEMPTION GIVEN TO RETAILERS UNDER THE LAWS REGULATING PLUMBING AND HEATING CONTRACTORS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.J.R. 138, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

COMMITTEE APPOINTMENTS

Speakers Black and Morgan make the following committee appointments:

AGING: Representative Weiss, Chair; Representatives Rhodes and Womble, Vice Chairs; Representatives Adams, Bordsen, Creech, Culp, Earle, Farmer-Butterfield, Gillespie, Gulley, Hall, McMahan, and G. Wilson.

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AGRICULTURE: Representative Hill, Chair; Representatives Church, C. Johnson, and Lewis, Vice Chairs; Representatives Baker, Bell, Bonner, Coates, Creech, Culp, Daughtridge, Daughtry, Ellis, Fox, Holmes, Kiser, Mitchell, Nye, Owens, Pate, Tolson, Walker, Warren, A. Williams, G. Wilson, and Yongue.

ALCOHOLIC BEVERAGE CONTROL: Representative Hall, Chair; Representative Ray, Vice Chair; Representatives Baker, Gibson, Lucas, and Moore.

APPROPRIATIONS: Representatives Baker, Clary, Crawford, Earle, Grady, Owens, Sherrill, and Wright, Chairs; Representatives Cole, Fox, Haire, Jeffus, Nye, Tolson, and Yongue, Vice Chairs; Members of Committee, Representatives Hackney and McComas.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION: Representatives L. Johnson, Preston, Tolson, and Yongue, Chairs; Representatives Justice, McLawhorn, and Parmon, Vice Chairs; Representatives Bell, Bonner, Dockham, Goforth, Gorman, Hilton, C. Johnson, Moore, Pate, Rapp, Ray, Sauls, and Warner.

APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT: Representatives Jeffus and Walend, Chairs; Representative Lucas, Vice Chair; Representatives Adams, B. Allen, Daughtry, McMahan, and G. Wilson.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES: Representatives Barnhart and Nye, Chairs; Representative Farmer-Butterfield, Vice Chair; Representatives Allred, Blust, Bowie, Church, England, Insko, and Stam.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY: Representatives Haire and Kiser, Chairs; Representative Frye, Vice Chair; Representatives Goodwin, Hall, Justus, Mitchell, Nesbitt, Sexton, and Sutton.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL AND ECONOMIC RESOURCES: Representatives Fox and West, Chairs; Representatives LaRoque and Warren, Vice Chairs; Representatives Culp, Harrell, Hunter, McHenry, Michaux, Miller, Rhodes, and Walker.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION: Representatives Cole and Gillespie, Chairs; Representatives McAllister and K. Williams, Vice Chairs; Representatives L. Allen, Barbee,

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Coates, Daughtridge, Dickson, Gulley, Holmes, Saunders, Stiller, and A. Williams.

CHILDREN, YOUTH AND FAMILIES: Representative Hunter, Chair; Representative Weiss, Vice Chair; Representatives Alexander, Barnhart, Carney, Dockham, Ellis, McAllister, Parmon, Preston, Rayfield, and Stam.

ECONOMIC GROWTH AND COMMUNITY DEVELOPMENT: Representative C. Wilson, Chair; Representative Harrell and Sauls, Vice Chairs; Representatives Blust, Cole, Decker, Dickson, Dockham, England, Farmer-Butterfield, Frye, Goforth, Hunter, Parmon, Rayfield, Rhodes, Stam and West.

EDUCATION: Representatives Bonner, Hilton, Warner, and Wood, Chairs; Representatives Gorman, Justice, McAllister, McLawhorn, and Warren, Vice Chairs.

EDUCATION SUBCOMMITTEE ON COMMUNITY COLLEGES: Representatives McLawhorn and Sexton, Chairs; Representatives Bordsen and Rayfield, Vice Chairs; Representatives B. Allen, G. Allen, England, Frye, Goodwin, Justice, Lewis, Nye, Owens, Pate, Ray, Sauls, Tolson, and West.

EDUCATION SUBCOMMITTEE ON PRE-SCHOOL, ELEMENTARY AND SECONDARY EDUCATION: Representatives Dockham and Warren, Chairs; Representatives Bell, Goforth, and Gulley, Vice Chairs; Representatives Blackwood, Carney, Glazier, Gorman, Jeffus, C. Johnson, L. Johnson, Lucas, McGee, McMahan, Nesbitt, Preston, Walend, Walker, and Womble.

EDUCATION SUBCOMMITTEE ON UNIVERSITIES: Representatives Bowie and McAllister, Chairs; Representatives Holmes and Rapp, Vice Chairs; Representatives Barnhart, Daughtridge, Dickson, Fox, Grady, Haire, Insko, Michaux, Miner, Moore, Ross, and Stiller.

ELECTION LAW AND CAMPAIGN FINANCE REFORM: Representatives Michaux and Stam, Chairs; Representatives Holliman Vice Chair; Representatives Alexander, Blust, Bonner, Crawford, Daughtridge, Daughtry, Kiser, Nesbitt, Parmon, Rayfield, Ross, Starnes, and Wood.

ENVIRONMENT AND NATURAL RESOURCES: Representative Gibson, Chair; Representatives Hackney and LaRoque, Vice Chairs; Representatives L. Allen, Blackwood, Capps, Carney, Gillespie, Gulley, Haire,

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Insko, Luebke, McComas, McCombs, McHenry, Preston, Rapp, Rhodes, Stiller, Warner, Weiss, and Womble.

ETHICS: Representatives Cunningham and Howard Chairs; Representatives Bell, Brubaker, Jeffus, Justice, McComas, and Yongue.

EX OFFICIO MEMBERS OF ALL COMMITTEES EXCEPT REDISTRICTING: Representatives Brubaker, Culpepper, Cunningham, and Eddins.

FINANCE: Representatives G. Allen, Howard, Luebke, McComas, Miner and Wainwright, Chairs; Representatives Alexander, Decker, Gibson, and Hill, Vice Chair; Representatives Blackwood, Bordsen, Capps, Carney, Creech, Ellis, Glazier, Hackney, Holliman, Jones, Lewis, McCombs, McGee, Munford, Rayfield, Ross, Setzer, Starnes, Weiss, C. Wilson, Womble, and Wood.

FINANCIAL INSTITUTIONS: Representatives Church and Starnes, Chairs; Representatives Jones, McGee, and Saunders, Vice Chairs; Representatives Allred, Clary, Cole, Glazier, Gorman, Holliman, McHenry, Miller, Munford, Stiller, Wainwright, Walend, and A. Williams.

HEALTH: Representatives Insko and Justus, Chairs; Representative England, Vice Chair; Representatives Adams, B. Allen, G. Allen, Allred, Barnhart, Bowie, Clary, Earle, Glazier, Hilton, McAllister, Munford, Setzer, Sherrill, Wainwright, C. Wilson, and Wright.

INSURANCE: Representatives Holliman and Setzer, Chairs; Representative Hall, Vice Chair; Representatives L. Allen, Barbee, Grady, Hunter, C. Johnson, L. Johnson, Lewis, Miner, Ray, Saunders, Wainwright, C. Wilson, and Wright.

JUDICIARY I: Representative Hackney, Chair; Representative Ross, Vice Chair; Representatives Alexander, Capps, Clary, Daughtry, Harrell, Insko, Miller, Sexton, West, and Wood.

JUDICIARY II: Representative Nesbitt, Chair; Representatives Goodwin and Moore, Vice Chairs; Representatives Bonner, Bordsen, Ellis, Farmer-Butterfield, Gulley, Stam, and Walend.

JUDICIARY III: Representative Sutton, Chair; Representatives McHenry, Michaux, and Weiss, Vice Chairs; Representatives Barnhart, Blust, Fox, Holmes, McLawhorn, and C. Wilson.

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JUDICIARY IV: Representative Munford, Chair; Representatives Glazier and Stiller, Vice Chairs; Representatives Bowie, Earle, Goforth, Haire, Jeffus, Justus, and Kiser.

LEGISLATIVE REDISTRICTING: Representatives Alexander and Eddins, Chairs; Representatives Cunningham and Sutton, Vice Chairs; Representatives Brubaker, Church, Clary, Crawford, Culpepper, Decker, Gibson, Grady, Howard, L. Johnson, Justice, Justus, Luebke, McComas, McLawhorn, Nye, Sauls, Saunders, Sherrill, Starnes, Wainwright, and K. Williams.

LOCAL GOVERNMENT I: Representative Walker, Chair; Representative Carney, Vice Chair; Representatives Barbee, Dickson, Frye, Gillespie, McAllister, McCombs, McGee, Owens, Ross, and Warren.

LOCAL GOVERNMENT II: Representatives Adam, Chair; Representative L. Allen, and Capps, Vice Chairs; Representatives Decker, Farmer-Butterfield, Harrell, Jones, Justice, Mitchell, Pate, Walker, and G. Wilson.

MILITARY, VETERANS AND INDIAN AFFAIRS: Representative Lucas, Chair; Representative Sutton, Vice Chair; Representatives Coates, Gorman, Grady, C. Johnson, McCombs, Sexton, Warner, and K. Williams.

OCCUPATIONAL SAFETY AND HEALTH: Representative Goodwin, Chair; Representatives Blackwood and Dickson, Vice Chairs; Representatives Baker, Cole, Daughtry, Hall, Hunter, McHenry, and West.

PENSIONS AND RETIREMENT: Representatives Bell and G. Wilson, Chairs; Representative McCombs and Yongue, Vice Chairs; Representatives B. Allen, Barbee, Kiser, McGee, McLawhorn, Munford, Rapp, and Tolson.

PUBLIC UTILITIES: Representatives Brubaker and Saunders, Chairs; Representative G. Allen, Vice Chair; Representatives Bordsen, Coates, Culpepper, Gibson, Hill, Holliman, Howard, L. Johnson, LaRoque, McComas, Miner, Sauls, Sherrill, K. Williams, and Wright.

RULES, CALENDAR, AND OPERATIONS OF THE HOUSE: Representative Culpepper Chair; Representative Hackney, Vice Chair; Representatives Brubaker, Church, Crawford, Gorman, Hill, Howard, Justus, LaRoque, Luebke, McComas, Miller, Miner, Owens, Setzer, Sherrill, and Yongue.

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SCIENCE AND TECHNOLOGY: Representative Miller, Chair; Representative Tolson, Vice Chair; Representatives Creech, Earle, Ellis, Hilton, Jones, McMahan, Michaux, and Walend.

STATE GOVERNMENT: Representative Womble, Chair; Representatives Adams and B. Allen, Vice Chairs; Representatives Baker, Bowie, Capps, Culp, Dockham, England, Goforth, Setzer, and Warner.

TRANSPORTATION: Representatives Allred and Coates, Chairs; Representatives Daughtridge, A. Williams and K. Williams, Vice Chairs; Representatives G. Allen, L. Allen, Cole, Crawford, Frye, Haire, Hill, Hilton, Holmes, LaRoque, Lewis, Moore, Nye, Rapp, Ray, Starnes, Sutton, and Wright.

WAYS AND MEANS: Representatives Decker and Pate, Chairs; Representatives Blackwood, Culp, Gillespie, Goodwin, Harrell, Jeffus, Jones, Luebke, Mitchell, Nesbitt, Parmon, Preston, Rhodes, and Wood.

WILDLIFE RESOURCES: Representative Barbee, Chair; Representative Fox, Vice Chair; Representatives Blust, Creech, Lucas, Sexton, Warren, and A. Williams.

On motion of Representative Culpepper, seconded by Representative B. Allen, the House adjourns at 5:36 p.m. to reconvene February 26 at 3:00 p.m.

SEVENTEENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 26, 2003

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by Speaker Morgan.

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

"Unless the Lord builds the house, those who build it labor in vain. Unless the Lord guards the city, the guard keeps watch in vain." (Psalm 127:1)

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"God of all nations, states, cities and peoples, and our God:

"We gather today with chairs and committees named and the important work of governing begun. Bless the decisions and assignments that have been made by the Speakers of this Body. Give to each of these Representatives the gifts that they will need for their particular part in building up our State. Be guide and critic to each of them. Be companion and advisor. Hold before them a vision of Your justice, Your mercy and Your steadfast love for all of Your creation as legislation is considered. Give to each of them a sense of joy in knowing that they participate in Your building program and are not laboring in vain. And God, guard our cities that we do not keep watch in vain.

"In Your strong name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 25 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Culp, Decker, and Harrell for today.

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. 29 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE EFFECTIVE DATE OF THE EXEMPTION GIVEN TO RETAILERS UNDER THE LAWS REGULATING PLUMBING AND HEATING CONTRACTORS, with a favorable report.

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

S.J.R. 138, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION

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OF THE SENATE AND HOUSE OF REPRESENTATIVES, with a favorable report.

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

By Representatives Holliman and Setzer, Chairs, for the Committee on Insurance:

S.B. 8, A BILL TO BE ENTITLED AN ACT PROVIDING IMMEDIATE ELIGIBILITY FOR UNEMPLOYMENT BENEFITS TO INDIVIDUALS UNEMPLOYED DUE TO A MAJOR INDUSTRIAL DISASTER, with a favorable report.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Ellis and Capps:

H.J.R. 82, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF WENDELL ON THE TOWN'S 100TH ANNIVERSARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Goforth and Sherrill:

H.B. 83, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROGRAM IN BUNCOMBE COUNTY FOR COLLECTION IN WORTHLESS CHECK CASES, is referred to the Committee on Judiciary IV.

By Representative Barnhart:

H.B. 84, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CABARRUS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Barnhart:

H.B. 85, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CABARRUS, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Brubaker:

H.B. 86, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF RANDOLPH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Brubaker:

H.B. 87, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF RANDOLPH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Brubaker:

H.B. 88, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF RANDOLPH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McGee, Holmes, Parmon, Sexton, and Womble:

H.B. 89, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT APPLYING TO FORSYTH COUNTY CONCERNING FIRE AND RESCUE DISTRICTS, SO THE GENERAL LAW WILL APPLY, is referred to the Committee on Local Government I.

By Representative Gulley:

H.B. 90, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF MATTHEWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gulley:

H.B. 91, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF CHARLOTTE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gulley:

H.B. 92, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF MINT HILL, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative McLawhorn:

H.B. 93, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PITT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McLawhorn:

H.B. 94, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PITT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McLawhorn:

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

By Representative Frye:

H.B. 96, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AVERY COUNTY TO LEVY AN OCCUPANCY TAX IN A TAX DISTRICT COMPRISING THE UNINCORPORATED AREAS OF THE COUNTY, is referred to the Committee on Finance.

By Representative C. Johnson:

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

By Representative C. Johnson:

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

By Representative C. Johnson:

H.B. 99, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MARTIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Allred, Barnhart, Blust, Capps, Gorman, Gulley, Hilton, Justus, Mitchell, Moore, Pate, Sauls, Setzer, Walend, and K. Williams:

H.B. 100, A BILL TO BE ENTITLED AN ACT TO PROVIDE AT THE POLLS A MEANS OF IDENTIFICATION FOR ALL VOTERS PARALLEL TO THAT REQUIRED OF SOME VOTERS BY THE FEDERAL HELP AMERICA VOTE ACT; TO REQUIRE VOTERS TO SIGN BEFORE VOTING AT THE POLLS AND AT EARLY VOTING SITES; AND OTHERWISE TO BRING NORTH CAROLINA INTO COMPLIANCE WITH THE HELP AMERICA VOTE ACT, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Insko and Luebke (Primary Sponsors); and L. Allen:

H.J.R. 101, A JOINT RESOLUTION TO PROVIDE FOR ADJOURNMENT OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Allred and Bordsen (Primary Sponsors):

H.B. 102, A BILL TO BE ENTITLED AN ACT TO GIVE THE ALAMANCE-BURLINGTON BOARD OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER, is referred to the Committee on Education.

BILLS PLACED ON CALENDAR

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

S.B. 8, A BILL TO BE ENTITLED AN ACT PROVIDING IMMEDIATE ELIGIBILITY FOR UNEMPLOYMENT BENEFITS TO INDIVIDUALS UNEMPLOYED DUE TO A MAJOR INDUSTRIAL DISASTER.

S.B. 29 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE EFFECTIVE DATE OF THE EXEMPTION GIVEN TO RETAILERS UNDER THE LAWS REGULATING PLUMBING AND HEATING CONTRACTORS.

S.J.R. 138, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY, THAT THE GENERAL ASSEMBLY

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IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES.

CALENDAR

Action is taken on the following:

S.B. 8, A BILL TO BE ENTITLED AN ACT PROVIDING IMMEDIATE ELIGIBILITY FOR UNEMPLOYMENT BENEFITS TO INDIVIDUALS UNEMPLOYED DUE TO A MAJOR INDUSTRIAL DISASTER, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading, by electronic vote (115-0), and is ordered enrolled and presented to the Governor by Special Message.

S.B. 29 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE EFFECTIVE DATE OF THE EXEMPTION GIVEN TO RETAILERS UNDER THE LAWS REGULATING PLUMBING AND HEATING CONTRACTORS, 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 enrolled and presented to the Governor by Special Message.

S.J.R. 138, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, 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.

ADDENDA TO COMMITTEE ASSIGNMENTS

February 26, 2003

Speaker Morgan makes the following committee assignment:

RULES, CALENDAR AND OPERATIONS OF THE HOUSE: Representative Gorman, Vice Chair.

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ENROLLED BILLS

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

S.B. 8, AN ACT PROVIDING IMMEDIATE ELIGIBILITY FOR UNEMPLOYMENT BENEFITS TO INDIVIDUALS UNEMPLOYED DUE TO A MAJOR INDUSTRIAL DISASTER.

S.B. 29, AN ACT TO EXTEND THE EFFECTIVE DATE OF THE EXEMPTION GIVEN TO RETAILERS UNDER THE LAWS REGULATING PLUMBING AND HEATING CONTRACTORS.

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

S.J.R. 138, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES. (RESOLUTION 2003-2)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

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

H.J.R. 59, A JOINT RESOLUTION HONORING BOOKER T. WASHINGTON, FOUNDER OF THE TUSKEGEE INSTITUTE; HONORING THE INSTITUTE'S MOST RENOWNED FACULTY MEMBER, GEORGE WASHINGTON CARVER; AND SALUTING TOM JOYNER, AN ALUMNUS OF TUSKEGEE INSTITUTE, ALONG WITH THE TOM JOYNER FOUNDATION, FOR FUND-RAISING EFFORTS TO BENEFIT HISTORICALLY BLACK COLLEGES AND UNIVERSITIES, with a favorable report as to the committee substitute joint resolution, which changes the title, unfavorable as to the original joint resolution.

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

BILL PLACED ON CALENDAR

Representative Culpepper gives notice, pursuant to Rule 36(b), and **H.J.R. 59**, (Committee Substitute) A JOINT RESOLUTION HONORING BOOKER T. WASHINGTON, FOUNDER OF THE TUSKEGEE INSTITUTE; HONORING THE INSTITUTE'S MOST RENOWNED FACULTY MEMBER, GEORGE WASHINGTON CARVER; AND EXPRESSING APPRECIATION TO THE TOM JOYNER FOUNDATION FOR FUND-RAISING EFFORTS TO BENEFIT HISTORICALLY BLACK COLLEGES AND UNIVERSITIES, is placed on today's 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 sent to the Senate by Special Message.

On motion of Representative Culpepper, seconded by Representative McHenry, the House adjourns at 4:28 p.m. to reconvene February 27 at 11:00 a.m.

EIGHTEENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 27, 2003

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

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

"Eternal God, You are the power behind all things:
Behind the energy of the storm, behind the heat of a million suns.

"Eternal God, You are the power behind all minds:

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Behind the ability to think and reason, behind all understanding of the truth.

"Eternal God, You are the power behind all we do:

Even in houses of government You are there, equipping, challenging, calling, gifting for service, expecting justice and mercy.

"Bless our world's leaders with a sense of Your walking alongside. May their decisions be peaceable. And bless those who serve in the military of our country. Be with them in Your protection and care.

"Bless the work of this day, O God. Be in it with Your power. Grant to these Representatives clear minds and creative reasoning as they together work to make this State a great place to live and work.

"And protect and grant, O God of safety, Your mercies to all who travel today.

"In Your powerful name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 26 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Church, Cunningham, Decker, McCombs, Mitchell, Sexton, Sutton, and Wood for today.

ENROLLED BILLS

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

H.J.R. 59, A JOINT RESOLUTION HONORING BOOKER T. WASHINGTON, FOUNDER OF THE TUSKEGEE INSTITUTE; HONORING THE INSTITUTE'S MOST RENOWNED FACULTY MEMBER, GEORGE WASHINGTON CARVER; AND EXPRESSING APPRECIATION TO THE TOM JOYNER FOUNDATION FOR FUND-RAISING EFFORTS TO BENEFIT HISTORICALLY BLACK COLLEGES AND UNIVERSITIES. (RESOLUTION 2003-3)

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SPECIAL MESSAGE FROM THE SENATE**2003 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
February 26, 2003

Mr. Speaker:

Pursuant to **S.J.R. 138**, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, the President *Pro Tempore* appoints the following Senators as a committee on the part of the Senate to escort The Honorable Michael F. Easley to the Joint Session in the Hall of the House of Representatives Monday, March 3, 2003 at 7:00 P.M:

Senator Soles, Chair
Senator Lucas
Senator Rand
Senator Dannelly
Senator Malone
Senator Hartsell
Senator Carpenter
Senator Allran

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative Culpepper:

H.B. 103, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS TO CONFORM TO THE INCREASE IN THE NUMBER OF CONGRESSIONAL

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DISTRICTS IN THIS STATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative LaRoque:

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

By Representative LaRoque:

H.B. 105, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DUPLIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative LaRoque:

H.B. 106, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF LENOIR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative LaRoque:

H.B. 107, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF LENOIR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Moore and Goodwin (Primary Sponsors); Barnhart, Blust, Capps, Church, Clary, Daughtridg, Eddins, Frye, Gillespie, Gorman, Gulley, Harrell, Hilton, Howard, Hunter, Kiser, LaRoque, Lucas, McGee, McHenry, Munford, Rayfield, Rhodes, Sauls, Setzer, Stam, Stiller, Sutton, Warner, K. Williams, C. Wilson, and Wood:

H.B. 108, A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF HABITUAL MISDEMEANOR LARCENY, is referred to the Committee on Judiciary III.

By Representatives Goodwin, Coates, Clary and Earle (Primary Sponsors); Alexander, Bell, Bonner, Bordsen, Gibson, Glazier, Gorman, Insko, Jeffus, Lucas, Luebke, Michaux, Moore, Nye, Parmon, Sherrill, Warner, Warren, Weiss, A. Williams, and Wright:

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H.B. 109, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ADMINISTRATION OF MEDICATION TO A CHILD IN A LICENSED OR UNLICENSED CHILD CARE FACILITY WITHOUT PROPER AUTHORIZATION FROM THE CHILD'S PARENT OR GUARDIAN OR A BONA FIDE MEDICAL CARE PROVIDER, is referred to the Committee on Judiciary II.

By Representative Hill:

H.B. 110, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF COLUMBUS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hill:

H.B. 111, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF COLUMBUS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hill:

H.B. 112, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BRUNSWICK, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hill:

H.B. 113, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BRUNSWICK, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hill:

H.B. 114, A BILL TO BE ENTITLED AN ACT RELATING TO THE 20TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hill:

H.B. 115, A BILL TO BE ENTITLED AN ACT RELATING TO THE 20TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Hill:

H.B. 116, A BILL TO BE ENTITLED AN ACT RELATING TO THE 20TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Yongue, Alexander, B. Allen, G. Allen, Barbee, Bell, Black, Bonner, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Hackney, Haire, Hall, Hill, Insko, Jeffus, C. Johnson, Jones, Kiser, LaRoque, Lucas, Luebke, McAllister, McCombs, McLawhorn, Michaux, Miller, Nye, Owens, Parmon, Pate, Preston, Rapp, Saunders, Sexton, Sherrill, Sutton, Tolson, Wainwright, Walker, Warner, Warren, West, A. Williams, K. Williams, G. Wilson, and Womble:

H.B. 117, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE SUPPLEMENTAL FUNDING FOR LOW-WEALTH SCHOOL SYSTEMS, is referred to the Committee on Appropriations.

By Representative Gorman:

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

By Representative Gorman:

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

By Representative Gorman:

H.B. 120, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CRAVEN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gorman:

H.B. 121, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PAMLICO, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Gorman:

H.B. 122, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PAMLICO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gorman:

H.B. 123, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PAMLICO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Crawford:

H.B. 124, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DURHAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Crawford:

H.B. 125, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF VANCE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Glazier and Moore (Primary Sponsors); Bordsen, Carney, Gibson, Haire, Insko, Sauls, and Warner:

H.B. 126, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING EVIDENCE ADMISSIBLE IN CERTAIN JUVENILE HEARINGS, is referred to the Committee on Judiciary IV.

By Representative Harrell:

H.B. 127, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ALLEGHANY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Harrell:

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

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By Representative Harrell:

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

By Representative Harrell:

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

By Representatives Hilton, Gorman, Gibson and Decker (Primary Sponsors); L. Allen, Allred, Barnhart, Blackwood, Blust, Capps, Church, Clary, Crawford, Culp, Daughtridge, Dockham, Eddins, Fox, Frye, Gillespie, Goodwin, Grady, Gulley, Hill, Howard, L. Johnson, Justice, Justus, Kiser, LaRoque, Lewis, McHenry, Mitchell, Moore, Pate, Preston, Ray, Rayfield, Rhodes, Sauls, Saunders, Setzer, Sexton, Sherrill, Starnes, Stiller, Walend, Walker, Warner, West, K. Williams, C. Wilson, G. Wilson, Wood, and Yongue:

H.B. 131, A BILL TO BE ENTITLED AN ACT TO PROVIDE RECIPROCAL CONCEALED HANDGUN RIGHTS TO CONCEALED HANDGUN PERMIT HOLDERS OF OTHER STATES, is referred to the Committee on Judiciary III.

By Representative England:

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

By Representative England:

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

By Representatives L. Allen and Hall (Primary Sponsors):

H.B. 134, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF ROANOKE RAPIDS TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE, is referred to the Committee on Local Government II.

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By Representatives L. Allen and Hall (Primary Sponsors):

H.B. 135, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS, is referred to the Committee on Finance.

By Representative Saunders:

H.B. 136, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Saunders:

H.B. 137, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Saunders:

H.B. 138, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Saunders:

H.B. 139, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF CHARLOTTE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Saunders:

H.B. 140, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF CHARLOTTE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Saunders:

H.B. 141, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF HUNTERSVILLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Hill:

H.B. 142, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF SUNSET BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS, is referred to the Committee on Local Government I.

By Representative Tolson:

H.B. 143, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF EDGEcombe, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Tolson:

H.B. 144, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WILSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Tolson:

H.B. 145, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF EDGEcombe, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Tolson:

H.B. 146, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WILSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gulley, Adams, Blackwood, Blust, Bonner, Church, Cunningham, Dockham, Farmer-Butterfield, Fox, Frye, Gibson, Goforth, Goodwin, Gorman, Hall, Hilton, Holliman, Howard, L. Johnson, Justus, Lewis, Lucas, McAllister, McCombs, McGee, McHenry, McMahan, Michaux, Miller, Mitchell, Nesbitt, Nye, Parmon, Pate, Rayfield, Rhodes, Saunders, Stam, Starnes, Sutton, Walend, Warner, Warren, West, K. Williams, C. Wilson, G. Wilson, Womble, and Wright:

H.B. 147, A BILL TO BE ENTITLED AN ACT TO PERMIT LEFT TURNS ON RED IN CERTAIN SITUATIONS, is referred to the Committee on Judiciary II.

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By Representatives Starnes, Frye, and Hilton:

H.B. 148, A BILL TO BE ENTITLED AN ACT TO REPEAL THE EXCEPTION TO THE LAW GOVERNING PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS THAT ALLOWS RETAILERS WHO ARE NOT LICENSED AS PLUMBING, HEATING, OR FIRE SPRINKLER CONTRACTORS TO SELL GOODS AND SERVICES TO BE INSTALLED BY LICENSEES, is referred to the Committee on Rules, Calendar, and Operations of the House.

ESCORT COMMITTEE ANNOUNCED

Speaker Black appoints the following Members as an Escort Committee for the Governor, pursuant to **S.J.R. 138**, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES: Representatives Culpepper, Kiser, Hackney, Justice, Glazier, Stiller, Adams, and LaRoque.

The Senate is so notified by Special Message.

On motion of Representative Culpepper, seconded by Representative Miner, the House adjourns at 11:21 a.m. to reconvene Monday, March 3, 2003, at 6:30 p.m.

NINETEENTH DAY

HOUSE OF REPRESENTATIVES
Monday, March 3, 2003

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

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

"God with many names and faces:

"We turn and You are there - in the outstretched hands of the poor, in the down-trodden eyes of the oppressed, in the vacant stares of the sick and

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lonely, in the tears of the grief-filled, in the fear of the soldier, even in the hate-filled face of an enemy. You are there; yet so often we fail to see You.

"We know that Your will is wholeness and peace, justice and righteousness. Yet so often we fail to do Your will. The work of these good women and men touch all of those lives where we encounter You. Help them to meet You face-to-face, where You are. Bless the important decisions made in this place. May they reflect Your desire for us as a people living together in Your kingdom.

"Tonight we remember Representative Blust and pray for his speedy recovery. And we remember former Senator Oscar Harris and his family and the family of former Senator Charles Hipps in their grief.

"Tonight we gather, O God, to hear from our Governor. This is an important time in the life of the people of North Carolina. There are problems we face and opportunities are before us to be a better place to live and work. We lift our prayers for Governor Easley and his work and pray for his wise leadership. Guide him and all who govern with a vision of what life might be in Your peaceable kingdom.

"In Your holy name we pray. Amen."

Speaker Black leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 27 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Dickson, Farmer-Butterfield, and McCombs 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. 8, AN ACT PROVIDING IMMEDIATE ELIGIBILITY FOR UNEMPLOYMENT BENEFITS TO INDIVIDUALS UNEMPLOYED DUE TO A MAJOR INDUSTRIAL DISASTER. (S.L. 2003-1)

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S.B. 29, AN ACT TO EXTEND THE EFFECTIVE DATE OF THE EXEMPTION GIVEN TO RETAILERS UNDER THE LAWS REGULATING PLUMBING AND HEATING CONTRACTORS. (S.L. 2003-2)

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative Owens:

H.B. 149, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NONPROFIT ORGANIZATIONS TO OPERATE "CASINO NIGHTS", is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Owens and Stam (Primary Sponsors); and Eddins:

H.B. 150, A BILL TO BE ENTITLED AN ACT TO PROVIDE ALTERNATE CRITERIA FOR AWARDING LEGISLATIVE TUITION GRANTS TO STUDENTS ATTENDING ACCREDITED INSTITUTIONS OF HIGHER EDUCATION, is referred to the Committee on Education.

By Representatives Moore and Michaux (Primary Sponsors); and Eddins:

H.B. 151, A BILL TO BE ENTITLED AN ACT TO ALLOW LAW ENFORCEMENT OFFICERS WHO ARE MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OR THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO RETIRE WITH UNREDUCED BENEFITS AFTER COMPLETING TWENTY-FIVE YEARS OF SERVICE, is referred to the Committee on Pensions and Retirement and, if favorable, to the Committee on Appropriations.

By Representatives Alexander, Dickson, Farmer-Butterfield, Glazier, Goodwin, Hackney, Haire, Hill, Holliman, Hunter, Insko, Kiser, Lucas, Luebke, McAllister, Michaux, Miller, Munford, Nesbitt, Parmon, Rapp, Ross, Sherrill, and Weiss:

H.B. 152, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ADMINISTRATION OF MEDICATION TO A CHILD IN A LICENSED OR UNLICENSED CHILD CARE FACILITY WITHOUT PROPER AUTHORIZATION FROM THE CHILD'S PARENT OR GUARDIAN OR A BONA FIDE MEDICAL CARE PROVIDER, TO PROHIBIT A CHILD

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CARE FACILITY FROM PLACING A CHILD IN A SLEEPING POSITION THAT MAY INCREASE THE RISK OF SUDDEN INFANT DEATH SYNDROME (SIDS), AND TO REQUIRE CERTAIN AGENCIES AND THE MEDICAL COMMUNITY TO WORK JOINTLY IN INVESTIGATING VIOLATIONS OF THESE LAWS, is referred to the Committee on Children, Youth and Families.

By Representatives Womble, Holmes, McGee, Parmon, and Sexton:

H.B. 153, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S GARBAGE AND TRASH ORDINANCE, AUTHORIZING THE CITY TO TAKE REMEDIAL ACTION REGARDING THE GARBAGE AND TRASH ORDINANCE WITHOUT FURTHER NOTICE THAT CALENDAR YEAR, AND CLARIFYING THE LANGUAGE AS TO WHAT CONSTITUTES A CHRONIC VIOLATOR UNDER THE CITY'S CURRENT ORDINANCE REGARDING OVERGROWN VEGETATION, is referred to the Committee on Local Government II.

By Representatives Ross, Weiss, Sutton and Wright (Primary Sponsors); Alexander, B. Allen, L. Allen, Barnhart, Bell, Bonner, Bordsen, Carney, Dickson, Farmer-Butterfield, Glazier, Hackney, Haire, Hall, Hill, Hilton, Holliman, Hunter, C. Johnson, Jones, Justice, Kiser, Lucas, McAllister, Michaux, Miller, Nye, Parmon, Pate, Setzer, Stam, Starnes, Tolson, Wainwright, C. Wilson, Womble, and Yongue:

H.B. 154, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PERFORM DNA ANALYSIS ON UNTESTED SEXUAL ASSAULT KITS LOCATED IN LAW ENFORCEMENT DEPARTMENTS ACROSS NORTH CAROLINA AND TO PROVIDE THE STATE BUREAU OF INVESTIGATION CRIME LABORATORY SUFFICIENT FUNDS TO PERFORM DNA ANALYSIS OF EVIDENCE TO ASSIST LAW ENFORCEMENT AND PROSECUTORS IN CONVICTING CRIMINALS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Warren and Earle (Primary Sponsors); Insko, Nye, and Weiss:

H.B. 155, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A LONG-TERM CARE WORKFORCE IMPROVEMENT PROGRAM FOR DIRECT CARE WORKERS EMPLOYED BY ADULT CARE HOMES AND HOME CARE AGENCIES IN AN EFFORT TO INCREASE SKILL

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LEVELS, JOB SATISFACTION, AND RETENTION RATES, is referred to the Committee on Health and, if favorable, to the Committee on Appropriations.

By Representatives Warren and Earle (Primary Sponsors); Insko, Nye, Sherrill, and Weiss:

H.B. 156, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A LEGISLATIVE STUDY COMMISSION ON STATE GUARDIANSHIP LAWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Warren and Earle (Primary Sponsors); Insko and Nye:

H.B. 157, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON THE LONG-TERM CARE INSURANCE TAX CREDIT, is referred to the Committee on Finance.

By Representative Justus:

H.B. 158, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PENNSYLVANIA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Justus:

H.B. 159, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PENNSYLVANIA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Justus:

H.B. 160, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HENDERSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Justus:

H.B. 161, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HENDERSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Crawford:

H.B. 162, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GRANVILLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Moore:

H.B. 163, A BILL TO BE ENTITLED AN ACT RELATING TO THE 111TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Moore:

H.B. 164, A BILL TO BE ENTITLED AN ACT RELATING TO THE 111TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Moore:

H.B. 165, A BILL TO BE ENTITLED AN ACT RELATING TO THE 111TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Moore:

H.B. 166, A BILL TO BE ENTITLED AN ACT RELATING TO THE 111TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Moore:

H.B. 167, A BILL TO BE ENTITLED AN ACT RELATING TO THE 111TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Cole:

H.B. 168, A BILL TO BE ENTITLED AN ACT TO ALLOW A RETAILER THAT LEASES MOTOR VEHICLES AND THAT HAS PAID THE HIGHWAY USE TAX ON THE MOTOR VEHICLES TO PAY AN ADDITIONAL GROSS RECEIPTS TAX ON THE MOTOR VEHICLES, is referred to the Committee on Finance.

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By Representatives Insko, Alexander, Church, Crawford, Earle, and Nye:

H.B. 169, A BILL TO BE ENTITLED AN ACT DIRECTING THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO STUDY INTEGRATION OF CARE FOR CHILDREN WITH MULTIPLE SYSTEM SERVICE NEEDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko, Adams, Alexander, Bonner, Earle, Farmer-Butterfield, Luebke, Walend, Warren, Weiss, and Yongue:

H.B. 170, A BILL TO BE ENTITLED AN ACT TO EXPAND THE STATE/COUNTY SPECIAL ASSISTANCE IN-HOME DEMONSTRATION PROJECT BY PERMITTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO INCREASE THE NUMBER OF INDIVIDUALS WHO MAY BE ENROLLED IN THE PROJECT, is referred to the Committee on Health and, if favorable, to the Committee on Appropriations.

By Representatives Insko, Alexander, Bell, Bonner, Earle, Farmer-Butterfield, Gillespie, Hackney, Lucas, Luebke, McLawhorn, Nye, Sherrill, Sutton, Walend, Warren, Weiss, A. Williams, and Yongue:

H.B. 171, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A GROUP WITHIN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ENSURE THAT FELONS ARE NOT EMPLOYED BY LONG-TERM CARE FACILITIES AND HOME CARE AGENCIES AND TO REPEAL THE MORATORIUM ON THE EFFECTIVE DATE OF LONG-TERM CARE CRIMINAL CHECKS, is referred to the Committee on Health.

By Representatives Insko and Earle (Primary Sponsors); Adams, McLawhorn, Nye, Sutton, and Warren:

H.B. 172, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A PILOT PROJECT FOR LOCAL LONG-TERM CARE PLANNING, is referred to the Committee on Health and, if favorable, to the Committee on Appropriations.

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By Representative Howard:

H.B. 173, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DAVIDSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Howard:

H.B. 174, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DAVIDSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Howard:

H.B. 175, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DAVIE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Howard:

H.B. 176, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DAVIE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Howard:

H.B. 177, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF IREDELL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Howard:

H.B. 178, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF IREDELL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gorman (By Request):

H.B. 179, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROHIBITION ON BEAR HUNTING WITH DOGS IN PAMLICO COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

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SPECIAL MESSAGE TO THE SENATE

Speaker Black orders a Special Message sent to the Senate adding Representative Cunningham as a Member of the Escort Committee for Governor Michael F. Easley and removing Representative Culpepper.

INTRODUCTION OF PAGES

Pages for the week of March 3 are introduced to the membership. They are: Benjamin Joel Whitley of Randolph; Angelina Keath of Mitchell; Brittany Murdaugh of Brunswick; and Brandon Smith of Wake.

Representative Culpepper moves, seconded by Representative Hackney, that the House adjourn, upon dissolution of the Joint Session, to reconvene March 4 at 4:00 p.m.

The motion carries.

SPECIAL MESSAGE FROM THE SENATE**2003 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
March 3, 2003

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that pursuant to **S.J.R. 138**, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body for the State of the State Address.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

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Speaker Black orders a message sent to the Senate informing that Honorable Body that the House of Representatives stands ready to receive them in Joint Session at the hour appointed.

JOINT SESSION

Speaker Morgan joins Speaker Black on the dais.

Pursuant to resolution heretofore adopted and exchange of messages, the Sergeant-at-Arms announces the arrival of the Senate at the door of the House. Speaker Black directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable Beverly E. Perdue, is seated to the left of Speaker Black.

The Sergeant-at-Arms is recognized and he announces the approach of the Chief Justice, the Associate Justices of the Supreme Court, the Chief Judge, and the Judges of the Court of Appeals who are seated in a body for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the members of the Council of State and the members of the Governor's Cabinet, who are seated in a body for the Joint Session.

Speaker Black extends the courtesies of the House to Mrs. Mary Easley, First Lady of North Carolina; Michael Easley, son; Mr. Bob Eaves, husband of the Lieutenant Governor; Mrs. Cindy Morgan, wife of Speaker Morgan; and all invited guests.

Speaker Black relinquishes the gavel to the President of the Senate. The Joint Session is called to order by the President.

The Sergeant-at-Arms of the House announces the approach of the Governor. His Excellency enters, escorted by Senators Soles, Lucas, Rand, Dannelly, Malone, Hartsell, Carpenter, and Allran; and Representatives Cunningham, Kiser, Hackney, Justice, Glazier, Stiller, Adams, and LaRoque.

The President recognizes Senator Soles, who presents His Excellency, Michael Francis Easley, Governor of North Carolina, to the Joint Assembly.

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STATE OF THE STATE ADDRESS

"Thank you. Mr. Speaker, Senator Basnight, Mr. Speaker, Lieutenant Governor Perdue, Members of the General Assembly, Chief Justice Lake and Members of the Court, Council of State, my Cabinet; honored guests and fellow citizens.

"I must note tonight that we have Co-Speakers for the first time. Every Senator, every Representative and I have a responsibility to make this work for all North Carolinians.

"Thank you for your warm welcome - and I hope that is not all that I will get this year. Before I start, I would like to acknowledge my family - my wife, Mary, and my son, Michael - who are here tonight. I thank you for your love and your support.

"The shadow of war dominates our thoughts tonight. Brave young men and women are serving abroad, risking their very lives for American freedom. We pray for their safe return and for their families who wait in hope to see their loved ones soon.

"Our special guests here tonight I want to acknowledge: To our airmen at Seymour Johnson and Pope Air Force Base, to the Marines at Cherry Point and Camp Lejeune, to the soldiers at Fort Bragg, to the National Guard and to the Coast Guard - we are proud of you, and North Carolina is proud to be the most military-friendly State in America.

"I last had the privilege of addressing this Body only two short years ago. But, much has changed, but our values have stayed the same.

"A startling series of events has challenged us - a deadly act of terrorism on our own soil, a prolonged national recession and an incredible number of natural disasters.

"North Carolina is the only State paying for a flood while we are in a drought, recovering from three ice storms.

"But what has stayed the same throughout this adversity is our faith in God, love for our families, respect for our fellow man, and the unshakeable belief that we can and should make tomorrow for our children better than today.

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"Those same values inspired our forefathers four centuries ago to sail rough waters in search of better days. Those same values inspired us to be the only State to keep schools open during the Great Depression and to open the first State University.

"And those same values helped man fly the first plane on our shores a century ago this year. Our forefathers were guided by a faith and a love that inspired them to make the great State, this great State, an even better place for their children.

"They demonstrated their belief that their children's dreams would not be sacrificed to temporary difficulties caused by factors beyond their control.

"Our accomplishments in these trying years demonstrate those same values. We are not only meeting the challenges; we are overcoming them.

"For the past two years, all states have been stifled by budget deficits. We made the tough choices - got our finances under control. Other states are working hard to find billions of dollars to balance their books by June.

"But in North Carolina, we balanced our budget and protected our priorities at the same time. Other states are cutting back to four-day school weeks, slashing the classroom and higher education and releasing prisoners on the streets.

"Not in North Carolina. Not on my watch, and not on yours.

"Our strategy is different. We reduced the size of State government while we expanded educational opportunity.

"We have built on our strong educational foundation by adding two essential ingredients of academic success for our children.

"Two years ago, we were one of only two Southern states that had no pre-k program. Today, we have More at Four, which will serve 10,000 four-year-olds in 91 counties this year.

"We had kindergarten classes packed with 30 students and more. Today, kindergarten and first grade classes have been reduced to 18, and we are starting on second and third grade this year.

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"More children are staying in school as our dropout rate has fallen dramatically for the third year in a row.

"In short, test scores are up, attendance is up, and our competitive advantage is up in North Carolina.

"And, character education is now taught across the State. Children are not only learning how to write, they're learning what is right. Dress codes are working.

"Students are looking better and so are their test scores.

"Our economic development prospects are also improving. Site Selection magazine praised North Carolina for our jobs creation bill. And, for the second year in a row, they named North Carolina number one in business climate.

"And, our landmark Clean Smokestacks Bill is a national model. You proved that you can have clean air without high electric bills.

"We tackled the skyrocketing costs of prescription drugs for our seniors. Our new Senior Care program helps them get their medication while they keep their health. And, people said we could not afford to go forward with this program in this economy, but North Carolina will protect the greatest generation in any economy.

"And while Washington still debates this issue, North Carolina passed the strongest Patients Bill of Rights in America. And you did it unanimously.

"And we've kept our people safe. Within days of that fateful attack when terrorists struck our Nation, North Carolina took action. We didn't wait on Washington for help. You gave me the authority to spend up to \$30 million for equipment, response, and training.

"A national survey recently showed that North Carolina has done more for homeland security than any state in America. And our North Carolina National Guard has deployed and placed on alert over 6,000 troops who operate everything from Apache attack helicopters to Bradley fighting vehicles.

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"And we are not just talking about soldiers or troops or battalions - but we're talking about North Carolina families - like Major Mike Hill, an Apache attack pilot. He's not just a major. He is the husband of Rhonda Hill and father of Michael, Brandon and Cameron Hill. Rhonda is with the Guard's family support program. She and her children are here tonight. And Rhonda, all of North Carolina is proud to support you and all the military families and all the troops. Thank you for what you do.

"Now, you should be proud of this good work. But now, we must set our sights on what we can further achieve.

"I challenge you, as you make decisions about this year's budget, to set aside thoughts about the problems of the moment and be guided instead by those same values that guided our forefathers.

"We have made great strides, but there is much more to do. And we'll do it together.

"The prospect for bipartisan cooperation in both Chambers has never been better. For that, I am grateful and excited about the opportunity to work with all of you, regardless of party. Because people do not know or care who makes progress - they just care that progress is made.

"Our budget is not just a numbers game. It reflects our values. For we know that where a man's treasure is, there also is his heart. Budgets are about educating our children, training our workers and helping the least of our people.

"We balanced our budget by cutting more than \$1 billion a year and we reduced the State operating budget for the first time in 33 years. You had the courage to face reality and deal with adversity. All of North Carolina is grateful to you for that.

"We must continue to be disciplined...setting our priorities.

"First, protect all our children and their rights to a quality education. No cuts to the classroom - from pre-k through the university. Our economy demands lifelong learning and we must provide it - from the high chair to the rocking chair.

"This is a North Carolina value, and it's not one that's going to change.

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"We will hire new teachers and we will pay them well - we have moved from 43rd in the Nation to near the top 20 in teacher pay. They are entrusted with our most precious resource, and their compensation should reflect that.

"Our Community College professors, though, are 47th in the Nation in pay. We must cure that inequity if we want to remain competitive in worker training programs. We can't do it all this year, but we sure can start.

"We will continue to reduce class size so teachers can teach and students can learn. If you give kids smaller classes, they'll give you higher test scores.

"And college will stay affordable. Tuition will not increase this year.

"We will make sure at-risk four-year-olds attend pre-k through More at Four.

"This program is working. We have kids who show up unable to speak English, to recognize colors, shapes, numbers or letters. They leave ready to learn in any classroom in America.

"Now, some say that we can't afford to invest in every child's future in tough budget times. When it comes to protecting our classrooms, we draw the line in North Carolina. We won't sacrifice any child's future in any economy.

"But make no mistake about it; we do need change if we want our success to continue. We need to reform the way we develop our budget.

"First, we must recognize that the surplus politics of the 90s is over. State tax collections will not grow in double-digits, and we cannot fund all programs for all people.

"As a government, we must focus on our core mission and strive to do it well. The budget I will submit meets that challenge and makes tough choices again.

"It cuts \$800 million more in spending. It includes money to replenish our Rainy Day Savings Account and money for long neglected renovations and repairs.

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"And it has no tax increases.

"My budget has no gimmicks or slight-of-hand. It is balanced with the discipline we need to maintain our AAA bond rating. You have made tough choices and you've made right choices over the past two years. And, it will not be for naught.

"I promise you that the first unbalanced budget or reckless spending bill sent to me will be vetoed the minute it hits my desk.

"We're going to balance the budget this year once and for all in North Carolina.

"We cannot just budget from one election year to the next. We must have a long-range plan of budget discipline to support our priorities. Our budget must be balanced for years to come, as far as the eye can see.

"Here is what I believe we must do:

"First, State government must keep working to be more efficient. I am bringing together the best minds of the public and the private sector.

"And my Cabinet, a great team that has stayed together and stayed focused, has become more efficient. A majority of State agencies have had their budget's cut by double digits since I took office.

"State employees have answered the call as well. They have done more with less without reward. They will not be overlooked again this year in my budget.

"Our State's business leaders have stepped forward too. The chair of NCCBI is heading a group creating a plan for long-term efficiency and helping with my budget.

"Our retired State workers, the real experts on the system, have responded as well. Hundreds have offered their time and their advice. Every dollar must go further this year than it did last year. And they understand that.

"Second, we must get off the old familiar road and be willing to embrace some change.

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"In that spirit, I have proposed a cap on State spending. The size of State government cannot grow faster than our economy. It will not work. My new budget will be well below that cap. It has been for the past three years.

"But without a mandatory cap, we soon could abandon budget discipline when the economy recovers. I want to guarantee that the overspending of the last boom never happens again.

"I noticed the freshmen were the first to stand.

"Third, we have to eliminate politics as usual. I - and future governors - must cut unnecessary spending.

"The people deserve a line-item veto to cut the spending we cannot afford and do not need. Now, I don't expect a line-item veto to be popular in these Chambers, but I do ask you to let the taxpayers vote on this measure.

"Fourth, I've met with the new legislators from both sides of the aisle and from both Chambers.

"The freshmen bring a fresh look to legislative life. They want to be home sooner with their families, instead of spending ten months a year up here on a budget that ought to be done in three. I agree.

"Let the people vote on session limits for the General Assembly. The Senate has already acted, and I challenge the House to act quickly to do the same. The current system is broken and it cannot be defended. As much as I love seeing you, we don't need to see each other at Halloween.

"Now, efficiency must start here. Over 8 million citizens depend on your work. And, until your budget is done, schools can't buy books. They can't hire teachers. State employees and local governments can't balance their checkbooks. The legislature must be on the same calendar as the rest of the State.

"Finally, we must get health care costs under control. We cannot allow federal mandates to destroy education and public safety investments in this State.

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"Now, let me be clear - programs, health care, help our most vulnerable citizens. We understand that. We are going to be judged by how we treat the least of our people.

"But, I tell you, if we fail to control costs, and try to be all things to all people, we soon will be unable to provide anything for anybody. The only viable long-term solution is prevention. It works in the private sector and it can work in State government as well.

"Diet, exercise, checkups - they prevent health problems.

"An ounce of prevention is worth a pound of cure - and a pound of cure is getting to be too expensive to waste nowadays.

"It is wrong to ask others to take care of us if we are not willing to take care of ourselves.

"And so, tonight I am proposing that the State increase its wellness benefit by one-third next year. It's the right investment to make to provide incentives to stay well.

"Now, we'll help those on Medicaid as well. Our new ACCESS initiative helps providers emphasize prevention, and we'll begin enrollment on that for adults and children this year as well. It will cost us less and provide them more.

"So, if we cap spending, are more efficient, and control health care, we go a long way toward solving our budget problems.

"But these steps alone are not enough. We can't just cut or tax our way out of a recession. We have to grow our way out of it. That means getting North Carolina's economy headed back in the right direction.

"We all realize that North Carolina is caught in a national recession. Too many Americans can't find work tonight. And, behind every unemployment number is a real face and a hurting family. That's why we have to act now.

"We know the national trade policy is exporting North Carolina jobs, especially in textiles. Now I, and other Governors, will continue to ask and even beg Washington to stop hurting our workers. But the loss of low-skilled jobs is destined to continue.

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"We need to face this reality, deal with it, and change our economy to provide new jobs for our workers.

"Now, we're not going to make any excuses. We're not going to play the blame game. Yes, we have been dealt some bad cards - but we have to play those cards and we can win with those cards.

"One State cannot control the national economy, but there are some things that North Carolina can do for North Carolina. And I suggest we get about the business of doing it.

"So tonight, I am proposing an aggressive economic stimulus strategy that will bring new jobs and long-term economic growth to our State.

"First, the near-term strategy will create more than 100,000 new jobs by investing in the State's infrastructure beginning immediately.

"I want to accelerate road improvements across North Carolina.

"Now, two weeks ago, I announced our plan called 'North Carolina Moving Ahead' so that we can use bonds - already approved by the voters - to fix thousands of miles of roads and bridges. The cost is already covered.

"This plan will create 33,000 new jobs right away. It will not only stimulate the economy, but it will save money and save lives.

"Second, we must complete the expansion of the Wilmington Harbor to make the port more available for more cargo.

"The expansion will increase our share of the import/export market and create 25,000 jobs statewide right away, especially in the Piedmont where we depend so heavily on exports.

"We must finish this job by December to guarantee the new jobs. It will be in my budget. Industries across North Carolina are waiting for this gateway to international trade - so we can do what we ought to be doing, export North Carolina products, not North Carolina jobs.

"Third, our growing enrollment in education means more buildings at our universities and community colleges. That is why voters approved a \$3.1 billion bond.

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"Now, these facilities will ensure colleges and universities continue to produce the workforce we need to compete globally.

"This year, we'll issue bonds for capital projects that will create 43,000 new jobs and make our colleges more competitive at the same time.

"And fourth, as I visit public schools, I am struck by the number of trailers being used as classrooms.

"Far too many of our local governments are financially strapped. It is time for the State to help with school construction again. We need a new source of revenue to support a State investment in school facilities.

"I propose the State help those counties that are struggling the most - coping with Medicaid costs, low tax base, and no way to borrow. The emphasis must be on low-wealth counties.

"And the only way to build One North Carolina is to do that. It is the only solution that is right, just and fair.

"But where do we go to get the money? Well, we don't have to go anywhere to get the money. We just have to keep the money here in North Carolina. Now you knew this was coming.

"Two years ago, I stood here and told you we are spending hundreds of millions of dollars building new schools in Virginia and Georgia while we are packing our kids in trailers here at home.

"Tonight, I tell you that we are also building new schools in South Carolina and soon in Tennessee.

"When you are sitting here this year, struggling with the budget, just remember that your colleagues in 39 other states have a revenue source that you do not have. That makes it more difficult for you to improve education and to keep taxes down.

"Now I heard you loud and clear last year that you don't want a lottery in the budget. But now you hear me - and a strong majority of North Carolinians - loud and clear. We want to keep North Carolina education money in North Carolina.

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"Because next year another 100,000 five-year-olds are going to show up at the schoolhouse door. And, they deserve more than an overcrowded classroom and an overworked, underpaid teacher - and you don't have the money to pay for it.

"Now some people argue a lottery's regressive. It is not my intent that it be regressive. It is my intent that we solve the most regressive flaw in our education system. If you think a lottery's regressive, try packing 30 kids in a classroom. If you think a lottery's regressive, how about letting these schoolhouses decay in the low-wealth counties. If you think a lottery's regressive, try an achievement gap where we discriminate against an entire segment of our population. That's what's regressive. Not an education lottery.

"Now, if you have a better idea, I'm open to it. But we can't leave here this year leaving the kids and the counties on the curb out in the cold. That's not a North Carolina value.

"The people want a separate Education Lottery Fund, just like the Highway Fund. If we keep our education money in North Carolina, we can reduce class size, provide Pre-k, and still have \$200 million a year for school construction which creates jobs in those areas where they need it the most.

"Now, education and infrastructure are critical to economic growth. But we must be competitive at every level.

"Within days after I signed the job creation bill that you passed, business began to call our Commerce Department. The incentive bill helped level the playing field for North Carolina in the competition for jobs.

"But we must create an environment that rewards discovery and innovation, and the use of knowledge and technology.

"We can do this by reforming our R&D tax credit to attract all of the growth industries that we are now missing. We can do this by capitalizing on our commitment to the Golden L.E.A.F. Foundation.

"Golden L.E.A.F. has an aggressive biotechnology initiative. We are one of the few states that is poised to be the biotech capital of the world.

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"This initiative puts us in a great position to lure new business, research, and new jobs - good paying jobs, and investments across this State.

"And the North Carolina Biotechnology Center, in partnership with the universities and community colleges - with a modest State investment - will send the message in a loud and mighty voice that North Carolina workers plan to lead the world in biotechnology and we will not be denied.

"We have worked too hard. We have been building on this for fifty years and no other state is going to come and snatch it away from us. We can't let that happen.

"But the most important ingredient to attracting new jobs is a prepared workforce. Those businesses that look here - who want to invest hundreds of millions in North Carolina - demand a skilled workforce.

"The North Carolina workforce of today, tomorrow, and the next decade will be highly skilled. They know the investments we are making today, and they know that those investments are paying off.

"Now, contrast that with other states that are cutting education - 29 are cutting higher education and 23 are cutting K-12, while we are in North Carolina investing more in education, more in our people.

"Our strategy is simple: the most skilled workforce in America will soon be found within the borders of this State. I like North Carolina's position. But we have to stay disciplined and true to our values.

"I want you to be proud of what you are doing for the people of North Carolina. I want you to hold your head high when you think about what you have accomplished, when you think about the investments you are making. I want you to hold your head especially high when you are in other states and tell them what you are doing in North Carolina.

"But, we must make sure that every single North Carolinian has a fair chance to succeed, whether their ancestors arrived centuries ago or just last week. And I say if you come here for freedom, if you come here to work hard and raise your family in a land of opportunity, and if you come here to make this a better place than when you arrived - then I say welcome.

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"To do aquel con buena voluntad esta bienvenido en Carolina del Norte.' In other words: 'All people of good will are welcome in North Carolina.' We need your talents, we need your skills, we need your values, we need your hard work. That is not just good policy. That is a North Carolina value.

"We are making the right choices. We are getting the State turned around, but we have to finish the job.

"I started tonight by remembering our brave soldiers performing their mission abroad. It must be our mission at home to be worthy of their service and their sacrifice. So let us pledge tonight to build the One North Carolina that we all want and they all fight to defend.

"We can start by fixing our budget, growing our economy, and keeping our promise in education. We cannot and will not rest until the achievement gap is gone, jobs are plentiful, and people are secure throughout this State.

"These are worthy goals, goals worthy of a great State and a great people. They are the people you represent. They have entrusted their hopes, their dreams, their ambitions and their aspirations in our hands. We must embrace them as our own - embracing and renewing our commitment to the values of our generation. Thank you, God bless, and God bless North Carolina. "

Upon completion of his address, the Governor, joined by the Escort Committee, leaves the Hall of the House.

On motion of Senator Basnight, the Joint Session is dissolved and the Senate stands adjourned.

The House stands adjourned at 7:44 p.m.

TWENTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 4, 2003

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

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

"God of infinite wisdom:

"How You must shake Your head in bewilderment at the choices we make. You place before us opportunities to improve the common good of our community, or State, or Nation, and we so often choose our own particular interests or power or personal benefit. You place before us opportunities for peace and we choose conflict and even violence. You place before us opportunities to lift up the lowly and disenfranchised and we choose to maintain the status quo. We confess we need Your wisdom.

"O God of the Nations, as we step closer each day to open conflict, we pray for the world's leaders and the burden they must feel. We give You thanks and pray for those who so bravely stand on the front lines ready to serve their country. And we pray for solutions without a single shot fired or a bomb dropped, or another life lost.

"God, grant to this Body of government a taste of Your wisdom that they might work for the common good of the people of this State. Give them the courage to take stands for justice and righteousness even when it is lonely there. Bless them with creativity, eagerness and openness to new things. And God, give them a sense of accomplishment and of Your blessing in the good they do.

"In Your all-knowing name we pray. Amen."

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

Leaves of absence are granted Representatives Blust, Ellis, Farmer-Butterfield, McCombs, Rapp, and Sutton 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

March 4, 2003

Michael F. Easley
Governor

March 4, 2003

The Honorable Marc Basnight
The Honorable James Black
The Honorable Richard Morgan
NC General Assembly
Raleigh, NC 27601

Dear President Pro-Tem Basnight, Speaker Black and Speaker Morgan:

Please be advised that Mr. Joseph A. Smith, Jr., will be reappointed as North Carolina Commissioner of Banks, effective April 1, 2003. As you know, Mr. Smith has served as Commissioner of Banks since June 1, 2002 when he was appointed to fill the unexpired term of Mr. Hal Lingerfelt.

As provided for in G. S. § 53-92, Mr. Smith's reappointment is subject to reconfirmation by the General Assembly by joint resolution.

Enclosed are copies of Mr. Smith's resume and the most recent statement of economic interest. Please feel free to contact Sondra Davis, my Director of Boards and Commissions should you require additional information. She can be reached at (919) 715-0966.

With kindest regards, I remain

Very truly yours,
S/ Mike Easley
Governor

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

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. 11, A BILL TO BE ENTITLED AN ACT TO REPEAL ONLY THOSE STATUTES WHICH HAVE BEEN DECLARED UNCONSTITUTIONAL BY A STATE OR FEDERAL COURT OF COMPETENT JURISDICTION AND FROM WHICH NO APPEAL HAS BEEN TIMELY

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PERFECTED OR THE APPEAL HAS BEEN FULLY CONCLUDED ADVERSELY TO THE STATE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 5.

By Representative McHenry, Vice Chair, for the Committee on Judiciary III:

H.B. 58, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 5.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative Howard:

H.B. 180, A BILL TO BE ENTITLED AN ACT TO ENABLE CERTAIN DEPENDENT CHILDREN TO BE ELIGIBLE FOR BENEFITS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is referred to the Committee on Health.

By Representative Howard:

H.B. 181, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO STATE LAWS AS REQUESTED BY THE DEPARTMENT OF LABOR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives L. Allen and Hunter (Primary Sponsors):

H.B. 182, A BILL TO BE ENTITLED AN ACT TO NAME THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY, is referred to the Committee on Local Government II.

By Representative Jones:

H.B. 183, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GUILFORD, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Jones:

H.B. 184, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GUILFORD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Jones:

H.B. 185, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GUILFORD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Goodwin, Church, Coates, Ellis, Fox, Lucas, and Munford:

H.B. 186, 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 Appropriations.

By Representatives Goodwin and Barbee (Primary Sponsors):

H.B. 187, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DISTRIBUTION OF THE PROCEEDS FROM THE TOWN OF NORWOOD AND CITY OF ALBEMARLE ABC SYSTEMS SHALL BE IN ACCORDANCE WITH GENERAL LAW, is referred to the Committee on Alcoholic Beverage Control.

By Representative Insko:

H.B. 188, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF CARRBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Insko:

H.B. 189, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF CARRBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko, Hackney and G. Allen (Primary Sponsors):

H.B. 190, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ORANGE, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Insko:

H.B. 191, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF CHAPEL HILL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko, Hackney and G. Allen (Primary Sponsors):

H.B. 192, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ORANGE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Insko:

H.B. 193, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF CHAPEL HILL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Moore and Clary (Primary Sponsors); and Culp:

H.B. 194, A BILL TO BE ENTITLED AN ACT TO GIVE THE CLEVELAND COUNTY, KINGS MOUNTAIN CITY, AND SHELBY CITY SCHOOL BOARDS ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER, is referred to the Committee on Education.

By Representative Haire:

H.B. 195, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF JACKSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Haire:

H.B. 196, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SWAIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nye:

H.B. 197, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BLADEN, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Nye:

H.B. 198, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BLADEN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nye:

H.B. 199, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SAMPSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nye:

H.B. 200, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SAMPSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gillespie and Setzer:

H.B. 201, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE BOARD OF ELECTIONS TO NOTIFY EACH CANDIDATE BEFORE THE BALLOT IS PRINTED HOW THAT CANDIDATE'S NAME WILL APPEAR ON THE BALLOT, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representative Culpepper:

H.B. 202, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND ENHANCE CHILD SUPPORT ENFORCEMENT LAWS, is referred to the Committee on Judiciary IV.

By Representative Culpepper:

H.B. 203, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND MAKE TECHNICAL CORRECTIONS TO THE CHILD WELFARE LAWS AND TO ENHANCE THE STATE'S ABILITY TO PROTECT CHILDREN, is referred to the Committee on Children, Youth and Families.

MESSAGES FROM THE SENATE

The following is received from the Senate:

March 4, 2003

S.B. 2 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN APPLICANTS FOR DRIVERS LICENSES TO SUBMIT MEDICAL CERTIFICATES FROM OUT-OF-STATE PHYSICIANS, is read the first time and referred to the Committee on Health.

POINT OF PERSONAL PRIVILEGE

On motion of Representative Daughtry, the following remarks of Representative Lewis are spread upon the Journal.

"Mr. Speaker, Ladies and Gentlemen of the House:

"I rise today with a very heavy heart.

"I rise to notify my fellow Members of a tragedy Saturday evening in which Mr. Oscar Nathan Harris, II, his wife, Lisa Mendell Harris, their beautiful children, 2-year-old SueAnna and 10-month-old Oscar Nathan 'Trey' Harris, III, and their baby sitter, 21-year-old Mary Scoggins, all perished in an airplane crash.

"Nathan Harris was a successful businessman and community leader in Elizabethtown. Lisa Harris was a public school guidance counselor. Mary Scoggins was a student at UNC Wilmington.

"Nathan Harris, II, is the son of former State Senator and former Dunn Mayor Oscar and Jean Harris. Oscar and Jean Harris are pillars of the community - respected and loved in Harnett, Johnston, Lee, and Sampson Counties. They have worked so many years giving back to the community - that our collective hearts break at news of this tragedy.

"Senator Harris served his State and hometown of Dunn with an open heart, and a dogged determination to help his fellow man. We have known and respected Senator Harris and Jean and our hearts and prayers go out to them in this time of hurt and pain.

"Three families, several communities, have felt the loss from this tragic accident. We ask you to remember Oscar and Jean, his daughter, Shelia, and son-in-law, Buddy, in your thoughts and prayers. We ask you to remember the Mendell family and the Scoggins family, for these families grieve today, also. We ask that our faith will provide us the courage and strength to carry on knowing that those who precede us in death shall live in eternity with their creator, our loving God, and also, shall they live in our hearts and minds. Truly, these remarkable people will never be forgotten.

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"Mr. Speaker, with your permission, I request the House observe a moment of silence to remember those who have suffered and are suffering.

(Moment of silence observed)

"Thank you, Mr. Speaker. "

On motion of Representative Culpepper, seconded by Representative Lewis, the House adjourns at 4:25 p.m., in memory of Nathan and Lisa Harris, their children Trey and SueAnna; and friend Mary Scoggins, to reconvene March 5 at 3:00 p.m.

TWENTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 5, 2003

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by Speaker Black.

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

"Strong God, through Your prophet You tell us Your desire for all humanity: 'Let justice roll down like waters, and righteousness like an ever-flowing stream.' We have to confess that we have often impeded justice rather than promoted it, and we struggle each day with our own unrighteousness. Give us all insight into just and righteous decision-making. God, bless these Representatives who set the standards for many areas of our lives. Intensify in their hearts a desire for a just society and guide them in voice and vote. Make them strong in their resolve when legislation expresses the kind of people You would have us be; and open their eyes in those times when Your will is in danger of being put down. Give to each of them a sense of Your walking alongside as they work together to resolve the important issues they face in leading our State.

"We pray in Your strong name. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 4 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 Blust, Farmer-Butterfield, Hackney, McComas, and McCombs for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative Blackwood:

H.B. 204, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF UNION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Blackwood:

H.B. 205, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF UNION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Blackwood:

H.B. 206, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF UNION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wright and Brubaker (Primary Sponsors); Church, Gorman, Hunter, LaRoque, McLawhorn, Sutton, and Warren:

H.R. 207, A HOUSE RESOLUTION URGING CONGRESS TO ENACT A MEDICARE PRESCRIPTION DRUG BENEFIT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wright and Hunter:

H.B. 208, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROMPT PAY LAW TO CLARIFY THAT A "CLAIMANT" UNDER THE LAW INCLUDES "AN INSURED"; THAT THIRTY DAYS REFERENCES ARE TO THIRTY "CALENDAR" DAYS; THAT THE NINETY-DAY DEADLINE FOR RESPONDING TO ADDITIONAL INFORMATION REQUESTS FROM AN INSURER ONLY APPLIES TO CLAIMS NOT ALREADY DENIED; TO REQUIRE, UNDER THE PROMPT PAY LAWS, A STATUS

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REPORT WHEN CLAIMS ARE NOT PAID OR DENIED WITHIN SIXTY DAYS EVEN WHEN THE INSURER IS AWAITING INFORMATION REQUESTED FROM THE CLAIMANT; TO REMOVE FROM THE UNIFORM CREDENTIALING STATUTE AN UNNECESSARY PROVISION; AND TO AMEND UTILIZATION REVIEW LAWS TO CLARIFY THAT A SECOND-LEVEL GRIEVANCE REVIEW PANEL CAN CONSIST OF ONE OR MORE PERSONS, is referred to the Committee on Health.

By Representative Rhodes:

H.B. 209, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF CORNELIUS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Rapp:

H.B. 210, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF YANCEY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Rapp:

H.B. 211, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF YANCEY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rapp and Haire (Primary Sponsors):

H.B. 212, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HAYWOOD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rapp and Haire (Primary Sponsors):

H.B. 213, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HAYWOOD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Rapp:

H.B. 214, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MADISON, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Rapp:

H.B. 215, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MADISON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Holliman:

H.B. 216, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DAVIDSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Holliman:

H.B. 217, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DAVIDSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Holliman:

H.B. 218, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DAVIDSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Glazier, B. Allen, G. Allen, L. Allen, Bordsen, Carney, Church, Goforth, Goodwin, Gorman, Harrell, Hunter, LaRoque, Lucas, McLawhorn, Miller, Setzer, and Warren:

H.B. 219, A BILL TO BE ENTITLED AN ACT TO MODIFY AND MAKE PERMANENT THE OPTION FOR RETIRED TEACHERS TO RETURN TO THE CLASSROOM WITHOUT LOSS OF RETIREMENT BENEFITS, is referred to the Committee on Education and, if favorable, to the Committee on Pensions and Retirement.

By Representative Baker:

H.B. 220, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF STOKES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Baker:

H.B. 221, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF STOKES, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Baker:

H.B. 222, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SURRY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives L. Johnson and Gorman:

H.B. 223, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE BOARD OF COMMUNITY COLLEGES TO USE CERTAIN FUNDS TO PROVIDE FINANCIAL ASSISTANCE TO STUDENTS WITH DISABILITIES, is referred to the Committee on Education.

By Representative L. Johnson:

H.B. 224, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CABARRUS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative L. Johnson:

H.B. 225, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CABARRUS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative G. Wilson:

H.B. 226, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ASHE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative G. Wilson:

H.B. 227, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ASHE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative G. Wilson:

H.B. 228, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WATAUGA, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative G. Wilson:

H.B. 229, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WATAUGA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Goodwin:

H.B. 230, A BILL TO BE ENTITLED AN ACT TO ASSIST RICHMOND COUNTY WITH EXPEDITING THE CONSTRUCTION OF PUBLIC SCHOOL FACILITIES, is referred to the Committee on Ways and Means.

By Representative Goodwin:

H.J.R. 231, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES BENNETT "C.B." DEANE, FORMER NORTH CAROLINA MEMBER OF CONGRESS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Justus:

H.B. 232, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MILLS RIVER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Miller:

H.B. 233, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO IMPOSE UNDER THE MEDICAID PROGRAM PRIOR AUTHORIZATION RESTRICTIONS ON ALL BRAND-NAME PRESCRIPTION DRUGS FOR WHICH THERE IS A GENERIC EQUIVALENT THAT IS LESS COSTLY THAN THE BRAND-NAME DRUG, is referred to the Committee on Ways and Means.

CALENDAR

Action is taken on the following:

H.B. 11, A BILL TO BE ENTITLED AN ACT TO REPEAL ONLY THOSE STATUTES WHICH HAVE BEEN DECLARED UNCONSTITUTIONAL BY A STATE OR FEDERAL COURT OF COMPETENT

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JURISDICTION AND FROM WHICH NO APPEAL HAS BEEN TIMELY PERFECTED OR THE APPEAL HAS BEEN FULLY CONCLUDED ADVERSELY TO THE STATE, passes its second reading, by electronic vote (111-1), and remains on the Calendar.

Representative Cunningham requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (112-0).

H.B. 58, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS, 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.

ADDENDA TO COMMITTEE ASSIGNMENTS

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Speaker Black makes the following committee assignments:

LOCAL GOVERNMENT I: Remove Representative Frye; add Representative G. Wilson.

LOCAL GOVERNMENT II: Remove Representative G. Wilson; add Representative Frye.

RE-REFERRAL

On motion of Speaker Black, **H.B. 223**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE BOARD OF COMMUNITY COLLEGES TO USE CERTAIN FUNDS TO PROVIDE FINANCIAL ASSISTANCE TO STUDENTS WITH DISABILITIES, 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 Cunningham, the House adjourns at 3:39 p.m. to reconvene March 6 at 12:00 Noon.

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TWENTY-SECOND DAY

HOUSE OF REPRESENTATIVES

Thursday, March 6, 2003

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

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

"God of rain and sun:

"You shower down on us Your blessings as the waters fall from the sky and the bright rays of sunshine warm our world. You created us for You - to live in relationship with You and each other. You call us to till and keep the earth. We admit those times, O God, when we fail in making You a part of life, when we try to hold You out; and we admit those times when we are destructive to our planet rather than constructive. Make us ever-mindful of the beauty of our State and of its people so that we turn again and again to You in thanksgiving.

"Thank You, God, for these devoted women and men who lead us. Guide them in the work that they do that they may be a blessing to Your good creation. Walk among them in the relationships they have with each other as they are about the business of state. Reprove them when they fail You and give them a sense of accomplishment in the good they do. God, bless those who travel this weekend with Your safe-keeping and with the refreshing and renewing of days of rest.

"In Your re-creative power we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 5 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barnhart, Blust, Decker, Eddins, Hackney, McComas, McCombs, Nye, Starnes, and C. Wilson for today.

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INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Tolson and Alexander:

H.B. 234, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICATION PROCESS FOR COMMUNITY COLLEGE STUDENTS REQUESTING FINANCIAL ASSISTANCE, is referred to the Committee on Education.

By Representative Daughtry:

H.B. 235, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF JOHNSTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Daughtry:

H.B. 236, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF JOHNSTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cole, Alexander, Allred, Bordsen, England, Fox, Gillespie, Goforth, Insko, McLawhorn, Munford, Pate, Setzer, Sutton, and A. Williams:

H.B. 237, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO SUPPORT NURSING SCHOLARSHIPS IN NORTH CAROLINA, is referred to the Committee on Finance.

By Representative Mitchell:

H.B. 238, A BILL TO BE ENTITLED AN ACT TO REGULATE BODY PIERCING, is referred to the Committee on Ways and Means.

By Representative Walend:

H.B. 239, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE POLK COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS BOARD OF EDUCATION, is referred to the Committee on Local Government I.

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By Representatives Haire and West (Primary Sponsors):

H.B. 240, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MACON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Haire:

H.B. 241, A BILL TO BE ENTITLED AN ACT TO AMEND THE DRUG TRAFFICKING LAWS, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, is referred to the Committee on Judiciary IV.

By Representative Haire:

H.B. 242, A BILL TO BE ENTITLED AN ACT TO PUNISH HABITUAL FELONS THREE CLASSES HIGHER THAN THE OFFENSE CLASSIFICATION FOR THE PRINCIPAL OFFENSE, BUT IN NO CASE HIGHER THAN CLASS C, AND REQUIRE AN ACTIVE SENTENCE, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, is referred to the Committee on Judiciary IV.

By Representative Haire:

H.B. 243, A BILL TO BE ENTITLED AN ACT TO RECLASSIFY STATUTORY RAPE OR SEXUAL OFFENSE OF A PERSON WHO IS THIRTEEN, FOURTEEN, OR FIFTEEN YEARS OLD BY A DEFENDANT WHO IS MORE THAN FOUR YEARS BUT LESS THAN SIX YEARS OLDER, is referred to the Committee on Judiciary IV.

By Representatives Haire and Glazier:

H.B. 244, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR SECOND DEGREE ARSON AND TO REQUIRE THAT PHYSICIANS AND HOSPITALS REPORT CERTAIN TYPES OF BURN CASES, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, is referred to the Committee on Judiciary IV.

By Representatives Haire and Glazier:

H.B. 245, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF SPECIAL PROBATION TO REMOVE THE SIX-MONTH

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LIMITATION ON THE PERIOD OF IMPRISONMENT, is referred to the Committee on Judiciary IV.

By Representatives Haire and Glazier:

H.B. 246, 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, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, is referred to the Committee on Judiciary IV.

By Representatives Haire and Glazier:

H.B. 247, 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, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, is referred to the Committee on Judiciary IV.

By Representative Wright:

H.B. 248, A BILL TO BE ENTITLED AN ACT RELATING TO THE 18TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wright:

H.B. 249, A BILL TO BE ENTITLED AN ACT RELATING TO THE 18TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wright:

H.B. 250, A BILL TO BE ENTITLED AN ACT RELATING TO THE 18TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wright:

H.B. 251, A BILL TO BE ENTITLED AN ACT RELATING TO THE 18TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Starnes and Hilton:

H.B. 252, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE PROTECTION OF NORTH CAROLINA'S HISTORIC MONUMENTS AND MEMORIALS, is referred to the Committee on State Government.

By Representative Setzer:

H.B. 253, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND RELATED SUBSTANTIVE CHANGES TO THE CONTINUING CARE RETIREMENT (CCR) LAWS TO ELIMINATE THE UNNECESSARY PROVISION ALLOWING FOR ACCREDITED BUT UNLICENSED PROVIDERS OF CCR SERVICES; CHANGE REFERENCES FROM "FACILITY" TO "PROVIDER" WHERE APPROPRIATE TO ACCOMMODATE THE SITUATION WHERE AN ENTITY OPERATES MORE THAN ONE FACILITY; CHANGE "FORECAST" TO "FORECASTED" WHERE FOUND; CHANGE THE OPERATING RESERVES STATUTE BY REWORDING SOME PROVISIONS TECHNICALLY; CHANGE REFERENCES TO "REGISTRATION" OF A FACILITY TO "LICENSURE"; MAKE GENDER NEUTRAL CHANGES TO THE CCR LAWS; CLARIFY THAT A PROVIDER MUST HOLD SEMI-ANNUAL MEETINGS WITH THE RESIDENTS OF EACH FACILITY OPERATED BY THE PROVIDER; AND MAKE OTHER TECHNICAL AND CONFORMING CHANGES TO ARTICLE 64, is referred to the Committee on Insurance.

By Representatives Weiss, Glazier, Insko, and Alexander (Primary Sponsors); B. Allen, England, Goforth, Hackney, Luebke, Michaux, Miller, Nesbitt, and Ross:

H.B. 254, A BILL TO BE ENTITLED AN ACT TO RAISE THE EXCISE TAXES ON CIGARETTES AND OTHER TOBACCO PRODUCTS TO REDUCE AND PREVENT YOUTH SMOKING IN NORTH CAROLINA AND THEREBY PROTECT THE HEALTH AND SAVE THE LIVES OF NORTH CAROLINA'S CHILDREN, is referred to the Committee on Finance.

By Representatives Haire, Alexander, G. Allen, L. Allen, Barbee, Bell, Bonner, Bordsen, Carney, Church, Cole, Crawford, Decker, Dickson, Earle, England, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Hackney, Hall, Harrell, Hill, Holmes, Howard, Jeffus, C. Johnson, Jones, Justice, Justus, McGee, McLawhorn, Miller, Mitchell, Munford, Nesbitt, Nye, Owens, Parmon, Rapp, Ray, Saunders, Sherrill, Starnes, Tolson, Walend, Walker, Warren, West, A. Williams, G. Wilson, Womble, and Yongue:

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H.B. 255, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A BLUE RIDGE PARKWAY FOUNDATION SPECIAL REGISTRATION PLATE, is referred to the Committee on Finance.

By Representative Baker:

H.B. 256, A BILL TO BE ENTITLED AN ACT PROHIBITING PUBLIC UTILITIES FROM APPLYING HERBICIDES WITHIN FIVE HUNDRED FEET OF CERTAIN PLACES WITHOUT PERMISSION, is referred to the Committee on Public Utilities.

By Representative Baker:

H.B. 257, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF CB RADIO EQUIPMENT IN A MANNER NOT AUTHORIZED BY THE FEDERAL COMMUNICATIONS COMMISSION, is referred to the Committee on Public Utilities.

By Representative Pate:

H.B. 258, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAYNE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Pate:

H.B. 259, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAYNE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Rayfield:

H.B. 260, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GASTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Rayfield:

H.B. 261, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GASTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Rayfield:

H.B. 262, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GASTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bonner, Sutton, and Yongue (Primary Sponsors):

H.B. 263, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF LUMBERTON TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND TO DEMOLISH THOSE BUILDINGS USING THE SAME PROCESS AUTHORIZED FOR THE DEMOLITION OF UNSAFE NONRESIDENTIAL BUILDINGS, is referred to the Committee on Local Government II.

By Representative Haire:

H.B. 264, 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, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, is referred to the Committee on Judiciary IV.

By Representative Sauls:

H.B. 265, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT STATE AGENCY RECOMMENDATIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Sauls:

H.B. 266, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT STATE AGENCY RECOMMENDATIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative West:

H.B. 267, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CHEROKEE, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative West:

H.B. 268, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GRAHAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative West:

H.B. 269, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CLAY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Setzer:

H.B. 270, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE INSURANCE LAWS, is referred to the Committee on Insurance.

By Representatives Glazier, Warner, Lucas, and Insko (Primary Sponsors); G. Allen, Bordsen, Carney, Dickson, Goodwin, Lewis, Sauls, and Warren:

H.B. 271, A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL GUIDANCE COUNSELORS, is referred to the Committee on Education.

By Representatives Glazier, Warner, Pate, and Lucas (Primary Sponsors); G. Allen, Bordsen, Carney, Dickson, England, Goforth, Jeffus, Jones, Luebke, McLawhorn, and Warren:

H.R. 272, A HOUSE RESOLUTION URGING CONGRESS NOT TO CUT IMPACT AID TO SCHOOLS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Glazier, Warner, Lucas, and Goodwin (Primary Sponsors); G. Allen, Bordsen, Carney, Dickson, England, McLawhorn, and Munford:

H.B. 273, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT STATE EMPLOYEES WHO VOLUNTEER FOR VACCINATION AGAINST SMALLPOX INCIDENT TO THE ADMINISTRATION OF SMALLPOX COUNTERMEASURES BY HEALTH PROFESSIONALS UNDER SECTION 304 OF THE FEDERAL HOMELAND SECURITY ACT OF 2002 AND ANY FAMILY MEMBERS LIVING IN THE HOMES OF THESE VACCINATED EMPLOYEES WILL BE ABLE TO

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RECOVER FOR ANY ADVERSE MEDICAL REACTIONS DUE TO THE VACCINATION, is referred to the Committee on Judiciary IV.

By Representatives Glazier, Warner, Pate, and Lucas (Primary Sponsors); G. Allen, Bordsen, Carney, Culp, England, Insko, Lewis, McLawhorn, Munford, and Warren:

H.B. 274, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE TEACHING FELLOWS PROGRAM, is referred to the Committee on Appropriations.

By Representatives Glazier, Warner, Lucas, and Dickson (Primary Sponsors); G. Allen, Insko, Jeffus, McLawhorn, and Warren:

H.R. 275, A HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO FULLY FUND SPECIAL EDUCATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Setzer:

H.B. 276, A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE AND TECHNICAL AMENDMENTS IN THE LAWS CONCERNING INSURANCE COMPANY SOLVENCY, is referred to the Committee on Insurance.

By Representative Culpepper:

H.B. 277, 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, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

H.B. 278, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Culpepper:

H.B. 279, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

H.R. 280, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 2003 REGULAR SESSIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

H.B. 281, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Rhodes:

H.B. 282, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF DAVIDSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nye:

H.B. 283, A BILL TO BE ENTITLED AN ACT TO REQUIRE REAL PROPERTY WARRANTY COMPANIES TO CARRY CONTRACTUAL LIABILITY POLICIES; REQUIRE MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES TO USE A SPECIFIC FORMAT ON ALL WRITTEN MATERIALS SUBMITTED; MANDATE ALL REQUIRED SUBMISSIONS TO THE DEPARTMENT OF INSURANCE TO BE IN A SPECIFIC FORMAT IF IN WRITING; REQUIRE WARRANTY COMPANIES TO COMPLY WITH ARTICLE 1 OF CHAPTER 58 OF THE GENERAL STATUTES; DEFINE MECHANICAL BREAKDOWN SERVICE AGREEMENTS AND REQUIRE ALL MECHANICAL BREAKDOWN SERVICE AGREEMENT COMPANIES TO COMPLY WITH ARTICLE 1 OF CHAPTER 58 OF THE GENERAL

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STATUTES AND WITH THE RULES REGARDING MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES; AND PROVIDE THAT A BAD CHECK CONSTITUTES NONPAYMENT OF PREMIUM OF A MOTOR VEHICLE LIABILITY INSURANCE POLICY, is referred to the Committee on Insurance.

By Representative Warren:

H.B. 284, A BILL TO BE ENTITLED AN ACT RELATING TO THE 8TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warren:

H.B. 285, A BILL TO BE ENTITLED AN ACT RELATING TO THE 8TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warren:

H.B. 286, A BILL TO BE ENTITLED AN ACT RELATING TO THE 8TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warren:

H.B. 287, A BILL TO BE ENTITLED AN ACT RELATING TO THE 8TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative A. Williams:

H.B. 288, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WASHINGTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative A. Williams:

H.B. 289, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WASHINGTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative A. Williams:

H.B. 290, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HYDE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative A. Williams:

H.B. 291, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HYDE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative A. Williams:

H.B. 292, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative A. Williams:

H.B. 293, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Tolson, Alexander, Gillespie, Glazier, and Warren:

H.B. 294, A BILL TO BE ENTITLED AN ACT TO PERMIT THE COMMUNITY COLLEGES TO USE LITERACY FUNDS TO PROCURE COMPUTERS FOR LITERACY LABS, is referred to the Committee on Science and Technology.

By Representative Frye:

H.B. 295, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF BEECH MOUNTAIN TO REGULATE GOLF CARTS AND UTILITY VEHICLES, is referred to the Committee on Local Government I.

By Representative Frye:

H.B. 296, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CALDWELL, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Frye:

H.B. 297, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CALDWELL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Frye:

H.B. 298, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF AVERY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Frye:

H.B. 299, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF AVERY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Frye:

H.B. 300, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MITCHELL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Frye:

H.B. 301, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MITCHELL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bell and LaRoque (Primary Sponsors):

H.B. 302, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DUPLIN COUNTY TO USE THE SAME ATTACHMENT AND GARNISHMENT PROCEEDINGS TO COLLECT UNPAID WATER FEES THAT ARE AVAILABLE TO COLLECT UNPAID TAXES, is referred to the Committee on Local Government II.

By Representatives Bell, Insko, Jeffus, and Miller:

H.B. 303, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL SCHOOL CHILDREN TO RECEIVE AT LEAST THIRTY MINUTES OF

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PHYSICAL EDUCATION ACTIVITY DURING A SCHOOL DAY, is referred to the Committee on Education.

By Representatives Setzer and Glazier:

H.B. 304, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT CONVICTED OF STALKING WHO IS SENTENCED TO A COMMUNITY PUNISHMENT SHALL BE PLACED ON SUPERVISED PROBATION IN ADDITION TO ANY OTHER PUNISHMENT IMPOSED BY THE COURT, is referred to the Committee on Judiciary III.

By Representatives Bell, B. Allen, Eddins, McLawhorn, Munford, and Warren:

H.B. 305, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR BIENNIAL APPROPRIATIONS TO COVER THE RATE OF NORMAL CONTRIBUTION AND ANY RATE OF ACCRUED LIABILITY CONTRIBUTION, AS DETERMINED BY THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement and, if favorable, to the Committee on Appropriations.

By Representatives Bell, Insko, McLawhorn, Warren, and G. Wilson:

H.B. 306, 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, AND THE LEGISLATIVE RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement and, if favorable, to the Committee on Appropriations.

By Representatives Earle, Alexander, Bell, Bonner, Bordsen, Carney, Glazier, Goforth, Insko, Jeffus, Lucas, McLawhorn, Parmon, Rapp, Wainwright, Warren, and A. Williams:

H.B. 307, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR NORTH CAROLINA FOOD BANKS, is referred to the Committee on Appropriations.

By Representatives Earle, Bell, Bonner, Goforth, Insko, Lucas, McLawhorn, Parmon, Wainwright, Warren, and A. Williams:

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H.B. 308, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LABOR ENHANCEMENT PAYMENTS FOR NURSE AIDES IN NONINSTITUTIONAL SETTINGS, is referred to the Committee on Appropriations.

By Representatives Earle, Bell, Bonner, Bordsen, Carney, Glazier, Insko, Lucas, McLawhorn, Parmon, Rapp, Wainwright, Warren, A. Williams, and Yongue:

H.B. 309, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY THE IMPLEMENTATION OF A REMEDIATION PROGRAM FOR LONG-TERM CARE FACILITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Earle, Bell, Bonner, Bordsen, Carney, Glazier, Insko, Lucas, McLawhorn, Parmon, Rapp, Wainwright, Warren, and Yongue:

H.B. 310, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE AUDITOR TO PERFORM AN AUDIT OF THE COMMUNITY ALTERNATIVES PROGRAM FOR DISABLED ADULTS (CAP/DA) AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO CONTINUE ITS EXAMINATION OF CAP/DA AND REPORT TO THE NORTH CAROLINA STUDY COMMISSION ON AGING, is referred to the Committee on Appropriations.

By Representative McGee:

H.B. 311, A BILL TO BE ENTITLED AN ACT RELATING TO THE 93RD HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McGee:

H.B. 312, A BILL TO BE ENTITLED AN ACT RELATING TO THE 93RD HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Daughtridge:

H.B. 313, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ROCKY MOUNT, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Daughtridge:

H.B. 314, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ROCKY MOUNT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Daughtridge:

H.B. 315, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ROCKY MOUNT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Daughtridge:

H.B. 316, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ROCKY MOUNT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bell, Preston, and Warren (Primary Sponsors); Alexander, Crawford, Glazier, C. Johnson, Lucas, Luebke, McLawhorn, and Tolson:

H.B. 317, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO IDENTIFY AND PROVIDE ASSISTANCE TO LOW-PERFORMING SCHOOL ADMINISTRATIVE UNITS, is referred to the Committee on Education.

By Representatives Warren, Bell, and Preston (Primary Sponsors); Alexander, Crawford, C. Johnson, Lucas, Luebke, McLawhorn, and Tolson:

H.B. 318, A BILL TO BE ENTITLED AN ACT TO ALIGN STATE LAW WITH FEDERAL LAW ON STUDENTS WITH DISABILITIES, is referred to the Committee on Education.

By Representatives Bonner, Preston, Warren, and Yongue (Primary Sponsors); Alexander, Crawford, Gorman, Hilton, C. Johnson, L. Johnson, Lucas, Luebke, McLawhorn, and Tolson:

H.B. 319, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING CHARTER SCHOOLS, is referred to the Committee on Education.

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By Representatives McComas, Alexander, G. Allen, Hill, Holliman, Luebke, and Wainwright:

H.B. 320, 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 Representative McComas:

H.B. 321, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT STATE AGENCY RECOMMENDATIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McComas:

H.B. 322, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT STATE AGENCY RECOMMENDATIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Holmes:

H.B. 323, A BILL TO BE ENTITLED AN ACT RELATING TO THE 92ND HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Holmes:

H.B. 324, A BILL TO BE ENTITLED AN ACT RELATING TO THE 92ND HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Holmes:

H.B. 325, A BILL TO BE ENTITLED AN ACT RELATING TO THE 92ND HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Holmes:

H.B. 326, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF JONESVILLE, is referred to the Committee on Finance.

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By Representatives Goodwin, Gorman and Lewis:

H.B. 327, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR DETONATING AN EXPLOSIVE DEVICE WITHIN A COURTHOUSE OR OTHER PUBLIC BUILDING AND FOR COMMITTING CERTAIN OTHER EXPLOSIVE DEVICES OFFENSES, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, is referred to the Committee on Judiciary II.

By Representatives Howard and Rhodes:

H.B. 328, A BILL TO BE ENTITLED AN ACT REVISING REAL ESTATE LICENSING EXAMINATION PROCEDURES, CLARIFYING CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE LICENSEES, AND ENABLING THE REAL ESTATE COMMISSION TO PERMIT LIMITED COMMERCIAL PRACTICE BY NONRESIDENT REAL ESTATE BROKERS, is referred to the Committee on Ways and Means.

By Representatives Setzer, England, Gillespie, Glazier, Jeffus, and Lewis:

H.J.R. 329, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE NURSING SHORT-AGE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Setzer, England, Gillespie, Glazier, Jeffus, Lewis, and McHenry:

H.J.R. 330, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE KNOWN ENVIRONMENTAL CAUSES AND TRIGGERS OF CANCER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bell and G. Wilson (Primary Sponsors); McLawhorn and Warren:

H.B. 331, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES'

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RETIREMENT SYSTEM, AND THE DISABILITY INCOME PLAN OF NORTH CAROLINA, is referred to the Committee on Pensions and Retirement.

By Representative Bonner:

H.B. 332, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF RED SPRINGS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Bonner:

H.B. 333, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF FAIRMONT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Bonner:

H.B. 334, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF ROWLAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Bonner:

H.B. 335, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HOKE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Bonner:

H.B. 336, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF MAXTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative L. Allen:

H.B. 337, A BILL TO BE ENTITLED AN ACT TO ALLOW FRANKLIN COUNTY TO ACQUIRE PROPERTY FOR AIRPORT PURPOSES BY USING THE "QUICK TAKE" PROCEDURE, is referred to the Committee on Local Government II.

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By Representatives Adams and Jones (Primary Sponsors):

H.B. 338, 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 Representative Wright:

H.B. 339, A BILL TO BE ENTITLED AN ACT TO CONFORM NORTH CAROLINA'S THIRD PARTY ADMINISTRATOR ARTICLE TO REVISIONS TO THE NAIC MODEL THIRD PARTY ADMINISTRATOR STATUTE; REQUIRE GROUP ANNUITY INSURERS TO ISSUE INDIVIDUAL CERTIFICATES OF COVERAGE TO EACH ANNUITANT; REORGANIZE ARTICLE 60 OF CHAPTER 58 OF THE GENERAL STATUTES AND AMEND CURRENT DISCLOSURE REQUIREMENTS FOR SOLICITATION OF LIFE INSURANCE PRODUCTS AND ANNUITIES; REQUIRE INSURERS TO NOTIFY EMPLOYEES OF THE EXISTENCE OF EMPLOYER-OWNED LIFE INSURANCE POLICIES WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF COVERAGE; REQUIRE THAT ASSOCIATION PREMIUM RATES FOR ACCIDENT AND HEALTH INSURANCE BE ACTUARIALLY SOUND AND THAT ASSOCIATIONS BE RATED AS A SINGLE GROUP WHEN THE COVERAGE PROVIDED IS NOT EMPLOYER-BASED; LIMIT AN INDIVIDUAL ACCIDENT AND HEALTH INSURER'S USE OF AN INDIVIDUAL'S OWN CLAIMS' EXPERIENCE TO DEVELOP THE INDIVIDUAL'S RENEWAL RATE; EXEMPT A SOLE PROPRIETOR FROM THE FULL-TIME BASIS OR THIRTY-HOUR WORKWEEK REQUIREMENTS TO BE ELIGIBLE FOR LARGE GROUP HEALTH COVERAGE LIKE THE PROPRIETOR'S FULL-TIME EMPLOYEES; CORRECT AN INADVERTENT CROSS-REFERENCE IN ORDER TO REAPPLY NEWBORN COVERAGE TO A MORE COMPREHENSIVE GROUP OF INSURERS; TECHNICALLY CORRECT AN OMISSION REGARDING PROVISIONS GOVERNING PREEXISTING CONDITIONS FOR LIMITED HEALTH, SUPPLEMENTAL HEALTH, AND SPECIFIED DISEASE POLICIES; REQUIRE A GROUP HEALTH INSURER FOR AN EMPLOYER TO PROVIDE, UPON THE GROUP POLICYHOLDERS' REQUEST, THE GROUP'S EXPERIENCE INFORMATION; ALLOW PERSONS RETROACTIVELY ENROLLED IN MEDICARE PART B THE SAME SIX-MONTH OPEN ENROLLMENT PERIOD FOR MEDICARE SUPPLEMENT PLANS AS PERSONS WHO ENROLLED IN MEDICARE PART B WITHOUT A RETROACTIVE

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EFFECTIVE DATE OF COVERAGE; TECHNICALLY CORRECT THE REVOCATION AND SUSPENSION LAW TO INCLUDE A BENEFICIARY OF A LIFE OR ANNUITY CONTRACT AS A CLAIMANT; MANDATE HEALTH BENEFIT COVERAGE FOR DESIGNATED TRAVEL EXPENSES WHEN THE REQUIRED DISTANCE TRAVELED THRESHOLD IS MET; AND MAKE TECHNICAL CORRECTIONS TO THE CREDIT INSURANCE LAWS, is referred to the Committee on Insurance.

By Representatives Parmon, Gibson, and Moore (Primary Sponsors); Adams, B. Allen, L. Allen, Bordsen, Clary, Coates, Culp, Cunningham, Gorman, Hall, Hunter, Jones, Lewis, McAllister, McGee, Miller, Wainwright, A. Williams, Womble, and Wright:

H.B. 340, A BILL TO BE ENTITLED AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER, is referred to the Committee on Education.

By Representatives McLawhorn and Warren:

H.B. 341, A BILL TO BE ENTITLED AN ACT TO DESIGNATE OCTOBER 31 AS UNCLAIMED PROPERTY DAY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives B. Allen, Eddins, Munford, and Ross (Primary Sponsors); Bell, Frye, Jones, Lucas, McLawhorn, Nesbitt, Pate, Rapp, Stam, Weiss, and Yongue:

H.B. 342, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROTECT EMPLOYER CONTRIBUTION RATES BUDGETED FOR THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM IN THE SAME MANNER AS RETIREMENT SYSTEM FUNDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Frye (By Request):

H.B. 343, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MITCHELL COUNTY TO IMPOSE A USER TAX ON THE BUSINESS OF PROVIDING RIVER RAFTING IN MITCHELL COUNTY, is referred to the Committee on Finance.

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By Representatives Jeffus and Walend (Primary Sponsors):

H.B. 344, A BILL TO BE ENTITLED AN ACT REQUIRING THE MOTOR FLEET MANAGEMENT DIVISION TO USE A FORMULA TO DETERMINE THE MOST COST-EFFECTIVE REPLACEMENT OF VEHICLES, is referred to the Committee on Transportation.

By Representatives Gorman and Parmon (Primary Sponsors); Crawford and Lewis:

H.B. 345, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE BOARD OF EDUCATION TO GRANT OR RENEW SCHOOL CHARTERS FOR A PERIOD OF UP TO TEN YEARS, is referred to the Committee on Education.

By Representatives Moore, L. Allen, Bowie, Insko, Pate, and Setzer:

H.B. 346, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT NURSING HOMES AND ADULT CARE HOMES HAVE EMERGENCY GENERATORS FOR USE DURING POWER OUTAGES, is referred to the Committee on Health.

By Representative Preston:

H.B. 347, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CARTERET, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Preston:

H.B. 348, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CARTERET, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Preston:

H.B. 349, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF SWANSBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Preston:

H.B. 350, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CARTERET, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Coates:

H.B. 351, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SALISBURY TO ADOPT AND ENFORCE ORDINANCES RELATING TO PARKING, is referred to the Committee on Local Government II.

By Representative Haire:

H.B. 352, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING DRUG SCREENING AND ASSESSMENT OF A CRIMINAL DEFENDANT FOR CHEMICAL DEPENDENCY, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, is referred to the Committee on Judiciary IV.

By Representative Haire:

H.B. 353, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR COMMITTING CERTAIN EXPLOSIVE DEVICES OFFENSES, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, is referred to the Committee on Judiciary IV.

By Representatives Insko, Alexander, Glazier, and Luebke:

H.B. 354, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE PREVENTION AND CONTROL OF LEAD POISONING IN CHILDREN, is referred to the Committee on Health.

CALENDAR

Action is taken on the following:

H.B. 11, A BILL TO BE ENTITLED AN ACT TO REPEAL ONLY THOSE STATUTES WHICH HAVE BEEN DECLARED UNCONSTITUTIONAL BY A STATE OR FEDERAL COURT OF COMPETENT JURISDICTION AND FROM WHICH NO APPEAL HAS BEEN TIMELY PERFECTED OR THE APPEAL HAS BEEN FULLY CONCLUDED ADVERSELY TO THE STATE.

On motion of Representative Stam and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of March 11.

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RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 108**, A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF HABITUAL MISDEMEANOR LARCENY, is withdrawn from the Committee on Judiciary III and re-referred to the Committee on Judiciary II.

On motion of Representative Culpepper, seconded by Representative Pate, the House adjourns at 12:26 p.m. to reconvene Monday, March 10, 2003, at 7:00 p.m.

TWENTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, March 10, 2003

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

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

"God of all peoples:

"We gather at the start of a new week with new opportunities before us - opportunities to serve You in the words we say, in the deeds of our hands, in the steps of our feet. We pray for Your guidance that we may not fail You.

"Protect us, God, from rumors, strife and hatred. Protect us from demonizing our enemies, and them from believing falsehoods about us. Forgive us when we are misled and when we mislead.

"Govern the hearts of the leaders of all the nations of the world, those elected, those self-appointed, and those who lead military coups, the official leaders and those who work behind the scenes. Give them discerning hearts that they may know the difference between serving power and serving people, between doing what is right and what is popular. Lead them into the ways of justice and peace.

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"And God, shelter all those who serve in the military, those who serve in our armed forces, and those who serve our enemies; those who serve willingly and those who serve under duress. Protect their hearts and minds and bodies, and bring them safely back home to those who love them.

"And God, bless the work of this Body. May just and righteous and peaceable decisions be made here.

"In Your loving name we pray. Amen."

Speaker Morgan leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives Holliman, McCombs, McHenry, Sexton, and Starnes for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives G. Allen and Sutton:

H.B. 355, A BILL TO BE ENTITLED AN ACT TO OFFICIALLY DESIGNATE THE INDIANS PREVIOUSLY RECOGNIZED IN THE GENERAL STATUTES AS THE INDIANS OF PERSON COUNTY AS SAPPONY, is referred to the Committee on Military, Veterans and Indian Affairs.

By Representatives Tolson and LaRoque (Primary Sponsors); Adams, B. Allen, G. Allen, Bell, Capps, Church, Clary, Culp, Culpepper, Dickson, Eddins, Fox, Frye, Glazier, Goforth, Goodwin, Gorman, Haire, Hall, Harrell, Hill, Hilton, Holliman, Hunter, Insko, L. Johnson, Justice, Justus, Kiser, Lewis, McHenry, McLawhorn, Moore, Munford, Owens, Preston, Saunders, Wainwright, Warren, A. Williams, and K. Williams:

H.B. 356, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE LAW PROVIDING THAT CERTAIN SECONDARY SUPPLIERS OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN

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THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, ALLOWING THE MEMBERS OF AN ELECTRIC MEMBERSHIP CORPORATION TO VOTE BY PROXY ON DECISIONS TO ENCUMBER CORPORATE PROPERTY OR TO DISSOLVE THE CORPORATION, AND MAKING TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE, is referred to the Committee on Public Utilities.

By Representatives Barnhart, Alexander, Bowie, Frye, Gulley, Hilton, Holliman, Howard, Justus, Luebke, McAllister, McHenry, Miller, Pate, Preston, Ray, Rhodes, Setzer, Sherrill, Tolson, West, K. Williams, C. Wilson, and Wood:

H.B. 357, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ANY PERSON ENGAGED IN COMMERCE, IN CONNECTION WITH ANY SALE OF GOODS OR SERVICES TO A CONSUMER PAID BY CREDIT CARD, FROM PRINTING THE ENTIRE NUMBER OF THE CREDIT CARD ON ANY RECEIPT FOR THE SALE, is referred to the Committee on Judiciary II.

By Representatives Starnes and Saunders (Primary Sponsors); and Culp:

H.B. 358, A BILL TO BE ENTITLED AN ACT TO INCREASE THE DAMAGE AMOUNTS ON DEFINED MOTOR VEHICLE ACCIDENTS, is referred to the Committee on Insurance.

By Representatives Setzer, Frye, Hilton, and McHenry:

H.B. 359, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN VOLUNTEER FIRE DEPARTMENTS AND RESCUE SQUADS THAT ARE PART OF A UNIT OF LOCAL GOVERNMENT FROM HIGHWAY USE TAX ON EMERGENCY VEHICLES, is referred to the Committee on Finance.

By Representative Rhodes:

H.B. 360, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF HUNTERSVILLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Culpepper:

H.B. 361, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MOORE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

H.B. 362, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MOORE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

H.B. 363, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MOORE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Lewis, Lucas, Sauls, and Dickson (Primary Sponsors):

H.B. 364, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HARNETT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Lewis, Sauls, Dickson, and Lucas (Primary Sponsors):

H.B. 365, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HARNETT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Lewis, Dickson, Lucas, and Sauls (Primary Sponsors):

H.B. 366, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HARNETT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Lewis, Dickson, Lucas, and Sauls (Primary Sponsors):

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H.B. 367, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HARNETT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hunter:

H.B. 368, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BERTIE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hunter:

H.B. 369, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HERTFORD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hunter:

H.B. 370, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF NORTHAMPTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hunter:

H.B. 371, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF NORTHAMPTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hunter:

H.B. 372, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BERTIE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hunter:

H.B. 373, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HERTFORD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Bowie:

H.B. 374, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GUILFORD, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Bowie:

H.B. 375, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GUILFORD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Bowie:

H.B. 376, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF GREENSBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Bowie:

H.B. 377, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF GREENSBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Miller:

H.B. 378, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CIGARETTE TAX FROM FIVE CENTS A PACK TO FORTY CENTS A PACK AND TO EARMARK THE RESULTING REVENUES FOR PUBLIC SCHOOL CLASS SIZE REDUCTION, THE MORE AT FOUR PROGRAM, TEACHER SALARIES, SCHOOL CONSTRUCTION, AND SCHOOL FUNDS TO LOW-WEALTH COUNTIES, is referred to the Committee on Finance.

By Representatives Bell, B. Allen, L. Allen, Bonner, Carney, Earle, Glazier, Jones, Rapp, and Wainwright:

H.B. 379, A BILL TO BE ENTITLED AN ACT TO MAKE THE PURSUIT OF AN EDUCATION A CONDITION OF INTERMEDIATE PUNISHMENT, COMMUNITY PUNISHMENT, AND PROBATION, is referred to the Committee on Judiciary I.

By Representatives Jeffus, Adams, and Bowie (Primary Sponsors); Jones and Wood:

H.B. 380, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A PROGRAM FOR COLLECTION OF WORTHLESS CHECKS IN GUILFORD COUNTY, is referred to the Committee on Judiciary IV.

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By Representatives Kiser, Brubaker, Gulley, and Sherrill (Primary Sponsors); Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Black, Blackwood, Bonner, Bordsen, Bowie, Capps, Carney, Church, Clary, Coates, Cole, Creech, Culp, Cunningham, Daughtridge, Dickson, Earle, Eddins, England, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Haire, Hall, Harrell, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Justice, Justus, LaRoque, Lewis, Lucas, Luebke, McAllister, McGee, McHenry, Michaux, Miller, Miner, Mitchell, Moore, Morgan, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Stam, Starnes, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue:

H.B. 381, A BILL TO BE ENTITLED AN ACT TO NAME THE WESTERN JUSTICE ACADEMY IN HONOR OF REPRESENTATIVE LARRY T. JUSTUS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Tolson:

H.B. 382, A BILL TO BE ENTITLED AN ACT TO ALLOW DISTRICT COURT JUDGES TO PERFORM MARRIAGE CEREMONIES, is referred to the Committee on Judiciary III.

By Representative Justice:

H.B. 383, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF BURGAW, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Justice:

H.B. 384, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF TOPSAIL BEACH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Justice:

H.B. 385, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PENDER, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Justice:

H.B. 386, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PENDER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Justice:

H.B. 387, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF SURF CITY, is referred to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Munford, Chair, for the Committee on Judiciary IV:

H.B. 126, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING EVIDENCE ADMISSIBLE IN CERTAIN JUVENILE HEARINGS, 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 PAGES

Pages for the week of March 10 are introduced to the membership. They are: Adrienne Farmer of Person; Christine Gail Parker of Person; Megan Stone of Robeson; Kathryn Pepin of Wake; Sheilah Curran of Durham; Brandi Johnson of Granville; Ashlea Roberts of Cumberland; Jennifer Payne of Cumberland; Emily Ann Mabe of Wake; Emily Shank of Guilford; Krystal Hammond of Harnett; Jennifer Gold of Cleveland; Juliann Pezzullo of Wake; Krystal Michelle Lane of Harnett; Joanna Izquierdo of Wake; Katherine Marie Wilson of Brazos County, Texas; Arianne L. Dabney of Pender; and Sarah Simon of Iredell.

On motion of Representative Culpepper, seconded by Representative Moore, the House adjourns at 7:19 p.m. to reconvene March 11 at 4:00 p.m.

March 10, 2003

TWENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 11, 2003

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

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

"Liberating God:

"You have given us from creation free wills, the ability to make our own choices in life. In order to live together we have chosen to live under laws that govern us as a Nation, a State, a people. Remind us once again that with freedom comes responsibility. Hold before us all the faces of the children, the widow, the weak, the aged, the poor, the disenfranchised.

"O God, in the power to govern comes also Your call to wisdom, justice, and compassion. As bills are put forward, debated and enacted by this Body, remind these Representatives of the lives that are touched by every vote taken. Give to them open eyes, creative minds and compassionate hearts that their work might make this State a better place to live together and enjoy Your freedom.

"In Your re-creative power we pray. Amen."

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

Leaves of absence are granted Representatives Bonner and Ellis for today.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

March 11, 2003

By Representative Sutton, Chair, for the Committee on Judiciary III:

H.B. 24, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE VETERANS ADMINISTRATION POLICE OFFICERS TO PROVIDE ASSISTANCE TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES IN THE SAME MANNER AS OTHER FEDERAL LAW ENFORCEMENT OFFICERS, with a favorable report.

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

H.B. 382, A BILL TO BE ENTITLED AN ACT TO ALLOW DISTRICT COURT JUDGES TO PERFORM MARRIAGE CEREMONIES, with a favorable report.

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

By Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 29, A BILL TO BE ENTITLED AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATIONS BY THE TOWN OF BLADENBORO, 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 March 12. The original bill is placed on the Unfavorable Calendar.

H.B. 135, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS, with a favorable report.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Insko and Farmer-Butterfield:

H.B. 388, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ASSOCIATION OF SELF-ADVOCATES OF NORTH CAROLINA, is referred to the Committee on Appropriations.

March 11, 2003

By Representative Alexander:

H.B. 389, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF CHARLOTTE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Alexander:

H.B. 390, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Alexander:

H.B. 391, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE CHARLOTTE-MECKLENBURG SCHOOLS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Holmes, Alexander, Goodwin, and Weiss:

H.J.R. 392, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF J. FRANK BRYANT, FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Stam:

H.B. 393, A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF COUNTY COMMISSIONERS IN CERTAIN COUNTIES TO REQUIRE REGISTERS OF DEEDS NOT TO ACCEPT ANY DEED FOR REGISTRATION UNLESS THE COUNTY TAX COLLECTOR CERTIFIES THAT NO DELINQUENT TAXES ARE DUE ON THAT PROPERTY, is referred to the Committee on Judiciary II.

By Representatives Stam and Gorman:

H.B. 394, A BILL TO BE ENTITLED AN ACT CLARIFYING THE LAW PERTAINING TO LEGAL DEADLINES FALLING ON A HOLIDAY, is referred to the Committee on Judiciary II.

By Representative Rhodes:

H.B. 395, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG, is referred to the Committee on Rules, Calendar, and Operations of the House.

March 11, 2003

By Representatives Tolson and Farmer-Butterfield:

H.B. 396, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE EDGECOMBE COUNTY SCHOOL SYSTEM, is referred to the Committee on Local Government I.

By Representatives Crawford and Sherrill (Primary Sponsors); Baker, Clary, Earle, Grady, Owens, and Wright:

H.B. 397, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Crawford and Sherrill (Primary Sponsors); Baker, Clary, Earle, Grady, Owens, and Wright:

H.B. 398, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Sherrill, Baker, Clary, Crawford, Earle, Grady, Owens, and Wright:

H.B. 399, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Sherrill, Baker, Clary, Crawford, Earle, Grady, Owens, and Wright:

H.B. 400, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Fox and Crawford (Primary Sponsors):

H.B. 401, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF HENDERSON TO GIVE ANNUAL NOTICE TO VIOLATORS

March 11, 2003

OF THE CITY'S WEEDED LOT ORDINANCE, is referred to the Committee on Local Government II.

By Representatives Capps, Barnhart, Culp, Ellis, Frye, Gorman, Gulley, Hilton, Lewis, Rayfield, and Rhodes:

H.B. 402, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE AUTHORITY OF A SOCIAL WORKER TO ENTER A PRIVATE RESIDENCE FOR INVESTIGATION PURPOSES, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Judiciary II.

By Representatives Capps, Barnhart, Culp, Ellis, Frye, Gulley, Hilton, L. Johnson, LaRoque, Moore, Preston, Rayfield, Rhodes, and Stam:

H.B. 403, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA RELIGIOUS FREEDOM RESTORATION ACT, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Judiciary II.

By Representatives Capps, Barnhart, Culp, Ellis, Frye, Gulley, Hilton, LaRoque, Moore, Preston, Rayfield, and Rhodes:

H.B. 404, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE DISPLAY OF THE UNITED STATES FLAG, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Judiciary II.

By Representatives Weiss, Clary, Bowie, and Hackney (Primary Sponsors); Alexander, Bell, Bordsen, England, Fox, Glazier, Insko, L. Johnson, Justus, Luebke, McLawhorn, Miller, Mitchell, Munford, Walend, Warren, Womble, and Wright:

H.B. 405, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE FOLIC ACID CAMPAIGN, is referred to the Committee on Appropriations.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.J.R. 264, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF WENDELL ON THE TOWN'S 100TH ANNIVERSARY.

March 11, 2003

On motion of Speaker Black 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 (116-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

CALENDAR

Action is taken on the following:

H.B. 11, A BILL TO BE ENTITLED AN ACT TO REPEAL ONLY THOSE STATUTES WHICH HAVE BEEN DECLARED UNCONSTITUTIONAL BY A STATE OR FEDERAL COURT OF COMPETENT JURISDICTION AND FROM WHICH NO APPEAL HAS BEEN TIMELY PERFECTED OR THE APPEAL HAS BEEN FULLY CONCLUDED ADVERSELY TO THE STATE, passes its third reading, by electronic vote (113-0), and is ordered sent to the Senate.

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 **H.B. 338**, 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 withdrawn from the Committee on Finance and re-referred to the Committee on Local Government II, and, if favorable, to the Committee on Finance.

On motion of Representative Culpepper, seconded by Representative Adams, the House adjourns at 4:33 p.m. to reconvene March 12 at 4:00 p.m.

TWENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 12, 2003

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

March 12, 2003

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

"God of present, God of future:

"Your prophets call us to a new age when You 'shall judge between the nations, and shall arbitrate for many peoples; they shall beat their swords into plowshares, and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war any more.' We on the other hand celebrate the 'Mother of all bombs'. God, we admit we are not where You want us to be in learning to live together. Grant to those who lead us - in our Nation, in our states and localities, and in all the nations of the world - a perspective on the new people that You call us to be. As these Representatives work together to determine budgets and programs and laws, hold before them Your new age, for their work touches many lives. Bless them in the good that they do and convict them in any harm. Uphold them in their hard work for the people of North Carolina.

"In the name of our God of goodness we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 11 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bonner, Rayfield, and Starnes for today.

ENROLLED BILLS

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

S.J.R. 264, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF WENDELL ON THE TOWN'S 100TH ANNIVERSARY. (RESOLUTION 2003-4)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

March 12, 2003

By Representatives Insko and Justus, Chairs, for the Committee on Health:

H.B. 80, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT CERTAIN REPORTS BE MADE TO THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON 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.

S.B. 2 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN APPLICANTS FOR DRIVERS LICENSES TO SUBMIT MEDICAL CERTIFICATES FROM OUT-OF-STATE PHYSICIANS, with a favorable report, as amended.

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

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

H.B. 35, A BILL TO BE ENTITLED AN ACT EXEMPTING THE TOWN OF WAYNESVILLE FROM THE MAILED NOTICE PROVISION OF G.S. 160A-384 WHEN THE ENTIRE ZONING JURISDICTION IS REZONED, 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 March 13. The original bill is placed on the Unfavorable Calendar.

H.B. 57, A BILL TO BE ENTITLED AN ACT TO ALLOW RANDOLPH COUNTY TO REAPPOINT MEMBERS OF ITS TOURISM DEVELOPMENT AUTHORITY, 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.R. 19, A HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE MILITARY TROOPS FIGHTING THE WAR AGAINST TERRORISM,

March 12, 2003

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 March 13. The original resolution is placed on the Unfavorable Calendar.

H.B. 103, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS TO CONFORM TO THE INCREASE IN THE NUMBER OF CONGRESSIONAL DISTRICTS IN THIS STATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

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

H.R. 272, A HOUSE RESOLUTION URGING CONGRESS NOT TO CUT IMPACT AID TO SCHOOLS, with recommendation that it be adopted.

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

H.R. 275, A HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO FULLY FUND SPECIAL EDUCATION, with recommendation that it be adopted.

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

By Representative Adams, Chair, for the Committee on Local Government II:

H.B. 134, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF ROANOKE RAPIDS 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. 182, A BILL TO BE ENTITLED AN ACT TO NAME THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY, with a favorable report.

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

March 12, 2003

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative Hill:

H.B. 406, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF LAKE WACCAMAW, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culp:

H.B. 407, A BILL TO BE ENTITLED AN ACT THAT APPLIES TO HOUSE DISTRICT 67 ONLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hackney, Alexander, Justice, Justus, Stiller, and K. Williams:

H.B. 408, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SECRET PEEPING STATUTE AND TO MAKE CONFORMING CHANGES, is referred to the Committee on Judiciary I.

By Representatives Hill, Culp, and Lewis:

H.B. 409, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET PROVISION OF THE ACT THAT STRENGTHENED THE STATE VETERINARIAN'S AUTHORITY TO PREVENT AND CONTROL AN OUTBREAK OF FOOT-AND-MOUTH DISEASE AND ANY OTHER CONTAGIOUS ANIMAL DISEASE AND MADE OTHER TECHNICAL AND CONFORMING CHANGES, is referred to the Committee on Agriculture.

By Representatives Hunter and Goodwin:

H.B. 410, A BILL TO BE ENTITLED AN ACT TO REDUCE THE COUNTY SHARE OF NONFEDERAL PAYMENTS FOR THE MEDICAL ASSISTANCE PROGRAM FOR CERTAIN COUNTIES, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Appropriations.

March 12, 2003

By Representatives Hunter and Goodwin:

H.B. 411, A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE COUNTY SHARE OF NONFEDERAL COSTS OF THE MEDICAL ASSISTANCE PROGRAM, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Appropriations.

By Representatives Yongue and Bonner (Primary Sponsors):

H.B. 412, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SCOTLAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Yongue:

H.B. 413, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SCOTLAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Yongue:

H.B. 414, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SCOTLAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Yongue, Bonner, and Sutton (Primary Sponsors):

H.B. 415, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HOKE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Yongue and Bonner (Primary Sponsors):

H.B. 416, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SCOTLAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Yongue, Bonner, and Sutton (Primary Sponsors):

H.B. 417, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROBESON, is referred to the Committee on Rules, Calendar, and Operations of the House.

March 12, 2003

By Representatives Yongue and Bonner (Primary Sponsors):

H.B. 418, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SCOTLAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Yongue:

H.B. 419, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HOKE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Yongue:

H.B. 420, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HOKE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McLawhorn:

H.B. 421, A BILL TO BE ENTITLED AN ACT TO MAKE VETERANS DAY A HOLIDAY FOR SCHOOL PERSONNEL, is referred to the Committee on Education.

By Representatives Sexton and Cole (Primary Sponsors):

H.B. 422, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROCKINGHAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Sexton:

H.B. 423, A BILL TO BE ENTITLED AN ACT RELATING TO THE 66TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Sexton:

H.B. 424, A BILL TO BE ENTITLED AN ACT RELATING TO THE 66TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

March 12, 2003

By Representatives Sexton and Culp:

H.B. 425, A BILL TO BE ENTITLED AN ACT TO DEFINE A HORSE TRAILER DESIGNED TO CARRY FOUR OR FEWER HORSES AS A RECREATIONAL VEHICLE, is referred to the Committee on Transportation.

By Representatives Sexton and Cole (Primary Sponsors):

H.B. 426, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROCKINGHAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rayfield and Culp:

H.B. 427, A BILL TO BE ENTITLED AN ACT TO REQUIRE REIMBURSEMENT TO COUNTIES FOR THE COST OF CONDUCTING STATEWIDE PRIMARIES, ELECTIONS, AND REFERENDA, AND TO APPROPRIATE FUNDS FOR THAT PURPOSE, is referred to the Committee on Election Law and Campaign Finance Reform and, if favorable, to the Committee on Appropriations.

By Representative Frye:

H.B. 428, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF BANNER ELK, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Culpepper, Adams, B. Allen, Barnhart, Blackwood, Church, Coates, Cole, Crawford, Culp, Fox, Gibson, Goforth, Goodwin, Gorman, Gulley, Hall, Hilton, Jeffus, L. Johnson, Jones, LaRoque, Lewis, Lucas, McHenry, Miner, Moore, Munford, Parmon, Preston, Ray, Rayfield, Rhodes, Sutton, Wainwright, Warner, Warren, West, K. Williams, C. Wilson, G. Wilson, Wright, and Yongue:

H.B. 429, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL GOVERNMENTS TO PAY JUST COMPENSATION FOR REMOVAL OF LAWFULLY ERECTED BUILDINGS, STRUCTURES, OUTDOOR ADVERTISING, OR PERSONAL PROPERTY AND TO AUTHORIZE LOCAL GOVERNMENTS TO ENTER INTO RELOCATION AND RECONSTRUCTION AGREEMENTS WITH OWNERS OF NONCONFORMING PROPERTIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

March 12, 2003

By Representative Miller:

H.B. 430, A BILL TO BE ENTITLED AN ACT TO ELECT STATEWIDE ONE RESIDENT OF EACH HIGHWAY DIVISION TO SERVE ON THE BOARD OF TRANSPORTATION, is referred to the Committee on Transportation and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

H.B. 29 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATIONS BY THE TOWN OF BLADENBORO, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 116.

Voting in the negative: None.

Excused absences: Representatives Bonner, Rayfield, and Starnes - 3.

H.B. 135, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS, passes its second reading, by the following vote, and remains on the Calendar.

March 12, 2003

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtride, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 116.

Voting in the negative: None.

Excused absences: Representatives Bonner, Rayfield, and Starnes - 3.

H.B. 24, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE VETERANS ADMINISTRATION POLICE OFFICERS TO PROVIDE ASSISTANCE TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES IN THE SAME MANNER AS OTHER FEDERAL LAW ENFORCEMENT OFFICERS, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 126 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING EVIDENCE ADMISSIBLE IN CERTAIN JUVENILE HEARINGS, passes its second reading, by electronic vote (114-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 382, A BILL TO BE ENTITLED AN ACT TO ALLOW DISTRICT COURT JUDGES TO PERFORM MARRIAGE CEREMONIES, passes its second reading, by electronic vote (108-7), and there being no objection is read a third time.

March 12, 2003

The bill passes its third reading and is ordered sent to the Senate.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S.B. 235, A BILL TO BE ENTITLED AN ACT TO ALLOW A RETAILER THAT LEASES MOTOR VEHICLES AND THAT HAS PAID THE HIGHWAY USE TAX ON THE MOTOR VEHICLES TO PAY AN ADDITIONAL GROSS RECEIPTS TAX ON THE MOTOR VEHICLES, is read the first time and referred to the Committee on Finance.

S.J.R. 171, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HARLAN E. BOYLES, FORMER STATE TREASURER.

On motion of Speaker Morgan and without objection, the resolution is placed on the Calendar of March 13.

On motion of Representative Culpepper, seconded by Representative Carney, the House adjourns at 4:57 p.m. to reconvene March 13 at 1:00 p.m.

TWENTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, March 13, 2003

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

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

"God of surprises:

"How wonderful to celebrate the return of Elizabeth Smart to her family in Utah. But we also remember the 41 other missing children from our own State and countless others around the world, and we pray for their safe return also.

"We pray for Your blessing on all those who serve in our military. We give You thanks for their devotion to the well-being of our Nation and pray

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that You will hold them safe and free from harm. May not one woman or man be touched by the ravages of the terror they fight.

"Today we remember and celebrate the life of Harlan Boyles. We are thankful not only for the work he did for this State, but also the person he was - his kindness and compassion, his wisdom, the example his life was for many who knew him.

"And today, O God, we ask for Your guidance, Your wisdom and Your peace in the work that is done in this place. May these women and men who have been chosen to lead us be blessed in their efforts. As we look forward to the refreshment and renewal of the weekend, we pray for Your traveling mercies.

"In Your miraculous name we pray. Amen."

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

Leaves of absence are granted Representatives Bonner, Brubaker, Church, Goforth, Haire, Hill, Holmes, McAllister, McComas, Rayfield, Ross, Saunders, Starnes, and West for today. Representative Insko is excused for a portion of the session.

Pursuant to Rule 54, the Principal Clerk, Denise G. Weeks, is excused for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Hilton, Warner, and Wood, Chairs, for the Committee on Education:

H.B. 340, A BILL TO BE ENTITLED AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER, 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.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative Eddins:

H.B. 431, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WAKE FOREST TO USE TOWN LABOR FOR PHASED CONSTRUCTION OF ELECTRICAL DISTRIBUTION FEEDER CIRCUITS AND FOR CONSTRUCTION OF AN ELECTRIC SUBSTATION WITHOUT REGARD TO THE DOLLAR VALUE OF THE LABOR, is referred to the Committee on Local Government I.

By Representatives Brubaker and Wood:

H.B. 432, A BILL TO BE ENTITLED AN ACT PROVIDING THAT STATE EMPLOYEES, PUBLIC SCHOOL EMPLOYEES, AND COMMUNITY COLLEGE EMPLOYEES MAY SHARE LEAVE VOLUNTARILY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Sauls:

H.B. 433, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF LEE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Sauls:

H.B. 434, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF SANFORD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Sauls:

H.B. 435, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF SANFORD, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Blackwood:

H.B. 436, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF UNION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Blackwood:

H.B. 437, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF UNION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Blackwood:

H.B. 438, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF UNION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Sexton:

H.B. 439, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE OPENING OF CARTWAYS, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary II.

By Representative Sexton:

H.B. 440, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF WENTWORTH TO EXEMPT AGRICULTURAL LAND USES WITHIN THAT JURISDICTION FROM ZONING, is referred to the Committee on Local Government II.

By Representative Stiller:

H.B. 441, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF NEW HANOVER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Stiller:

H.B. 442, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF NEW HANOVER, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Stiller:

H.B. 443, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BRUNSWICK, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Stiller:

H.B. 444, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BRUNSWICK, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Cole:

H.B. 445, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CASWELL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Cole:

H.B. 446, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CASWELL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Yongue, Bonner, and Sutton (Primary Sponsors):

H.B. 447, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROBESON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Yongue, Bonner, and Sutton (Primary Sponsors):

H.B. 448, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HOKE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Yongue, Bonner, and Sutton (Primary Sponsors):

H.B. 449, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HOKE, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Yongue, Bonner, and Sutton (Primary Sponsors):

H.B. 450, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROBESON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McHenry, Pate, Moore, and Walend (Primary Sponsors); Representatives Capps, Frye, Hilton, Justice, Justus, Lewis, McGee, Preston, Ray, Rayfield, Rhodes, Sauls, Setzer, and K. Williams:

H.B. 451, A BILL TO BE ENTITLED AN ACT TO PHASE-OUT THE COUNTY SHARE OF THE NONFEDERAL SHARE OF MEDICAID COSTS OVER A FIVE-YEAR PERIOD, is referred to the Committee on Ways and Means and, if favorable, to the Committee on Appropriations.

By Representatives Hunter and Wainwright:

H.B. 452, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA COALITION OF FARM AND RURAL FAMILIES, is referred to the Committee on Appropriations.

By Representative Grady:

H.B. 453, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF HOLLY RIDGE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Grady:

H.B. 454, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF RICHLANDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Grady:

H.B. 455, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF NORTH TOPSAIL BEACH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Grady and K. Williams:

H.B. 456, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ONSLOW, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Grady and K. Williams:

H.B. 457, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF JACKSONVILLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Grady and K. Williams:

H.B. 458, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF JACKSONVILLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Grady and K. Williams:

H.B. 459, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF JACKSONVILLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Grady and K. Williams:

H.B. 460, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ONSLOW, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Alexander:

H.B. 461, A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE INTERPRETER AND TRANSLITERATOR LICENSURE ACT, is referred to the Committee on Judiciary I.

By Representatives Alexander and G. Wilson (Primary Sponsors); Wainwright and Warner:

H.B. 462, A BILL TO BE ENTITLED AN ACT TO INCLUDE DULY LICENSED MARRIAGE AND FAMILY THERAPISTS UNDER THE INSURANCE 'FREEDOM OF CHOICE' LAW AND UNDER THE PROFESSIONAL CORPORATIONS ACT, is referred to the Committee on Children, Youth and Families.

By Representatives Bell, Bonner, Earle, Glazier, Insko, Lucas, Luebke, Pate, and Wainwright:

H.B. 463, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT SCHOOL COUNSELORS SPEND THEIR TIME PROVIDING DIRECT SERVICES TO STUDENTS, is referred to the Committee on Education.

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By Representative Adams:

H.B. 464, A BILL TO BE ENTITLED AN ACT RELATING TO THE 58TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Adams:

H.B. 465, A BILL TO BE ENTITLED AN ACT RELATING TO THE 58TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Adams, Bowie, Jeffus, and Jones (Primary Sponsors):

H.B. 466, 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 II.

By Representatives Adams, Bowie, Jeffus, and Jones (Primary Sponsors):

H.B. 467, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF GREENSBORO AND THE PIEDMONT TRIAD INTERNATIONAL AIRPORT ADMINISTRATION TO AMEND THE BOUNDARIES OF CERTAIN TERRITORY THAT CANNOT BE ANNEXED BY THE CITY UNDER GENERAL LAW, is referred to the Committee on Local Government II.

By Representatives Adams, Luebke, and Wainwright:

H.B. 468, A BILL TO BE ENTITLED AN ACT CREATING THE LIVING INCOME STUDY COMMISSION AND APPROPRIATING FUNDS FOR THE WORK OF THE COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives LaRoque and Wainwright (Primary Sponsors):

H.B. 469, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LENOIR COUNTY TO USE THE SAME ATTACHMENT AND GARNISHMENT PROCEEDINGS TO COLLECT UNPAID WATER, SEWER, OR OTHER COUNTY FEES THAT ARE AVAILABLE TO COLLECT UNPAID TAXES, is referred to the Committee on Local Government I.

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By Representatives Pate, Capps, Justice, and Setzer:

H.B. 470, A BILL TO BE ENTITLED AN ACT ESTABLISHING LIBERTY DAY IN THE STATE OF NORTH CAROLINA, is referred to the Committee on State Government.

By Representative Crawford:

H.B. 471, A BILL TO BE ENTITLED AN ACT TO BRING STATE LAW INTO COMPLIANCE WITH RECENTLY ADOPTED FEDERAL REGULATIONS CONCERNING THE EFFECT OF VIOLATION OF IMPAIRED DRIVING, RAILROAD CROSSING SAFETY, AND OTHER STATE LAWS ON COMMERCIAL DRIVERS LICENSES, AND REQUIRING A NEW "S" ENDORSEMENT FOR PERSONS OPERATING SCHOOL BUSES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary I.

By Representatives Crawford and Sherrill (Primary Sponsors):

H.J.R. 472, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARY LEWIS WYCHE, FOUNDER AND FIRST PRESIDENT OF THE NORTH CAROLINA NURSES ASSOCIATION AND ONE OF THE THREE NURSES APPOINTED TO THE FIRST NORTH CAROLINA BOARD OF NURSE EXAMINERS, ON THE ONE HUNDREDTH ANNIVERSARY OF PROFESSIONAL NURSING IN NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baker, Sauls, and K. Williams:

H.B. 473, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF ALL-TERRAIN VEHICLES, is referred to the Committee on Judiciary III.

By Representatives Alexander, Carney, Cunningham, Earle, McMahan, and C. Wilson:

H.B. 474, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMERGENCY PENSION FUND FOR LAW ENFORCEMENT OFFICERS IN MECKLENBURG COUNTY, is referred to the Committee on Pensions and Retirement.

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By Representatives Alexander, Cunningham, Earle, McMahan, and C. Wilson:

H.B. 475, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTE PERTAINING TO REGISTRATION OF BIRTH AND DEATH CERTIFICATES, is referred to the Committee on Judiciary I.

By Representatives Alexander, Carney, Cunningham, Earle, McMahan, and C. Wilson:

H.B. 476, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENTS OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION AND CORRECTION FOR JUVENILE AND ADULT OFFENDER PROGRAMS IN MECKLENBURG COUNTY, is referred to the Committee on Appropriations.

By Representatives Preston, Alexander, L. Allen, Bordsen, Carney, Coates, Culp, Dickson, Gibson, Gorman, Gulley, Haire, Insko, Jeffus, Justice, McComas, McLawhorn, Mitchell, Munford, Rapp, Stiller, Wainwright, K. Williams, and C. Wilson:

H.B. 477, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL NORTH CAROLINA COASTAL FEDERATION REGISTRATION PLATES, is referred to the Committee on Finance.

By Representatives Rapp and Decker (Primary Sponsors); Adams, B. Allen, G. Allen, L. Allen, Allred, Barnhart, Bell, Black, Bordsen, Carney, Clary, Coates, Cole, Culpepper, Cunningham, Daughtridg, Dickson, Earle, England, Farmer-Butterfield, Fox, Frye, Gibson, Glazier, Goforth, Hackney, Haire, Hall, Harrell, Hilton, Holliman, Hunter, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Luebke, McAllister, McGee, McHenry, McLawhorn, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Ross, Sauls, Saunders, Sherrill, Stam, Sutton, Tolson, Wainwright, Warner, Warren, Weiss, A. Williams, K. Williams, G. Wilson, Womble, and Wood:

H.B. 478, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE NORTH CAROLINA CHILD ALERT NOTIFICATION (NC CAN) SYSTEM AND TO RENAME THAT SYSTEM THE AMBER ALERT SYSTEM, is referred to the Committee on Judiciary III.

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By Representatives Sutton and Hall:

H.B. 479, A BILL TO BE ENTITLED AN ACT TO REDUCE SALES TAXES ON CONSTRUCTION EQUIPMENT, is referred to the Committee on Finance.

By Representative Walker:

H.B. 480, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STAGGERED FOUR-YEAR TERMS FOR ALL FIVE MEMBERS OF THE BOARD OF COMMISSIONERS OF WILKES COUNTY, RATHER THAN THE CURRENT SYSTEM WHERE FOUR OF THE MEMBERS ARE ELECTED FOR STAGGERED FOUR-YEAR TERMS AND ONE FOR A TWO-YEAR TERM, is referred to the Committee on Local Government I.

By Representatives Adams, Bowie, Jeffus, and Jones (Primary Sponsors):

H.B. 481, A BILL TO BE ENTITLED AN ACT AUTHORIZING CERTAIN MUNICIPALITIES TO REQUIRE OWNERS TO REPAIR RESIDENTIAL PROPERTY DETERMINED UNFIT FOR HUMAN HABITATION UNDER THE MUNICIPALITIES' MINIMUM HOUSING CODES INSTEAD OF VACATING AND CLOSING THE PROPERTY, is referred to the Committee on Ways and Means.

By Representatives Adams, Parmon, and Wainwright:

H.B. 482, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE AN ALPHA KAPPA ALPHA SORORITY SPECIAL REGISTRATION PLATE, is referred to the Committee on Finance.

By Representatives Adams and Jones (Primary Sponsors); Jeffus and Luebke:

H.B. 483, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE ABROGATION OF OFFENSIVE PLACE-NAMES THROUGHOUT THE STATE, is referred to the Committee on State Government.

By Representative G. Allen:

H.B. 484, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PERSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative G. Allen:

H.B. 485, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PERSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative G. Allen:

H.B. 486, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PERSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative G. Allen:

H.B. 487, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PERSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative G. Allen:

H.B. 488, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ROXBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative G. Allen:

H.B. 489, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ROXBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative G. Allen:

H.B. 490, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ROXBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative G. Allen:

H.B. 491, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ROXBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Adams and Jeffus:

H.B. 492, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY TO USE AS MATCHING FUNDS, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following is received from the Senate:

S.B. 34, A BILL TO BE ENTITLED AN ACT TO REESTABLISH THE HIGHWAY TRUST FUND STUDY COMMITTEE, 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.J.R. 171, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HARLAN E. BOYLES, FORMER STATE TREASURER, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

H.R. 19 (Committee Substitute), A HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE MILITARY TROOPS FIGHTING THE WAR AGAINST TERRORISM.

The resolution is adopted, by electronic vote (102-0), and ordered printed.

On motion of Representative K. Williams and without objection, the following resolution is spread upon the Journal.

"A HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE MILITARY TROOPS FIGHTING THE WAR AGAINST TERRORISM.

"Whereas, the State of North Carolina takes great pride in the military personnel stationed at Camp Lejeune, Cherry Point, Fort Bragg, Pope Air Force Base, and Seymour Johnson Air Force Base; and

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"Whereas, the State is also proud of the many North Carolinians who are members of the reserve components of the armed services and of the North Carolina National Guard; and

"Whereas, as these brave men and women carry out their missions in the war against terrorism, it is crucial to remember the sacrifices they are undertaking in making our world a safer place; and

"Whereas, the House of Representatives pledges to continue its support of our troops and their loved ones and encourages the citizens of North Carolina to do the same; Now, therefore,

Be it resolved by the House of Representatives:

"SECTION 1. The House of Representatives wishes to express its support for our military troops and their families living in military communities in Craven, Cumberland, Onslow, and Wayne Counties and in other areas of North Carolina.

"SECTION 2. The Principal Clerk shall transmit a certified copy of this resolution to the commanding officer at each military installation in North Carolina.

"SECTION 3. This resolution is effective upon adoption."

H.B. 29 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATIONS BY THE TOWN OF BLADENBORO, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bowie, Capps, Carney, Clary, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtridg, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goodwin, Gorman, Grady, Gulley, Hackney, Hall, Harrell, Hilton, Holliman, Howard, Hunter, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rhodes, Sauls, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives Bonner, Brubaker, Church, Goforth, Haire, Hill, Holmes, Insko, McAllister, McComas, Rayfield, Ross, Saunders, Starnes, and West - 15.

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H.B. 135, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY 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: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bowie, Capps, Carney, Clary, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtridge, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goodwin, Gorman, Grady, Gulley, Hackney, Hall, Harrell, Hilton, Holliman, Howard, Hunter, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rhodes, Sauls, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives Bonner, Brubaker, Church, Goforth, Haire, Hill, Holmes, Insko, McAllister, McComas, Rayfield, Ross, Saunders, Starnes, and West - 15.

H.B. 35 (Committee Substitute), A BILL TO BE ENTITLED AN ACT EXEMPTING THE TOWN OF WAYNESVILLE FROM THE MAILED NOTICE PROVISION OF G.S. 160A-384 WHEN THE ENTIRE ZONING JURISDICTION IS REZONED, 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. 103, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS TO CONFORM TO THE INCREASE IN THE NUMBER OF CONGRESSIONAL DISTRICTS IN THIS STATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, 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.

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On motion of Representative Culpepper, seconded by Representative Sherrill, the House adjourns at 1:54 p.m. to reconvene Monday, March 17, 2003, at 7:00 p.m.

TWENTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, March 17, 2003

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

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

"Sovereign God:

"A new week brings new opportunities to be the people You call us to be. The ancients wrote that 'a soft answer turns away wrath, but a harsh word stirs up anger. The tongue of the wise dispenses knowledge, but the mouths of fools pour out folly.'

"Give us each in this fragile time soft answers and wise tongues. Remind us yet again that it is You who rule and we are but the keepers of Your power and authority. Grant that leaders and governments everywhere are given a sense of Your desires for this world with which You have blessed us. And God, as a new week begins in this House of Representatives, open the eyes of these leaders to new possibilities that can come when our thoughts are of serving You as Sovereign and not kings, nor presidents, nor governors from among our own. Give to each Representative a renewed sense of call to serve You and to work for the well-being of our State and bless their soft answers and wise dispensation of knowledge.

"Tonight, O God, we remember all those in our Armed Forces everywhere who stand in harm's way and we remember from our own, Representative Dockham, and pray for his rapid recovery from the knee surgery that he had today.

"We pray in the powerful name of the Ruler of all. Amen."

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Speaker Black leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives Bordsen, Dockham, Nesbitt, Sexton, and Wright for today.

ENROLLED BILLS

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

S.J.R. 171, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HARLAN E. BOYLES, FORMER STATE TREASURER. (RESOLUTION 2003-5)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

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

H.B. 42, 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 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 Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

H.B. 219, A BILL TO BE ENTITLED AN ACT TO MODIFY AND MAKE PERMANENT THE OPTION FOR RETIRED TEACHERS TO RETURN TO THE CLASSROOM WITHOUT LOSS OF RETIREMENT BENEFITS, with a favorable report and recommendation that the bill be referred to the Committee on Pensions and Retirement.

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

SUBCOMMITTEE REFERRALS

Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Standing Committee on Education, refer the following bills to the Education Subcommittee on Pre-School, Elementary and Secondary Education:

H.B. 31, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS.

H.B. 32, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS.

H.B. 318, A BILL TO BE ENTITLED AN ACT TO ALIGN STATE LAW WITH FEDERAL LAW ON STUDENTS WITH DISABILITIES.

Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Standing Committee on Education, refer the following bills to the Education Subcommittee on Community Colleges:

H.B. 223, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE BOARD OF COMMUNITY COLLEGES TO USE CERTAIN FUNDS TO PROVIDE FINANCIAL ASSISTANCE TO STUDENTS WITH DISABILITIES.

H.B. 234, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICATION PROCESS FOR COMMUNITY COLLEGE STUDENTS REQUESTING FINANCIAL ASSISTANCE.

Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Standing Committee on Education, refer the following bills to the Education Subcommittee on Universities:

H.B. 51, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MEMBER OF THE MILITARY WHO ATTENDS A CONSTITUENT INSTITUTION OR A COMMUNITY COLLEGE SHALL BE CHARGED ONLY THE IN-STATE TUITION RATE.

H.B. 150, A BILL TO BE ENTITLED AN ACT TO PROVIDE ALTERNATE CRITERIA FOR AWARDED LEGISLATIVE TUITION GRANTS TO STUDENTS ATTENDING ACCREDITED INSTITUTIONS OF HIGHER EDUCATION.

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INTRODUCTION OF BILLS AND RESOLUTIONS

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

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

H.B. 493, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO RECOGNIZE THE RIGHT TO HEALTH CARE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wainwright, G. Allen, Howard, Luebke, McComas, and Miner:

H.B. 494, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF REVENUE FOR PROJECT COMPLIANCE, is referred to the Committee on Appropriations.

By Representative Decker:

H.B. 495, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF FORSYTH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Decker:

H.B. 496, A BILL TO BE ENTITLED AN ACT RELATING TO THE 94TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hunter:

H.B. 497, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE AUTHORIZATION FOR CERTAIN PRIVATE CORRECTIONAL OFFICERS TO USE FORCE AND MAKE ARRESTS CONSISTENT WITH NORTH CAROLINA LAW, is referred to the Committee on Judiciary II.

By Representative Coates:

H.B. 498, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROWAN, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Coates:

H.B. 499, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROWAN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hall, B. Allen, Bell, Earle, Haire, Hunter, Lucas, McAllister, Michaux, Sutton, Wainwright, Wright, and Yongue:

H.B. 500, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ON-SITE PHYSICAL FITNESS CENTER IN THE LEGISLATIVE BUILDING OR THE LEGISLATIVE OFFICE BUILDING FOR LEGISLATORS AND STAFF, is referred to the Committee on Health.

By Representative Hall:

H.B. 501, A BILL TO BE ENTITLED AN ACT REDRAWING THE ELECTION DISTRICT BOUNDARIES FOR THE TOWN OF ENFIELD IN HALIFAX COUNTY, is referred to the Committee on Local Government II.

By Representatives Luebke, McComas, Miner, Wainwright, G. Allen, Howard, Alexander, Bowie, Decker, Gibson, Glazier, Hill, Holliman, A. Williams, and Womble:

H.B. 502, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON SOLICITING A VIOLATION OF OR CONSPIRING TO VIOLATE THE LAW MAKING IT A MISDEMEANOR FOR EMPLOYING UNITS TO MAKE FALSE STATEMENTS TO THE EMPLOYMENT SECURITY COMMISSION IS GUILTY OF A FELONY, SO AS TO DETER THE PRACTICE OF STATE EMPLOYMENT TAX AVOIDANCE (SUTA DUMPING), is referred to the Committee on Judiciary III.

By Representatives Wright and Clary (Primary Sponsors):

H.B. 503, A BILL TO BE ENTITLED AN ACT TO AMEND THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wright:

H.B. 504, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE

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

By Representatives Wright and Clary (Primary Sponsors):

H.B. 505, A BILL TO BE ENTITLED AN ACT TO ENACT CHANGES TO THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Adams and Jones (Primary Sponsors); Glazier, Jeffus, and Weiss:

H.B. 506, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STUDENT MEMBER OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA SHALL HAVE THE SAME RIGHT TO VOTE AS ALL OTHER MEMBERS, is referred to the Committee on Education.

By Representative Adams:

H.B. 507, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS, is referred to the Committee on Appropriations.

By Representative Alexander:

H.B. 508, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COURTHOUSE CHILD CARE CENTERS, is referred to the Committee on Appropriations.

By Representative Alexander:

H.B. 509, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COURT TO ISSUE AN ORDER FOR ARREST WHEN A DEFENDANT FAILS TO APPEAR IN COURT AFTER RECEIVING A CITATION FOR A MISDEMEANOR, is referred to the Committee on Judiciary I.

By Representatives Moore, Glazier, Hunter, and Goodwin (Primary Sponsors):

H.B. 510, A BILL TO BE ENTITLED AN ACT TO INCLUDE A VIOLATION OF G.S. 20-12.32 AS A LESSER INCLUDED OFFENSE IN A SPEEDING VIOLATION, is referred to the Committee on Judiciary II.

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By Representative West:

H.B. 511, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TOWN-OWNED PROPERTIES OF THE TOWN OF ANDREWS FROM THE CEILING ON VOLUNTARY SATELLITE ANNEXATIONS, is referred to the Committee on Local Government I.

By Representative Culpepper:

H.B. 512, A BILL TO BE ENTITLED AN ACT TO ALLOW NON-RESIDENT PROPERTY OWNERS TO SERVE ON THE HISTORIC PRESERVATION COMMISSION IN THE TOWN OF NAGS HEAD, is referred to the Committee on Local Government I.

By Representative Barnhart:

H.B. 513, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF MIDLAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Barnhart:

H.B. 514, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF MT. PLEASANT, is referred to the Committee on Local Government I.

By Representatives Hill and Wright (Primary Sponsors):

H.B. 515, A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CHADBOURN, is referred to the Committee on Finance.

By Representative Goodwin:

H.B. 516, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ROCKINGHAM TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT AND TO ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS IN THAT CITY, is referred to the Committee on Local Government II.

By Representative Stam:

H.B. 517, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF HOLLY SPRINGS TO LIMIT THE CLEAR-CUTTING OF

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TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT, is referred to the Committee on Local Government I.

By Representatives Clary, Barbee, Barnhart, Eddins, Frye, Gorman, Gulley, L. Johnson, Justice, Justus, LaRoque, Lucas, McCombs, McGee, McHenry, Mitchell, Moore, Munford, Pate, Preston, Ray, Rhodes, Sauls, Sexton, Stiller, Walend, and G. Wilson:

H.B. 518, A BILL TO BE ENTITLED AN ACT ALLOWING INTERNET VOTING BY NORTH CAROLINIANS SERVING IN THE ARMED FORCES, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representative Stiller:

H.B. 519, A BILL TO BE ENTITLED AN ACT TO ALLOW MUNICIPALITIES TO CREATE SPECIAL TAX DISTRICTS FOR CANAL DREDGING FOR NAVIGATION, SO AS TO ALLOW CONTINUED ACCESS TO THE INTRACOASTAL WATERWAY AND THE ATLANTIC OCEAN, AND TO ALLOW CREATION OF A CAPITAL RESERVE FUND FOR SUCH DISTRICT NOTWITHSTANDING THAT THE ITEM IS MAINTENANCE, SO AS TO ALLOW ACCUMULATION OF FUNDS FOR THAT PURPOSE, is referred to the Committee on Finance.

By Representative Stiller:

H.B. 520, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF OAK ISLAND, is referred to the Committee on Local Government I.

By Representative Wainwright:

H.B. 521, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CRAVEN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wainwright:

H.B. 522, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF JONES, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Wainwright:

H.B. 523, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF JONES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wainwright:

H.B. 524, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF JONES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wainwright:

H.B. 525, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF LENOIR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wainwright:

H.B. 526, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF LENOIR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Goodwin, Coates, and Moore (Primary Sponsors); Adams, B. Allen, Barnhart, Bonner, Church, Cole, Culpepper, Cunningham, Farmer-Butterfield, Glazier, Goforth, Haire, Hall, Insko, Jones, Lucas, Luebke, McAllister, McLawhorn, Michaux, Miller, Miner, Nesbitt, Parmon, Ross, Sherrill, Sutton, Wainwright, Walend, Warren, and Womble:

H.B. 527, A BILL TO BE ENTITLED AN ACT TO ADJUST AND UPDATE THE AWARD SCHEDULE FOR INJURED EMPLOYEES SEEKING COMPENSATION UNDER THE WORKERS' COMPENSATION ACT, is referred to the Committee on Judiciary II.

By Representatives Moore, Clary, and England (Primary Sponsors):

H.B. 528, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PROPERTY TAX SUBCOMMITTEE OF THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE VALUATION OF PARTIALLY IMPROVED, UNDEVELOPED LOTS IN SUBDIVISIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Hunter:

H.B. 529, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY FOR THE ROANOKE-CHOWAN DRUG TASK FORCE, is referred to the Committee on Appropriations.

By Representatives Alexander, Dickson, Glazier, Insko, Luebke, McLawhorn, and Warren:

H.B. 530, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR INTERPRETER SERVICES IN LOCAL HEALTH DEPARTMENTS, is referred to the Committee on Appropriations.

By Representatives McCombs, Coates, Daughtry, Dickson, Glazier, Luebke, Mitchell, Rayfield, Setzer, Walend, and Weiss:

H.B. 531, A BILL TO BE ENTITLED AN ACT TO REQUIRE PRIVATE ORGANIZATIONS TO REIMBURSE THE STATE HIGHWAY PATROL FOR SERVICES AT EVENTS SPONSORED BY THE PRIVATE ORGANIZATIONS, is referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following is received from the Senate:

S.B. 307 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET PROVISION OF THE ACT THAT STRENGTHENED THE AUTHORITY OF THE STATE VETERINARIAN TO PREVENT AND CONTROL AN OUTBREAK OF FOOT-AND-MOUTH DISEASE AND ANY OTHER CONTAGIOUS ANIMAL DISEASE, is read the first time and referred to the Committee on Agriculture.

CALENDAR

Action is taken on the following:

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

H.R. 272, A HOUSE RESOLUTION URGING CONGRESS NOT TO CUT IMPACT AID TO SCHOOLS.

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The resolution is adopted by electronic vote (109-0) and ordered printed.

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

H.B. 134, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF ROANOKE RAPIDS 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.

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

H.B. 182, A BILL TO BE ENTITLED AN ACT TO NAME THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY, 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.

INTRODUCTION OF PAGES

Pages for the week of March 17 are introduced to the membership. They are: Austin Barnard of Wake; Jessica Cosgriff of Wake; David Epps of Wake; Mario Grande of Wake; Shalonda Ingram of Forsyth; Christopher Jones of Wake; Will Lane of Nash; Mark Lewis of Wake; Eric McCombs of Wake; Davita Chellee McKee of Cumberland; Robert Myers of Davidson; Samuel Nzewi of Forsyth; Caitlan Sexton of Johnston; Nicholas Sexton of Johnston; Mykhayl Sutton of Cabarrus; Bethany Taylor of Franklin; Jeromy Taylor of Franklin; Joe Teague of Wake; David Weikert of Wake; and Rooney Wynn of Wake.

On motion of Representative Culpepper, seconded by Representative Kiser, the House adjourns at 7:37 p.m. to reconvene March 18 at 3:00 p.m.

TWENTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 18, 2003

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by Speaker Morgan.

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

"Protective God:

"You are 'our refuge and strength, a very present help in trouble. Therefore we will not fear, though the earth should change, though the mountains shake in the heart of the sea; though its waters roar and foam, though the mountains tremble with its tumult.'

"Help us, God, for we are on the brink of war. We speak again and again of support for our Armed Forces, but remind us every moment that they are in the foreign land facing danger and we are here in the ease and safety of our country and homes. Our job is easy; theirs is difficult. We pray that You will surround them with Your loving arms and hold them safe from harm. May last minute diplomacy bring a peace that will end the danger for them and return them whole and well to their homes; but, if not, give them strength, courage, and Your protection for the task at hand.

"And God, we pray Your blessing on the work done in this place today. Uphold these Representatives with a sense of Your purpose in serving the good of the people of North Carolina. May their decisions be a blessing of common good for those who are affected by them.

"In Your saving name we pray. Amen."

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

A leave of absence is granted Representative Dockham for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 320, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN

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DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, with a favorable report.

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

S.B. 235, A BILL TO BE ENTITLED AN ACT TO ALLOW A RETAILER THAT LEASES MOTOR VEHICLES AND THAT HAS PAID THE HIGHWAY USE TAX ON THE MOTOR VEHICLES TO PAY AN ADDITIONAL GROSS RECEIPTS TAX ON THE MOTOR VEHICLES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 19.

By Representative Hill, Chair, for the Committee on Agriculture:

S.B. 307 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET PROVISION OF THE ACT THAT STRENGTHENED THE AUTHORITY OF THE STATE VETERINARIAN TO PREVENT AND CONTROL AN OUTBREAK OF FOOT-AND-MOUTH DISEASE AND ANY OTHER CONTAGIOUS ANIMAL DISEASE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 19.

By Representative Sutton, Chair, for the Committee on Judiciary III:

H.B. 304, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT CONVICTED OF STALKING WHO IS SENTENCED TO A COMMUNITY PUNISHMENT SHALL BE PLACED ON SUPERVISED PROBATION IN ADDITION TO ANY OTHER PUNISHMENT IMPOSED BY THE COURT, 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.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

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By Representative Munford:

H.B. 532, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF RALEIGH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Munford:

H.B. 533, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF CARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Munford:

H.B. 534, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF MORRISVILLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Munford:

H.B. 535, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAKE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Munford:

H.B. 536, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF MORRISVILLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Munford:

H.B. 537, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAKE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Munford:

H.B. 538, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF RALEIGH, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Munford:

H.B. 539, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF CARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Daughtridge:

H.B. 540, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF NASH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Daughtridge:

H.B. 541, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF NASH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Stiller:

H.B. 542, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF CASWELL BEACH, OAK ISLAND, AND OCEAN ISLE BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE PURPOSES OF ENGAGING IN BEACH EROSION CONTROL, FLOOD AND HURRICANE PROTECTION WORKS, AND PUBLIC BEACH ACCESS, is referred to the Committee on Local Government I.

By Representatives McGee, Cole, Frye, Gulley, Justice, LaRoque, McHenry, Moore, Pate, Sauls, Wainwright, Walker, K. Williams, and Womble:

H.B. 543, A BILL TO BE ENTITLED AN ACT TO INCLUDE DEPUTY FIRE MARSHALS, ASSISTANT FIRE MARSHALS, AND COUNTY FIREFIGHTERS AS ELIGIBLE MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, is referred to the Committee on Pensions and Retirement.

By Representatives Alexander, Clary, Weiss, and Insko (Primary Sponsors); Allred, Bell, Church, Coates, Glazier, Jeffus, Luebke, Miller, Pate, Ross, and Wainwright:

H.B. 544, A BILL TO BE ENTITLED AN ACT CREATING THE STATE GOVERNMENT EMPLOYMENT PAY EQUITY STUDY COMMISSION AND APPROPRIATING FUNDS FOR THAT PURPOSE, is

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referred to the Committee on State Government and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Haire and Rapp (Primary Sponsors):

H.B. 545, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RELEASE OR REFUND OF CERTAIN PROPERTY TAXES, is referred to the Committee on Ways and Means.

By Representatives Jeffus and Rayfield (Primary Sponsors):

H.B. 546, A BILL TO BE ENTITLED AN ACT TO AMEND THE CORPORATE LIMITS OF THE TOWN OF CASWELL BEACH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Adams and Jones (Primary Sponsors); B. Allen, Bowie, Earle, Farmer-Butterfield, Hunter, Jeffus, Luebke, Parmon, and Womble:

H.B. 547, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE INTERNATIONAL CIVIL RIGHTS CENTER AND MUSEUM, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 30, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF DALLAS TO AUTHORIZE THE BOARD OF ALDERMEN TO DELEGATE THE AUTHORITY TO SUSPEND OR REMOVE EMPLOYEES, is read the first time and referred to the Committee on Local Government II.

S.B. 123, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF CLINTON AND LUMBERTON AND THE TOWN OF FRANKLIN TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND TO DEMOLISH THOSE BUILDINGS USING THE SAME PROCESS AUTHORIZED FOR THE DEMOLITION OF UNSAFE NONRESIDENTIAL BUILDINGS, is read the first time and referred to the Committee on Local Government II.

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CALENDAR

Action is taken on the following:

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

H.R. 275, A HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO FULLY FUND SPECIAL EDUCATION.

The resolution is adopted, by electronic vote (118-0), and ordered printed.

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

H.B. 57, A BILL TO BE ENTITLED AN ACT TO ALLOW RANDOLPH COUNTY TO REAPPOINT MEMBERS OF ITS TOURISM DEVELOPMENT AUTHORITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Culpepper, seconded by Representative Pate, the House adjourns at 3:24 p.m. to reconvene March 19 at 4:00 p.m.

TWENTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 19, 2003

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

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

"God of life:

"We long for the day of which Your prophet spoke, when 'the eyes of the blind shall be opened, and the ears of the deaf unstopped; then the lame shall leap like a deer, and the tongue of the speechless sing for joy. For

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waters shall break forth in the wilderness and streams in the desert; the burning sand shall become a pool, and the thirsty ground springs of water; the haunt of jackals shall become a swamp, the grass shall become reeds and rushes.' (Isaiah 35:5-7) God, many of our youngest and best women and men now face the desert of which Your prophet spoke. May Your power break forth in our world situation that the burning desert sands may indeed become a peaceful pool where life abounds and is not ended. Be their shield.

"And God, bless the good women and men of this House with a sense of Your presence in the important work they do. May their efforts also bring 'springs of water' to the people of North Carolina. May they be refreshed and not belabored by what they are about here.

"In the name of the God of all we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 18 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Dockham, C. Johnson, and Pate for today. Representative Eddins 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 Insko and Justus, Chairs, for the Committee on Health:

H.B. 36, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW THAT AUTHORIZES THE INVOLUNTARY STERILIZATION OF PERSONS WHO ARE MENTALLY ILL OR MENTALLY RETARDED AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES, 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 Nesbitt, Chair, for the Committee on Judiciary II:

H.B. 147, A BILL TO BE ENTITLED AN ACT TO PERMIT LEFT TURNS ON RED IN CERTAIN SITUATIONS, 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 Lucas, Chair, for the Committee on Military, Veterans and Indian Affairs:

H.B. 355, A BILL TO BE ENTITLED AN ACT TO OFFICIALLY DESIGNATE THE INDIANS PREVIOUSLY RECOGNIZED IN THE GENERAL STATUTES AS THE INDIANS OF PERSON COUNTY AS SAPPONY, with a favorable report, as amended.

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. 432, A BILL TO BE ENTITLED AN ACT PROVIDING THAT STATE EMPLOYEES, PUBLIC SCHOOL EMPLOYEES, AND COMMUNITY COLLEGE EMPLOYEES MAY SHARE LEAVE VOLUNTARILY, with a favorable report.

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

By Representative Adams, Chair, for the Committee on Local Government II:

H.B. 63, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT SO THAT VACANCIES IN THE OFFICE OF SHERIFF OF RICHMOND COUNTY WILL BE FILLED IN ACCORDANCE WITH G.S. 162-5, with a favorable report.

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

H.B. 68, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SPRING LAKE TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS, 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.

H.B. 153, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S GARBAGE AND TRASH ORDINANCE, AUTHORIZING THE CITY TO TAKE REMEDIAL ACTION REGARDING THE GARBAGE AND TRASH ORDINANCE WITHOUT FURTHER NOTICE THAT CALENDAR YEAR, AND CLARIFYING THE LANGUAGE AS TO WHAT CONSTITUTES A CHRONIC VIOLATOR UNDER THE CITY'S CURRENT ORDINANCE REGARDING OVER-GROWN VEGETATION, with a favorable report.

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

H.B. 263, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF LUMBERTON TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND TO DEMOLISH THOSE BUILDINGS USING THE SAME PROCESS AUTHORIZED FOR THE DEMOLITION OF UNSAFE NONRESIDENTIAL BUILDINGS, with a favorable report.

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

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

H.B. 70, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT SO THAT THE GENERAL LAW ON DEFINITION OF A SUB-DIVISION APPLIES IN PENDER COUNTY, with a favorable report.

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

H.B. 89, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT APPLYING TO FORSYTH COUNTY CONCERNING FIRE AND RESCUE DISTRICTS, SO THE GENERAL LAW WILL APPLY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 142, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF SUNSET BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION

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CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS, with a favorable report.

On motion of Speaker Black, pursuant to Rule 38(b), the bill is referred to the Committee on Finance.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Michaux and Stam (Primary Sponsors):

H.B. 548, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STATE BOARD OF ELECTIONS TO MATCH FEDERAL FUNDS ON A NINETEEN-TO-ONE RATIO TO IMPLEMENT THE HELP AMERICA VOTE ACT OF 2002 (HAVA), SO AS TO IMPROVE ELECTION ADMINISTRATION, TO MEET THE MAINTENANCE OF EFFORT REQUIREMENTS OF HAVA, AND TO ESTABLISH THE ELECTION FUND REQUIRED BY THAT ACT, is referred to the Committee on Election Law and Campaign Finance Reform and, if favorable, to the Committee on Appropriations.

By Representatives Michaux and Stam (Primary Sponsors):

H.B. 549, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ELECTION FUND REQUIRED BY THE HELP AMERICA VOTE ACT OF 2002 (HAVA) AS A CONDITION FOR RECEIVING FEDERAL FUNDS UNDER THAT ACT, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives C. Johnson, Gorman, and Wainwright (Primary Sponsors):

H.B. 550, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF CERTAIN ROADS IN CRAVEN COUNTY, is referred to the Committee on Wildlife Resources.

By Representative Tolson:

H.B. 551, A BILL TO BE ENTITLED AN ACT TO UPDATE THE LAWS RELATING TO THE ATTENDANCE AGES AND ELIGIBILITY

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OF STUDENTS FOR NORTH CAROLINA SCHOOLS FOR THE DEAF, is referred to the Committee on Health.

By Representative McCombs:

H.B. 552, A BILL TO BE ENTITLED AN ACT RELATING TO THE 76TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McCombs:

H.B. 553, A BILL TO BE ENTITLED AN ACT RELATING TO THE 76TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McLawhorn, Church, C. Johnson, and Warren:

H.B. 554, A BILL TO BE ENTITLED AN ACT EXPANDING PERMITTED USES OF 911 FUNDS IN PITT COUNTY, is referred to the Committee on Public Utilities.

By Representatives Lewis and Hill (Primary Sponsors); Baker, Creech, Daughtridge, LaRoque, Lucas, McLawhorn, Pate, Sauls, Warren, West, and C. Wilson:

H.R. 555, A HOUSE RESOLUTION URGING CONGRESS AND THE PRESIDENT OF THE UNITED STATES 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.

By Representative Owens:

H.B. 556, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ELIZABETH CITY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Jeffus and Culp (Primary Sponsors); Adams, B. Allen, Bowie, Capps, Coates, England, Fox, Howard, Hunter, C. Johnson, Lucas, Luebke, Munford, Preston, Rapp, Rayfield, Starnes, Weiss, C. Wilson, and Womble:

H.B. 557, A BILL TO BE ENTITLED AN ACT TO INCREASE THE WELLNESS BENEFIT UNDER THE TEACHERS' AND STATE

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EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is referred to the Committee on Health.

By Representatives Dickson, Glazier, Lucas, and McAllister (Primary Sponsors):

H.B. 558, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CUMBERLAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Glazier, Lucas, McAllister, and Warner (Primary Sponsors):

H.B. 559, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CUMBERLAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Holliman and Setzer:

H.B. 560, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE ADMINISTRATIVE RULES GOVERNING LIFE INSURANCE REPLACEMENT, is referred to the Committee on Insurance.

MESSAGES FROM THE SENATE

The following is received from the Senate:

S.B. 262, A BILL TO BE ENTITLED AN ACT DIRECTING THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO STUDY INTEGRATION OF CARE FOR CHILDREN WITH MULTIPLE SYSTEM SERVICE NEEDS, 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. 235, A BILL TO BE ENTITLED AN ACT TO ALLOW A RETAILER THAT LEASES MOTOR VEHICLES AND THAT HAS PAID THE HIGHWAY USE TAX ON THE MOTOR VEHICLES TO PAY AN ADDITIONAL GROSS RECEIPTS TAX ON THE MOTOR

March 19, 2003

VEHICLES, passes its second reading, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtridg, Daughtry, Decker, Dickson, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Dockham, Eddins, C. Johnson, and Pate - 4.

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

H.B. 80 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT CERTAIN REPORTS BE MADE TO THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

S.B. 2 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN APPLICANTS FOR DRIVERS LICENSES TO SUBMIT MEDICAL CERTIFICATES FROM OUT-OF-STATE PHYSICIANS.

Committee Amendment No. 1, offered by Representative Barnhart, is before the Body.

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On motion of Representative Hill and without objection, the bill, with pending Committee Amendment No. 1, is withdrawn from the Calendar and placed on the Calendar of March 25.

S.B. 307 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET PROVISION OF THE ACT THAT STRENGTHENED THE AUTHORITY OF THE STATE VETERINARIAN TO PREVENT AND CONTROL AN OUTBREAK OF FOOT-AND-MOUTH DISEASE AND ANY OTHER CONTAGIOUS ANIMAL DISEASE, passes its second reading, by electronic vote (111-1).

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

BILL PLACED ON CALENDAR

Representative Culpepper gives notice, pursuant to Rule 36(b), and **H.B. 432**, A BILL TO BE ENTITLED AN ACT PROVIDING THAT STATE EMPLOYEES, PUBLIC SCHOOL EMPLOYEES, AND COMMUNITY COLLEGE EMPLOYEES MAY SHARE LEAVE VOLUNTARILY, is placed on today's Calendar for immediate consideration.

Representative Brubaker offers Amendment No. 1 which is adopted by electronic vote (113-0).

The bill, as amended, passes its second reading, by electronic vote (113-0), 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.

Representative Culpepper moves, seconded by Representative Dickson, that the House adjourn, subject to committee assignments, to reconvene March 20 at 1:00 p.m.

The motion carries.

ADDENDA TO COMMITTEE ASSIGNMENTS

March 19, 2003

Speaker Black makes the following committee assignments:

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AGRICULTURE: Remove Church, C. Johnson, and Owens.

ENVIRONMENT: Add Church, C. Johnson, and Owens. Church and C. Johnson will serve as Vice Chairs.

The House stands adjourned at 5:50 p.m.

THIRTIETH DAY

HOUSE OF REPRESENTATIVES
Thursday, March 20, 2003

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

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

"God, You are our refuge and strength, a very present help in trouble. Therefore we will not fear, though the earth should change, though the mountains shake in the heart of the sea...The nations are in an uproar, the kingdoms totter; [God] utters [God's] voice, the earth melts.' (Psalm 46:1,6)

"Eternal God, our only hope, our help in times of trouble: we are in need. The nations indeed are in an uproar. We pray that You would show those in power in the world ways to resolve differences without violence. Do not let threats multiply or power be used without compassion. May Your will overrule human willfulness. Bring peace to the earth.

"Protecting God, guard the brave men and women who risk themselves in battle for their country. Give them compassion for enemies who also fight for patriotic causes. And keep our sons and daughters - keep them from hate that hardens, or from scorekeeping with human lives. Though they must be at war, let them live for peace. Encourage them as they encourage one another, and never let hard duty separate them from loyalty to You. God, hold them safely close.

"And God, bless the efforts of the work done in this place today. May decisions made show forth the kind of State and society You would have us

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be. Bless all these good women and men with a sense of accomplishment and fulfillment for a job well done.

"In Your saving name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 19 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bonner, Dockham, Holmes, Saunders, Sutton, Warren, and West for today. Representatives Adams and Sauls are excused for a portion of the session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Michaux and Stam, Chairs, for the Committee on Election Law and Campaign Finance Reform:

H.B. 548, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STATE BOARD OF ELECTIONS TO MATCH FEDERAL FUNDS ON A NINETEEN-TO-ONE RATIO TO IMPLEMENT THE HELP AMERICA VOTE ACT OF 2002 (HAVA), SO AS TO IMPROVE ELECTION ADMINISTRATION, TO MEET THE MAINTENANCE OF EFFORT REQUIREMENTS OF HAVA, AND TO ESTABLISH THE ELECTION FUND REQUIRED BY THAT ACT, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Stam, Committee Amendment No. 1 is adopted by electronic vote (112-0).

The bill, as amended, is ordered engrossed and re-referred to the Committee on Appropriations.

By Representatives McLawhorn and Sexton, Chairs, for the Permanent Education Subcommittee on Community Colleges of the Standing Committee on Education, with approval of standing committee chairs for report to be made directly to the floor of the House:

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H.B. 223, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE BOARD OF COMMUNITY COLLEGES TO USE CERTAIN FUNDS TO PROVIDE FINANCIAL ASSISTANCE TO STUDENTS WITH DISABILITIES, with a favorable report.

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

H.B. 234, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICATION PROCESS FOR COMMUNITY COLLEGE STUDENTS REQUESTING FINANCIAL ASSISTANCE, with a favorable report.

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

By Representatives Decker and Pate, Chairs, for the Committee on Ways and Means:

H.B. 55, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FIRE DEPARTMENTS TO HONOR DECEASED OR RETIRING FIRE-FIGHTERS BY AWARDING THEM WITH THEIR FIRE HELMETS, 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 Nesbitt, Chair, for the Committee on Judiciary II:

H.B. 510, A BILL TO BE ENTITLED AN ACT TO INCLUDE A VIOLATION OF G.S. 20-123.2 AS A LESSER INCLUDED OFFENSE IN A SPEEDING VIOLATION, with a favorable report.

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

By Representative Hackney, Chair, for the Committee on Judiciary I:

H.B. 461, A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE INTERPRETER AND TRANSLITERATOR LICENSURE ACT, with a favorable report.

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

H.B. 475, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTE PERTAINING TO REGISTRATION OF BIRTH AND DEATH CERTIFICATES, with a favorable report.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Alexander, Carney, and Cunningham (Primary Sponsors); and Earle:

H.B. 561, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF CHARLOTTE TO ADOPT A COMMERCIAL NONDISCRIMINATION POLICY, is referred to the Committee on Local Government I.

By Representatives Alexander and Rhodes (Primary Sponsors); Cunningham and Earle:

H.B. 562, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO USE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS DURING A THREE-YEAR PILOT PROGRAM IN DESIGNATED CORRIDORS; TO AUTHORIZE THE CITY OF CHARLOTTE TO ESTABLISH CIVIL PENALTIES FOR SPEED LIMIT AND SCHOOL ZONE SPEED LIMIT VIOLATIONS; AND TO AUTHORIZE THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION AND THE SECRETARY OF CRIME CONTROL AND PUBLIC SAFETY TO APPROVE STANDARDS FOR THE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS, is referred to the Committee on Judiciary I.

By Representatives Gillespie and Gibson (Primary Sponsors):

H.B. 563, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO DEVELOP AND ISSUE A SURVEYOR SPECIAL REGISTRATION PLATE, is referred to the Committee on Finance.

By Representative Stam:

H.B. 564, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT EVIDENCE MAY ONLY BE SUPPRESSED IN A CRIMINAL TRIAL IF ITS EXCLUSION IS REQUIRED BY THE CONSTITUTION OF THE UNITED STATES, is referred to the Committee on Judiciary II.

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By Representatives Tolson and Alexander:

H.B. 565, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE EVALUATION OF THE STATE'S INFORMATION TECHNOLOGY SECURITY POLICY AND STANDARDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gibson and Tolson (Primary Sponsors):

H.B. 566, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE ADMINISTRATIVE RULE RECLASSIFICATION BY THE ENVIRONMENTAL MANAGEMENT COMMISSION OF PORTIONS OF SWIFT CREEK AND SANDY CREEK IN THE TAR-PAMLICO RIVER BASIN THAT WOULD HAVE THE EFFECT OF IMPOSING CERTAIN MANAGEMENT STRATEGIES APPLICABLE TO OUTSTANDING RESOURCE WATERS (ORW) IN THE WATERSHED OF THESE CREEKS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Allred, Barnhart, Bowie, Culp, Gorman, McHenry, Pate, Ray, West, C. Wilson, and G. Wilson:

H.B. 567, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT OUT-OF-STATE TUITION MUST BE SET AT A LEVEL TO RECOVER NOT LESS THAN THE FULL COST OF THE EDUCATION, is referred to the Committee on Education.

By Representative Hill:

H.B. 568, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BRUNSWICK, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hill:

H.B. 569, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BRUNSWICK, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bonner, Sutton, and Yongue (Primary Sponsors):

H.B. 570, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE CITY OF LUMBERTON FIREMEN'S RELIEF

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FUND AND SUPPLEMENTARY PENSION FUND, is referred to the Committee on Pensions and Retirement.

By Representative Daughtridge:

H.B. 571, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF ROCKY MOUNT TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE, is referred to the Committee on Local Government I.

By Representative L. Allen:

H.B. 572, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN AIRPORT AUTHORITIES TO ENTER INTO INSTALLMENT CONTRACTS, is referred to the Committee on Finance.

By Representative Jeffus:

H.B. 573, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GUILFORD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Jeffus:

H.B. 574, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GUILFORD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Jeffus:

H.B. 575, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF GREENSBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Jeffus:

H.B. 576, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF GREENSBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives A. Williams, Church, LaRoque, McLawhorn, Sauls, Warren, and K. Williams:

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H.B. 577, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO RETIRED LAW ENFORCEMENT OFFICERS, is referred to the Committee on Finance.

By Representative Moore:

H.B. 578, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE MANDATORY RETIREMENT AGE FOR JUDGES AND JUSTICES OF THE GENERAL COURT OF JUSTICE, is referred to the Committee on Judiciary II.

By Representative Adams:

H.B. 579, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF GREENSBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Adams:

H.B. 580, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF GREENSBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hill:

H.B. 581, A BILL TO BE ENTITLED AN ACT TO ALLOW ELECTROFISHING FOR CATFISH IN COLUMBUS COUNTY, is referred to the Committee on Wildlife Resources.

By Representative West:

H.B. 582, A BILL TO BE ENTITLED AN ACT AUTHORIZING CLAY COUNTY TO ENGAGE IN JOINT DEVELOPMENT ACTIVITIES WITH A CONTIGUOUS COUNTY IN AN ADJOINING STATE, is referred to the Committee on Local Government II.

By Representative Wainwright:

H.B. 583, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE AND LOCAL GOVERNMENT AGENCIES THAT ACQUIRE LAND FOR WETLANDS MITIGATION TO REIMBURSE THE COUNTY IN

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WHICH THE LAND IS LOCATED FOR ITS LOST TAXES DUE TO THE ACQUISITION, is referred to the Committee on Environment and Natural Resources.

By Representative Lucas:

H.B. 584, A BILL TO BE ENTITLED AN ACT RELATING TO THE 42ND HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Lucas:

H.B. 585, A BILL TO BE ENTITLED AN ACT RELATING TO THE 42ND HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Lucas, McAllister, Warner, and Dickson (Primary Sponsors):

H.B. 586, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CUMBERLAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

SUBCOMMITTEE REFERRALS

Representatives Bonner, Hilton, Warner and Wood, Chairs, for the Standing Committee on Education, refer the following bills to the Education Subcommittee on Pre-School, Elementary and Secondary Education:

H.B. 60, A BILL TO BE ENTITLED AN ACT TO GIVE CERTAIN LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER.

H.B. 102, A BILL TO BE ENTITLED AN ACT TO GIVE THE ALAMANCE-BURLINGTON BOARD OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER.

H.B. 194, A BILL TO BE ENTITLED AN ACT TO GIVE THE CLEVELAND COUNTY, KINGS MOUNTAIN CITY, AND SHELBY CITY SCHOOL BOARDS ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER.

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Representatives Bonner, Hilton, Warner and Wood, Chairs, for the Standing Committee on Education, refer **H.B. 506**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STUDENT MEMBER OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA SHALL HAVE THE SAME RIGHT TO VOTE AS ALL OTHER MEMBERS, to the Education Subcommittee on Universities.

CALENDAR

Action is taken on the following:

S.B. 235, A BILL TO BE ENTITLED AN ACT TO ALLOW A RETAILER THAT LEASES MOTOR VEHICLES AND THAT HAS PAID THE HIGHWAY USE TAX ON THE MOTOR VEHICLES TO PAY AN ADDITIONAL GROSS RECEIPTS TAX ON THE MOTOR VEHICLES, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Hunter, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Tolson, Wainwright, Walend, Walker, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Adams, Bonner, Dockham, Holmes, Saunders, Sutton, Warren, and West - 8.

S.B. 307 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET PROVISION OF THE ACT THAT STRENGTHENED THE AUTHORITY OF THE STATE VETERINARIAN TO PREVENT AND CONTROL AN OUTBREAK OF FOOT-AND-MOUTH DISEASE AND ANY OTHER CONTAGIOUS ANIMAL

March 20, 2003

DISEASE, passes its third reading, by electronic vote (110-0), and is ordered enrolled and presented to the Governor.

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

H.B. 340 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER, passes its second reading, by electronic vote (94-13), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Culpepper, seconded by Representative Munford, the House adjourns at 2:16 p.m. to reconvene Monday, March 24, 2003, at 6:00 p.m.

THIRTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Monday, March 24, 2003

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by Speaker Morgan.

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

"God of the ages:

"In Your sight nations rise and fall, and pass through times of peril. Now when our land is troubled, be near to judge and save. As we see unprecedented media coverage of events in Iraq, remind us that we are not watching another war movie or playing a new video game. There are real lives involved in what we see and hear. Bless President Bush, his staff and advisors in the tough decisions they have before them each day. Give to them wisdom, compassion and a will for peace in the world. And may all the world's leaders be given to understand that their decisions mean life and death for many. God, bring an end to conflict and danger.

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"God, we know that You hold all life in the palm of Your hand. There are those who have placed their life on the line for us. Be protector of the women and men of our Armed Services and of all who in good conscience serve their country. With heavy hearts we pray for those who will not return whole and for the families of those who will not return at all.

"God, as we are about the work of this place this week, hold before us the lives that legislation here at home touches. May each word of debate and every vote taken by this Body be a blessing to the people of this State.

"In Your protective name we pray. Amen."

Speaker Morgan leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 20 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives L. Allen, Carney, Dockham, Nesbitt, Rhodes, Stiller, and Wright for today. Representatives Fox and L. Johnson are excused for a portion of the session.

ENROLLED BILLS

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

S.B. 235, AN ACT TO ALLOW A RETAILER THAT LEASES MOTOR VEHICLES AND THAT HAS PAID THE HIGHWAY USE TAX ON THE MOTOR VEHICLES TO PAY AN ADDITIONAL GROSS RECEIPTS TAX ON THE MOTOR VEHICLES.

S.B. 307, AN ACT TO EXTEND THE SUNSET PROVISION OF THE ACT THAT STRENGTHENED THE AUTHORITY OF THE STATE VETERINARIAN TO PREVENT AND CONTROL AN OUTBREAK OF FOOT-AND-MOUTH DISEASE AND ANY OTHER CONTAGIOUS ANIMAL DISEASE.

SPECIAL MESSAGE FROM THE SENATE

2003 GENERAL ASSEMBLY FIRST SESSION

March 24, 2003

Senate Chamber
March 20, 2003

Mr. Speaker:

On Monday night, March 24, the Senate will be discussing **S.J.R. 225** (Committee Substitute), A JOINT RESOLUTION HONORING THE MEMORY OF PAST MILITARY LEADERS RICHARD CASWELL, FRANCIS NASH, SAMSON L. FAISON, AND EDSON D. RAFF AND EXPRESSING SUPPORT FOR THE ARMED SERVICES FIGHTING THE WAR AGAINST TERRORISM. We have invited Commanders of the Military Bases in North Carolina and other special guests to the session.

The members of the House of Representatives are cordially invited to attend the session which convenes at 7:00 P.M.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Tolson, Yongue, Preston, and L. Johnson (Primary Sponsors):

H.B. 587, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO THE COMMUNITY COLLEGE SYSTEM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Tolson, Yongue, Preston, and L. Johnson (Primary Sponsors):

H.B. 588, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO THE COMMUNITY COLLEGE SYSTEM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative L. Allen:

H.B. 589, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WARREN, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Miner:

H.B. 590, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAKE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Miner:

H.B. 591, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAKE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Miner:

H.B. 592, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAKE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Miner:

H.B. 593, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAKE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative L. Allen:

H.B. 594, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF FRANKLIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative L. Allen:

H.B. 595, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HALIFAX, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Starnes:

H.B. 596, A BILL TO BE ENTITLED AN ACT TO PROHIBIT INSURERS FROM BASING STANDARDS OR RATING PLANS FOR PRIVATE PASSENGER MOTOR VEHICLES ON THE CREDIT HISTORY OR RATING OF PERSONS INSURED, is referred to the Committee on Insurance.

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By Representative Hall:

H.B. 597, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS, is referred to the Committee on Finance.

By Representative Hall:

H.B. 598, 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 Hall:

H.B. 599, A BILL TO BE ENTITLED AN ACT REQUIRING CITIES TO PAY A SHARE OF THE PAYMENT DUE ON DEBT RELATING TO FACILITIES OR EQUIPMENT INCURRED BY MUNICIPAL FIRE DEPARTMENTS AND MUNICIPAL VOLUNTEER FIRE DEPARTMENTS WHEN THE CITIES ANNEX CERTAIN AREAS SERVED BY THE FIRE DEPARTMENTS, is referred to the Committee on Ways and Means.

By Representative Hall:

H.B. 600, A BILL TO BE ENTITLED AN ACT ALLOWING A PORTION OF THE MONEY IN THE EMERGENCY TELEPHONE SYSTEM FUND TO BE USED FOR PURPOSES OTHER THAN EQUIPMENT AND RATES ASSOCIATED WITH SUPPLIER SERVICE, is referred to the Committee on Public Utilities.

By Representatives Glazier and Ross (Primary Sponsors); Bordsen, Bowie, Carney, Gibson, Jones, Lucas, Parmon, Rapp, Wood, and Yongue:

H.B. 601, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE EARLY ENTRY OF MOTIVATED STUDENTS INTO FOUR-YEAR COLLEGE PROGRAMS, is referred to the Committee on Education.

By Representatives Owens and Culpepper (Primary Sponsors):

H.B. 602, A BILL TO BE ENTITLED AN ACT TO EXPAND THE WORTHLESS CHECK PROGRAM TO ADDITIONAL COUNTIES, is referred to the Committee on Judiciary IV.

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By Representatives B. Allen, Munford, and Stam (Primary Sponsors); Adams, Bonner, Capps, Farmer-Butterfield, Jones, Luebke, McAllister, Miller, Weiss, and Womble:

H.B. 603, A BILL TO BE ENTITLED AN ACT TO AMEND THE ALCOHOLIC BEVERAGE CONTROL LAWS RELATING TO LOCAL AUTHORITY, is referred to the Committee on Alcoholic Beverage Control.

By Representatives B. Allen, Munford, Ross, and Stam (Primary Sponsors); Adams, Bell, Bonner, Capps, Farmer-Butterfield, Jones, Luebke, McAllister, Miller, Parmon, and Weiss:

H.B. 604, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RELATIONSHIP BETWEEN LOCAL AND STATE CONTROL OF ALCOHOLIC BEVERAGE CONTROL REGULATION, is referred to the Committee on Alcoholic Beverage Control.

By Representatives B. Allen, Adams, Bell, Bonner, Capps, Cunningham, Glazier, Jones, Lucas, McAllister, Michaux, Parmon, Stam, and Womble:

H.B. 605, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT DECISIONS BY LOCAL BOARDS OF EDUCATION ON STUDENT ASSIGNMENT ARE NOT AFFECTED BY CONTRIBUTIONS TO THE SCHOOLS, is referred to the Committee on Education.

By Representatives B. Allen and Ross (Primary Sponsors); Adams, Bell, Bonner, Capps, Carney, Cunningham, Earle, Farmer-Butterfield, Goodwin, Gorman, Hall, Hunter, Jones, Lucas, Luebke, McAllister, Michaux, Munford, Parmon, Stam, Weiss, and Womble:

H.J.R. 606, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CLARENCE LIGHTNER, PROMINENT CIVIC LEADER, POLITICIAN, AND BUSINESSMAN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Capps:

H.B. 607, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAKE, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Capps:

H.B. 608, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF RALEIGH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Baker:

H.B. 609, A BILL TO BE ENTITLED AN ACT TO ENHANCE SAFETY LAWS PERTAINING TO THE ELEVATOR AND AMUSEMENT DEVICE ACTS OF NORTH CAROLINA, is referred to the Committee on Occupational Safety and Health.

By Representatives Bonner and Yongue:

H.B. 610, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF ROWLAND TO EXTEND ITS EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES BEYOND ITS PRIMARY CORPORATE LIMITS, is referred to the Committee on Local Government II.

By Representative Stiller:

H.B. 611, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF OAK ISLAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Stiller:

H.B. 612, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF CAROLINA BEACH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Stiller:

H.B. 613, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF KURE BEACH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Stiller:

H.B. 614, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF OCEAN ISLE BEACH, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Stiller:

H.B. 615, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF HOLDEN BEACH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Stiller:

H.B. 616, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF SOUTHPORT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Bordsen:

H.B. 617, A BILL TO BE ENTITLED AN ACT RELATING TO THE 63RD HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Bordsen:

H.B. 618, A BILL TO BE ENTITLED AN ACT RELATING TO THE 63RD HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Owens:

H.B. 619, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CURRITUCK, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Owens:

H.B. 620, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GATES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Owens:

H.B. 621, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CAMDEN, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Owens:

H.B. 622, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PASQUOTANK, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bowie, Luebke, and McAllister (Primary Sponsors); Adams, Hunter, L. Johnson, Michaux, Parmon, Rayfield, and A. Williams:

H.B. 623, A BILL TO BE ENTITLED AN ACT TO LIMIT USE OF HANDHELD PHONES WHILE DRIVING, is referred to the Committee on Judiciary IV.

By Representative Nesbitt:

H.B. 624, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ASHEVILLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nesbitt:

H.B. 625, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BUNCOMBE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Adams, Bowie, Jeffus, and Jones (Primary Sponsors):

H.B. 626, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF GREENSBORO AND THE PIEDMONT TRIAD INTERNATIONAL AIRPORT ADMINISTRATION TO AMEND THE BOUNDARIES OF CERTAIN TERRITORY THAT CANNOT BE ANNEXED BY THE CITY UNDER GENERAL LAW, is referred to the Committee on Local Government II.

By Representatives Adams, Bowie, Jeffus, and Jones (Primary Sponsors):

H.B. 627, 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 II.

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By Representatives Adams, Bowie, Jeffus, and Jones (Primary Sponsors):

H.B. 628, A BILL TO BE ENTITLED AN ACT AUTHORIZING CERTAIN MUNICIPALITIES TO REQUIRE OWNERS TO REPAIR RESIDENTIAL PROPERTY DETERMINED UNFIT FOR HUMAN HABITATION UNDER THE MUNICIPALITIES' MINIMUM HOUSING CODES INSTEAD OF VACATING AND CLOSING THE PROPERTY, is referred to the Committee on Ways and Means.

By Representative Barbee:

H.B. 629, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF UNION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Barbee:

H.B. 630, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF UNION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Howard, Adams, Alexander, Clary, Coates, Farmer-Butterfield, Grady, Holliman, L. Johnson, Jones, Luebke, McAllister, McLawhorn, Michaux, Ross, Sherrill, Warren, and Weiss:

H.B. 631, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE SCHOOL BREAKFAST PROGRAM, is referred to the Committee on Appropriations.

By Representatives Luebke and Miller (Primary Sponsors):

H.B. 632, A BILL TO BE ENTITLED AN ACT TO ALLOW DURHAM COUNTY TO IMPOSE IMPACT FEES FOR SCHOOLS, is referred to the Committee on Finance.

By Representatives Luebke and Miller (Primary Sponsors):

H.B. 633, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DURHAM COUNTY TO LEVY A TAX ON LAND DEVELOPMENT TO PAY PART OF THE COSTS OF SCHOOL CAPITAL FACILITIES, is referred to the Committee on Finance.

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By Representative Hunter:

H.B. 634, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LOCAL CORE AND ESSENTIAL PUBLIC HEALTH SERVICES, INCLUDING A DEMONSTRATION PROJECT IN PRE-DOMINANTLY TIER ONE COUNTIES, is referred to the Committee on Appropriations.

By Representative Rayfield:

H.B. 635, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE POSTING OF SIGNS WHEN AN INVISIBLE FENCE PET CONTAINMENT SYSTEM IS INSTALLED ON PROPERTY, is referred to the Committee on Judiciary III.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 33 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE RECIPROCAL CONCEALED HANDGUN RIGHTS TO CONCEALED HANDGUN PERMIT HOLDERS OF OTHER STATES, is read the first time and referred to the Committee on Judiciary III.

S.B. 274, A BILL TO BE ENTITLED AN ACT TO MAKE A CONFORMING STATUTORY CHANGE CONCERNING THE ORGANIZATIONAL SESSION IF THE SESSION LIMITS CONSTITUTIONAL AMENDMENT IS APPROVED BY THE VOTERS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.J.R. 327, 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.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Brubaker and Saunders, Chairs, for the Committee on Public Utilities:

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H.B. 356, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE LAW PROVIDING THAT CERTAIN SECONDARY SUPPLIERS OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, ALLOWING THE MEMBERS OF AN ELECTRIC MEMBERSHIP CORPORATION TO VOTE BY PROXY ON DECISIONS TO ENCUMBER CORPORATE PROPERTY OR TO DISSOLVE THE CORPORATION, AND MAKING TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 25.

CALENDAR

Action is taken on the following:

H.B. 63, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT SO THAT VACANCIES IN THE OFFICE OF SHERIFF OF RICHMOND COUNTY WILL BE FILLED IN ACCORDANCE WITH G.S. 162-5, 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. 68 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SPRING LAKE AND THE CITY OF NEWTON TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS, 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. 70, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT SO THAT THE GENERAL LAW ON DEFINITION OF A SUB-DIVISION APPLIES IN PENDER 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. 153, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S GARBAGE AND TRASH ORDINANCE, AUTHORIZING THE CITY TO TAKE REMEDIAL ACTION REGARDING

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THE GARBAGE AND TRASH ORDINANCE WITHOUT FURTHER NOTICE THAT CALENDAR YEAR, AND CLARIFYING THE LANGUAGE AS TO WHAT CONSTITUTES A CHRONIC VIOLATOR UNDER THE CITY'S CURRENT ORDINANCE REGARDING OVERGROWN VEGETATION, 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. 263, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF LUMBERTON TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND TO DEMOLISH THOSE BUILDINGS USING THE SAME PROCESS AUTHORIZED FOR THE DEMOLITION OF UNSAFE NONRESIDENTIAL BUILDINGS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 320, 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.

On motion of Representative McComas and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of March 25.

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

H.B. 42 (Committee Substitute), A BILL TO BE ENTITLED AN ACT MODIFYING THE FELONY AND MISDEMEANOR OFFENSES RELATED TO CONDUCTING CERTAIN UNAUTHORIZED SOUND AND VIDEO RECORDINGS, passes its second reading, by electronic vote (100-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 304 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT CONVICTED OF MISDEMEANOR STALKING WHO IS SENTENCED TO A COMMUNITY PUNISHMENT SHALL BE PLACED ON SUPERVISED PROBATION

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IN ADDITION TO ANY OTHER PUNISHMENT IMPOSED BY THE COURT, passes its second reading, by electronic vote (101-1), and there being no objection is read a third time.

Representative Womble 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 (102-0).

The bill passes its third reading and is ordered sent to the Senate.

INTRODUCTION OF PAGES

Pages for the week of March 24 are introduced to the membership. They are: Chris DeWitt of Wake; Phillip Ingram of Forsyth; David Gouch of Harnett; Heaven Gouch of Harnett; Anthony Rouen of Mecklenburg; Johnathon Stowe of Forsyth; Christopher Sykes of Wayne; Michael Taylor of Pender; Alan Teitleman of Union; and Justin Tucker of Wake.

On motion of Representative Culpepper, seconded by Representative Ross, the House adjourns at 6:34 p.m. to reconvene March 25 at 3:00 p.m.

THIRTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 25, 2003

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by Speaker Black.

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

"O beautiful for heroes proved in liberating strife, who more than self their country loved, and mercy more than life!"

"God, the media pictures are coming in and we see them plainly. We are a Nation at war whose prayer is for peace. Our young and brave are at risk for the cause of freedom. May we who are at home not take that freedom nor those men and women who face injury, captivity, even death, for granted. To President Bush and all world leaders making decisions, be their guide. To those facing hostile forces, be their shield. To those

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captured, be their strength. To the families of those who have died, be their comfort.

"And God, may the work these leaders do in our beloved homeland show forth the values of a free people who are grateful to You for the blessings of living in this land and our State.

"In Your saving name we pray. Amen."

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

A leave of absence is granted Representative McMahan for today. Representative Miller 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 Michaux and Stam, Chairs, for the Committee on Election Law and Campaign Finance Reform:

H.B. 549, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ELECTION FUND REQUIRED BY THE HELP AMERICA VOTE ACT OF 2002 (HAVA) AS A CONDITION FOR RECEIVING FEDERAL FUNDS UNDER THAT ACT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 26.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Munford, Glazier, LaRoque, McHenry, McMahan, Moore, Ross, Setzer, Stam, and Stiller:

H.B. 636, A BILL TO BE ENTITLED AN ACT TO GIVE EFFECT TO ELECTRONIC JUDGMENT DOCKETS BY MODERNIZING LAWS REGARDING JUDGMENTS AND REESTABLISHING THE EFFECTIVE DATE OF CIVIL JUDGMENT LIENS AND THE DATE FROM WHICH

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INTEREST ACCRUES ON JUDGMENTS, is referred to the Committee on Judiciary IV.

By Representatives Munford, Glazier, Haire, LaRoque, McMahan, Moore, Ross, Sauls, Setzer, Stam, and Stiller:

H.B. 637, A BILL TO BE ENTITLED AN ACT TO PERMIT THE SETTLOR OF A REVOCABLE TRUST TO RELIEVE THE TRUSTEE OF DUTIES, RESTRICTIONS, AND LIABILITIES IMPOSED BY THE UNIFORM TRUSTS ACT, is referred to the Committee on Judiciary IV.

By Representative Daughtridge:

H.B. 638, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO NASH COUNTY FOR THE DEVELOPMENT OF A FARMERS MARKET, is referred to the Committee on Appropriations.

By Representative Daughtridge:

H.B. 639, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO NASH COUNTY TO IMPROVE SECURITY AT THE COURT-HOUSE, is referred to the Committee on Appropriations.

By Representatives Clary and Barnhart (Primary Sponsors); Culp, Frye, Hilton, Justice, McCombs, Pate, Ray, Rayfield, Sauls, Setzer, and Walend:

H.B. 640, A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE COUNTY SHARE OF THE NONFEDERAL SHARE OF MEDICAL ASSISTANCE PROGRAM COSTS, is referred to the Committee on Appropriations.

By Representatives Clary and Barnhart (Primary Sponsors); Culp, Frye, Hilton, Justice, McCombs, Pate, Ray, Rayfield, Setzer, and Walend:

H.B. 641, A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE COUNTY SHARE OF THE COSTS OF THE STATE-COUNTY SPECIAL ASSISTANCE PROGRAM, is referred to the Committee on Appropriations.

By Representatives Wood and Hilton:

H.B. 642, A BILL TO BE ENTITLED AN ACT TO PROVIDE EFFECTIVE CONSCIENCE PROTECTION IN THE INSURANCE LAW PERTAINING TO COVERAGE FOR PRESCRIPTION CONTRACEPTIVE

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DRUGS OR DEVICES AND FOR OUTPATIENT CONTRACEPTIVE SERVICES, is referred to the Committee on Health.

By Representatives L. Allen and Luebke:

H.B. 643, A BILL TO BE ENTITLED AN ACT TO REQUIRE RAILROAD CORPORATIONS TO PAY SOME NONBETTERMENT COSTS FOR THE MOVEMENT OF UTILITIES, is referred to the Committee on Public Utilities.

By Representative L. Allen:

H.B. 644, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE AVIATION DIVISION OF THE DEPARTMENT OF TRANSPORTATION FOR A HALIFAX-NORTHAMPTON AIRPORT AUTHORITY LOCAL MATCH, is referred to the Committee on Appropriations.

By Representative Owens:

H.B. 645, A BILL TO BE ENTITLED AN ACT PROVIDING THAT NO GOVERNMENT ENTITY OUTSIDE OF CURRITUCK COUNTY MAY ANNEX ANY PORTION OF CURRITUCK COUNTY INTO ANY GOVERNMENT ENTITY THAT EXISTS IN WHOLE OR IN PART IN CURRITUCK COUNTY, is referred to the Committee on Local Government I.

By Representative Owens:

H.B. 646, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF CHOOSING THE MEMBERS OF THE CURRITUCK COUNTY GAME COMMISSION, is referred to the Committee on Wildlife Resources.

By Representative Weiss:

H.B. 647, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF CARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Weiss:

H.B. 648, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF CARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Wood, Bowie, and Jones (By Request) (Primary Sponsors); and Jeffus:

H.B. 649, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AND TRANSPORTATION NEEDS OF THE INTERNATIONAL HOME FURNISHINGS MARKET, is referred to the Committee on Appropriations.

By Representatives Crawford, Luebke, Michaux, and Miller (Primary Sponsors):

H.B. 650, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY TO ANNEX STREETS THAT ARE CONTIGUOUS ON BOTH SIDES OF PROPERTY LOCATED WITHIN THE CITY LIMITS, is referred to the Committee on Finance.

By Representatives Crawford, Luebke, Michaux, and Miller (Primary Sponsors):

H.B. 651, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY MANAGER TO MAKE DECISIONS REGARDING ROUTINE TRAFFIC CONTROL MEASURES, is referred to the Committee on Transportation.

By Representative Alexander:

H.B. 652, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN EXEMPTION FROM CERTAIN STATUTORY REQUIREMENTS FOR LAND ACQUISITION BY MECKLENBURG COUNTY FOR LEASE TO CENTRAL PIEDMONT COMMUNITY COLLEGE, is referred to the Committee on Local Government I.

By Representative Alexander:

H.B. 653, A BILL TO BE ENTITLED AN ACT TO INCREASE AND ADJUST FEES IN THE GENERAL COURT OF JUSTICE, is referred to the Committee on Finance.

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

H.B. 654, A BILL TO BE ENTITLED AN ACT TO REQUIRE PARITY IN HEALTH INSURANCE COVERAGE FOR MENTAL ILLNESS AND CHEMICAL DEPENDENCY, is referred to the Committee on Insurance.

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By Representative Culpepper:

H.B. 655, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE ON A PORTION OF PEMBROKE CREEK IN CHOWAN COUNTY, is referred to the Committee on Wildlife Resources.

By Representative Culpepper:

H.B. 656, A BILL TO BE ENTITLED AN ACT TO AMEND THE TRUST ADMINISTRATION ACT, is referred to the Committee on Judiciary IV.

By Representative Culpepper:

H.B. 657, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PURCHASE OF RECYCLED PRODUCTS AND PRESERVE OUR STATE'S NATURAL RESOURCES BY REQUIRING STATE AGENCIES PURCHASE ONLY RECYCLED STEEL IF CERTAIN CONDITIONS ARE SATISFIED, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nye and Warren:

H.B. 658, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NATIONAL GUARD TARHEEL CHALLENGE PROGRAM, is referred to the Committee on Appropriations.

By Representatives Nye and Warren:

H.B. 659, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE RATE PAID TO ADULT CARE HOMES UNDER THE STATE-COUNTY SPECIAL ASSISTANCE PROGRAM, is referred to the Committee on Appropriations.

By Representatives Nye and Warren:

H.B. 660, 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, is referred to the Committee on Appropriations.

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By Representative Insko:

H.B. 661, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE "ALTERNATIVE FUEL VEHICLE" SPECIAL REGISTRATION PLATES, is referred to the Committee on Finance.

By Representatives Insko and Hackney (Primary Sponsors):

H.B. 662, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO CREATE SPECIAL TAX DISTRICTS TO UNDERGROUND ELECTRIC UTILITY LINES, is referred to the Committee on Finance.

By Representatives Insko and Luebke:

H.B. 663, A BILL TO BE ENTITLED AN ACT TO PROMOTE A HEALTHY TEACHING AND LEARNING ENVIRONMENT BY PROVIDING FOR PUBLIC SCHOOLS TO BE TOBACCO-FREE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko and Glazier (Primary Sponsors):

H.B. 664, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL REVENUE OPTIONS FOR LOCAL GOVERNMENTS, is referred to the Committee on Finance.

By Representative Miller:

H.B. 665, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DUTIES OF THE BOARD OF SCIENCE AND TECHNOLOGY, is referred to the Committee on Science and Technology.

CALENDAR

Action is taken on the following:

H.B. 320, 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, passes its second reading, by the following vote, and remains on the Calendar.

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Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: Representatives Creech, Ellis, Goforth, and Stam - 4.

Excused absence: Representative McMahan.

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

H.B. 55 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FIRE DEPARTMENTS TO HONOR RETIRING OR DECEASED FIREFIGHTERS BY AWARDED THEIR FIRE HELMETS TO THEM OR TO A SURVIVING RELATIVE, passes its second reading, by the following vote, and there being no objection is read a third time.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner,

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Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 117.

Voting in the negative: None.

Excused absence: Representative McMahan.

Pursuant to Rule 20(a)(2), the bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 116.

Voting in the negative: None.

Excused absence: Representative McMahan.

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

H.B. 223, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE BOARD OF COMMUNITY COLLEGES TO USE CERTAIN FUNDS TO PROVIDE FINANCIAL ASSISTANCE TO STUDENTS WITH DISABILITIES, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 234, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICATION PROCESS FOR COMMUNITY COLLEGE STUDENTS

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REQUESTING FINANCIAL ASSISTANCE, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 355, A BILL TO BE ENTITLED AN ACT TO OFFICIALLY DESIGNATE THE INDIANS PREVIOUSLY RECOGNIZED IN THE GENERAL STATUTES AS THE INDIANS OF PERSON COUNTY AS SAPPONY.

On motion of Representative Sutton, Committee Amendment No. 1 is adopted by electronic vote (118-0).

The bill, as amended, passes its second reading, by electronic vote (117-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 356, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE LAW PROVIDING THAT CERTAIN SECONDARY SUPPLIERS OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, ALLOWING THE MEMBERS OF AN ELECTRIC MEMBERSHIP CORPORATION TO VOTE BY PROXY ON DECISIONS TO ENCUMBER CORPORATE PROPERTY OR TO DISSOLVE THE CORPORATION, AND MAKING TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

The bill passes its third reading, by electronic vote (110-0), and is ordered sent to the Senate.

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

H.B. 461, A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE INTERPRETER AND TRANSLITERATOR LICENSURE ACT, passes its second reading, by electronic vote (118-0), 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.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 237, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO SUPPORT NURSING SCHOLARSHIPS IN NORTH CAROLINA, 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 March 26. The original bill is placed on the Unfavorable Calendar.

H.B. 482, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE AN ALPHA KAPPA ALPHA SORORITY SPECIAL REGISTRATION PLATE, 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 March 26. The original bill is placed on the Unfavorable Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), **H.B. 147** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT LEFT TURNS ON RED IN CERTAIN SITUATIONS, is withdrawn from the Calendar pursuant to Rule 36(b) 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. 475, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTE PERTAINING TO REGISTRATION OF BIRTH AND DEATH

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CERTIFICATES, 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. 510, A BILL TO BE ENTITLED AN ACT TO INCLUDE A VIOLATION OF G.S. 20-123.2 AS A LESSER INCLUDED OFFENSE IN A SPEEDING VIOLATION, passes its second reading, by electronic vote (104-13).

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

S.B. 2 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN APPLICANTS FOR DRIVERS LICENSES TO SUBMIT MEDICAL CERTIFICATES FROM OUT-OF-STATE PHYSICIANS, with Committee Amendment No. 1 pending, is before the Body.

Without objection, Representative Barnhart withdraws Committee Amendment No. 1.

Representative Haire offers Amendment No. 2.

On motion of Speaker Black, the bill with pending amendment is temporarily displaced.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

H.B. 382, A BILL TO BE ENTITLED AN ACT TO ALLOW DISTRICT COURT JUDGES TO PERFORM MARRIAGE CEREMONIES, 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.

Representative Culpepper gives notice pursuant to Rule 36(b) and places the bill on today's Calendar for immediate consideration.

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Representative Tolson moves that the House concur in the Senate amendment.

The motion to concur fails by electronic vote (15-100).

Representative Rapp requests and is granted permission to be recorded as voting "no". The adjusted vote total is (15-101).

CALENDAR (continued)

S.B. 2 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN APPLICANTS FOR DRIVERS LICENSES TO SUBMIT MEDICAL CERTIFICATES FROM OUT-OF-STATE PHYSICIANS, which was temporarily displaced with Amendment No. 2 pending, is before the Body.

Representative Sherrill offers perfecting Amendment No 3.

On motion of Representative Culpepper and without objection, the bill, with pending amendments, is withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

CONFEREES APPOINTED

Speaker Black announces the following conferees on **H.B. 382**, A BILL TO BE ENTITLED AN ACT TO ALLOW DISTRICT COURT JUDGES TO PERFORM MARRIAGE CEREMONIES: Representative Tolson, Chair; Representatives Haire, Sutton, and Brubaker.

The Senate is so notified by Special Message.

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 208**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROMPT PAY LAW TO CLARIFY THAT A "CLAIMANT" UNDER THE LAW INCLUDES "AN INSURED"; THAT THIRTY DAYS REFERENCES ARE TO THIRTY "CALENDAR" DAYS; THAT THE NINETY-DAY DEADLINE FOR RESPONDING TO ADDITIONAL INFORMATION REQUESTS FROM AN INSURER ONLY APPLIES TO CLAIMS NOT ALREADY DENIED; TO REQUIRE, UNDER THE PROMPT PAY LAWS, A STATUS REPORT WHEN CLAIMS ARE NOT PAID OR DENIED WITHIN SIXTY DAYS EVEN WHEN THE INSURER IS AWAITING INFORMATION REQUESTED FROM THE

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CLAIMANT; TO REMOVE FROM THE UNIFORM CREDENTIALING STATUTE AN UNNECESSARY PROVISION; AND TO AMEND UTILIZATION REVIEW LAWS TO CLARIFY THAT A SECOND-LEVEL GRIEVANCE REVIEW PANEL CAN CONSIST OF ONE OR MORE PERSONS, is withdrawn from the Committee on Health and referred to the Committee on Insurance.

On motion of Representative Culpepper, seconded by Representative Weiss, the House adjourns at 4:52 p.m. to reconvene March 26 at 3:00 p.m.

THIRTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 26, 2003

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by Speaker Morgan.

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

"God of all power:

"O that You would tear open the heavens and come down, so that the mountains would quake at Your presence - as when fire kindles brushwood and the fire causes water to boil - to make Your name known to Your adversaries, so that the nations might tremble at Your presence!" (Isaiah 64:1-2)

"In the light of the events of our world, O God, we tremble, but we confess it is not at Your power. Standing before You, what we are about in our daily lives seems so trivial. Considering the efforts like those of the men and women serving in Iraq, our lives seem to pale into unimportance. Yet it is because of their efforts that we are able to enjoy what is here at home. Make us ever appreciative, O God, for their hard work, bravery, and devotion to this land. That is what makes us a great Nation. Be their shield.

"God of compassion, we lift to You today Representative Warner's mother and all of those who have special need of Your touch in their lives.

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"And God, though the work accomplished here may not make mountains quake or even water to boil, it does affect many lives. May the efforts of these devoted women and men make life better for those whom it touches in our State. May it contribute to a peace that spreads through the world.

"In Your awesome power we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 25 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative G. Allen for today. Representative Miller is excused for a portion of the session.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Sutton and Cole:

H.B. 666, A BILL TO BE ENTITLED AN ACT TO SET THE COMPENSATION PAID BY THE DIVISION OF MOTOR VEHICLES TO CONTRACT AGENCIES, is referred to the Committee on Transportation.

By Representatives Sutton, Bonner, Church, Cole, Crawford, Culpepper, Decker, Earle, Fox, Gibson, Glazier, Goodwin, Haire, Hall, Harrell, Lucas, McLawhorn, Nye, Saunders, Tolson, Warren, and Yongue:

H.R. 667, A HOUSE RESOLUTION HONORING THE MEMORY OF JIM THORPE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wright:

H.B. 668, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CITY OF WILMINGTON AND NEW HANOVER COUNTY BEACH TOWNS OCCUPANCY TAX ACTS, is referred to the Committee on Local Government II.

By Representative Wright:

H.B. 669, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF A "PRIMARY CARE HOSPITAL" TO REFLECT FEDERAL REQUIREMENTS, is referred to the Committee on Health.

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By Representatives K. Williams, Sauls, Hill and A. Williams (Primary Sponsors); Baker, Blackwood, Blust, Brubaker, Daughtridge, Eddins, Ellis, Frye, Gorman, Hilton, L. Johnson, Justice, Lewis, McGee, McHenry, Munford, Preston, Setzer, Sexton, Stiller, Walker, and West:

H.B. 670, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENT FOR THE USE OF HELMETS BY OPERATORS AND PASSENGERS ON MOTORCYCLES AND TO ADJUST THE FEE ON PRIVATE MOTORCYCLE REGISTRATIONS IN ORDER TO PROVIDE ADDITIONAL FUNDS FOR THE MOTORCYCLE SAFETY PROGRAM, is referred to the Committee on Judiciary III, and, if favorable, to the Committee on Finance.

By Representative Barbee:

H.B. 671, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF STANLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Barbee:

H.B. 672, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF STANLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Frye:

H.B. 673, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF AVERY TO ESTABLISH AN AVERY COUNTY FIRE COMMISSION, is referred to the Committee on Ways and Means.

By Representatives Luebke, Michaux, Miller, and Crawford (Primary Sponsors):

H.B. 674, A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF THE DURHAM NORTHERN LOOP, is referred to the Committee on Transportation.

By Representative Luebke:

H.B. 675, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ZONING LAWS OF THE CITY OF DURHAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Luebke, Michaux, and Miller (Primary Sponsors):

H.B. 676, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IF A COUNTY CHOOSES TO EXTEND HEALTH AND OTHER FRINGE BENEFITS TO PERSONS NOT RELATED BY BLOOD OR MARRIAGE TO THE EMPLOYEE OR RETIREE, IT MAY NOT DENY SUCH BENEFITS BASED ON SUCH STATUS WHICH IS NOT IN ITSELF UNLAWFUL, is referred to the Committee on Judiciary I.

By Representatives Rayfield, Adams, B. Allen, Barbee, Barnhart, Blackwood, Blust, Bowie, Culp, Cunningham, Daughtride, Daughtry, Eddins, Farmer-Butterfield, Gillespie, Gulley, Hilton, Howard, Hunter, Jeffus, L. Johnson, Jones, LaRoque, Lewis, McAllister, McCombs, McGee, McHenry, McMahan, Miller, Mitchell, Moore, Parmon, Preston, Ray, Rhodes, Ross, Sauls, Setzer, Sexton, Stam, Starnes, Stiller, Wainwright, Walend, Walker, K. Williams, C. Wilson, G. Wilson, Womble, and Wright:

H.B. 677, A BILL TO BE ENTITLED AN ACT TO REDUCE THE SALES AND USE TAX ON FUNERAL EXPENSES, is referred to the Committee on Finance.

By Representatives Glazier and Dickson (Primary Sponsors); G. Allen, Parmon, Pate, Rapp, Ross, and Weiss:

H.B. 678, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE HIGH SCHOOL EXIT EXAM AND RESTRICT THE STATE BOARD OF EDUCATION FROM DEVELOPING ANY FURTHER STANDARDIZED TESTS THAT ARE NOT REQUIRED TO FULFILL THE NO CHILD LEFT BEHIND ACT OF 2001 OR OTHER FEDERAL LAW, is referred to the Committee on Education.

By Representatives Weiss, Ross, and Miner (Primary Sponsors):

H.B. 679, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF RALEIGH AND WAKE COUNTY TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT AND ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS, is referred to the Committee on Local Government I.

By Representative McCombs:

H.B. 680, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF GRANITE QUARRY, is referred to the Committee on Local Government I.

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By Representatives Coates and McCombs (Primary Sponsors):

H.J.R. 681, A JOINT RESOLUTION HONORING THE 250TH ANNIVERSARY OF ROWAN COUNTY AND THE MEMORY OF MATTHEW ROWAN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Insko:

H.B. 682, A BILL TO BE ENTITLED AN ACT TO ENACT THE HEALTHY KIDS IN SCHOOLS ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Rayfield (By Request):

H.B. 683, A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD OF FILLING A SHERIFF VACANCY IN GASTON COUNTY BY REMOVING THE REQUIREMENT THAT THE COUNTY COMMISSIONERS APPOINT THE NOMINEE OF THE POLITICAL PARTY OF THE VACATING SHERIFF, is referred to the Committee on Local Government I.

By Representatives Crawford, G. Allen, Fox, and Luebke (Primary Sponsors); and Wainwright:

H.B. 684, A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATUTORY FRAMEWORK FOR THE FINANCING OF CAPITAL FACILITIES BY THE STATE, TO AUTHORIZE THE ISSUANCE OF SPECIAL INDEBTEDNESS TO FINANCE THE CONSTRUCTION OF A NEW PSYCHIATRIC HOSPITAL IN BUTNER, AND TO AUTHORIZE THE ISSUANCE OF SPECIAL OBLIGATION BONDS FOR THE CONSTRUCTION OF THE NEW PSYCHIATRIC HOSPITAL, is referred to the Committee on Finance.

By Representative Hill:

H.B. 685, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SUNSET HARBOR, is referred to the Committee on Finance.

By Representative Culpepper:

H.B. 686, A BILL TO BE ENTITLED AN ACT TO EXEMPT DARE COUNTY FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS, is referred to the Committee on Local Government II.

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By Representative Culpepper:

H.R. 687, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATION FOR ELECTION OF MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Harrell:

H.B. 688, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF MOUNT AIRY, is referred to the Committee on Local Government II.

By Representatives Glazier and Goodwin (Primary Sponsors); and Munford:

H.B. 689, A BILL TO BE ENTITLED AN ACT CONFORMING RULE 103 OF THE NORTH CAROLINA RULES OF EVIDENCE TO THE CORRESPONDING FEDERAL RULE, is referred to the Committee on Judiciary IV.

By Representative Stiller (By Request):

H.B. 690, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF LELAND TO LEVY AN OCCUPANCY TAX, is referred to the Committee on Finance.

By Representative Stam:

H.B. 691, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF HOLLY SPRINGS, is referred to the Committee on Local Government I.

By Representatives Mitchell and Cole (Primary Sponsors):

H.B. 692, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LICENSED AUCTIONEERS CONDUCTING AUCTIONS FOR MOTOR VEHICLE DEALERS DO NOT NEED MOTOR VEHICLE DEALER LICENSES, is referred to the Committee on Transportation.

MESSAGES FROM THE SENATE

The following is received from the Senate:

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S.J.R. 225 (Committee Substitute), A JOINT RESOLUTION HONORING THE MEMORY OF PAST MILITARY LEADERS RICHARD CASWELL, FRANCIS NASH, SAMSON L. FAISON, AND EDSON D. RAFF AND EXPRESSING SUPPORT FOR THE ARMED SERVICES FIGHTING THE WAR AGAINST TERRORISM, 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 reports from standing committees are presented:

By Representative Adams, Chair, for the Committee on Local Government II:

H.B. 501, A BILL TO BE ENTITLED AN ACT REDRAWING THE ELECTION DISTRICT BOUNDARIES FOR THE TOWN OF ENFIELD IN HALIFAX COUNTY, with a favorable report.

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

H.B. 401, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF HENDERSON TO GIVE ANNUAL NOTICE TO VIOLATORS OF THE CITY'S WEEDED LOT ORDINANCE, 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. 351, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SALISBURY TO ADOPT AND ENFORCE ORDINANCES RELATING TO PARKING, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 337, A BILL TO BE ENTITLED AN ACT TO ALLOW FRANKLIN COUNTY TO ACQUIRE PROPERTY FOR AIRPORT PURPOSES BY USING THE "QUICK TAKE" PROCEDURE, with a favorable report.

On motion of Speaker Morgan, pursuant to Rule 38(b), the bill is re-referred to the Committee on Finance.

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By Representative Womble, Chair, for the Committee on State Government:

H.B. 47, A BILL TO BE ENTITLED AN ACT ADOPTING THE CAROLINA LILY AS THE OFFICIAL WILDFLOWER OF NORTH CAROLINA, 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 Hunter, Chair, for the Committee on Children, Youth and Families:

H.B. 462, A BILL TO BE ENTITLED AN ACT TO INCLUDE DULY LICENSED MARRIAGE AND FAMILY THERAPISTS UNDER THE INSURANCE 'FREEDOM OF CHOICE' LAW AND UNDER THE PROFESSIONAL CORPORATIONS ACT, with a favorable report.

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

By Representatives Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 326, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF JONESVILLE, with a favorable report.

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

By Representative Hackney, Chair, for the Committee on Judiciary I:

H.B. 379, A BILL TO BE ENTITLED AN ACT TO MAKE THE PURSUIT OF AN EDUCATION A CONDITION OF INTERMEDIATE PUNISHMENT, COMMUNITY PUNISHMENT, AND PROBATION, 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 Nesbitt, Chair, for the Committee on Judiciary II:

H.B. 65, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PHOTOGRAPHS AND VIDEO OR AUDIO RECORDINGS MADE

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PURSUANT TO AN AUTOPSY ARE NOT A PUBLIC RECORD, 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.

ENROLLED BILLS

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

H.B. 35, AN ACT EXEMPTING THE TOWN OF WAYNESVILLE FROM THE MAILED NOTICE PROVISION OF G.S. 160A-384 WHEN THE ENTIRE ZONING JURISDICTION IS REZONED.

CALENDAR

Action is taken on the following:

H.B. 320, 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.

On motion of Speaker Morgan, the bill is temporarily displaced.

H.B. 237 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO SUPPORT NURSING SCHOLARSHIPS IN NORTH CAROLINA, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, L. Allen, Allred, Baker, Barbee, Bell, Blackwood, Blust, Bonner, Bordsen, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders,

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Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: Representatives Barnhart, Bowie, Creech, Daughtridg, and Kiser - 5.

Excused absence: Representative G. Allen.

H.B. 320, 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, which was temporarily displaced, is before the Body.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtridg, Daughtry, Decker, Dockham, Earle, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: Representatives Creech, Eddins, Ellis, Goforth, Moore, and Stam - 6.

Excused absence: Representative G. Allen.

Representatives Dickson and L. Allen state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (113-6).

H.B. 482 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE

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AN ALPHA KAPPA ALPHA SORORITY SPECIAL REGISTRATION PLATE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, L. Allen, Allred, Baker, Barbee, Bell, Blackwood, Blust, Bonner, Bordsen, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: Representatives Barnhart, Bowie, Creech, Daughtridge, and Kiser - 5.

Excused absence: Representative G. Allen.

H.B. 510, A BILL TO BE ENTITLED AN ACT TO INCLUDE A VIOLATION OF G.S. 20-123.2 AS A LESSER INCLUDED OFFENSE IN A SPEEDING VIOLATION, passes its third reading, by electronic vote (81-37), and is ordered sent to the Senate.

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

H.B. 36 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW THAT AUTHORIZES THE INVOLUNTARY STERILIZATION OF PERSONS WHO ARE MENTALLY ILL OR MENTALLY RETARDED, TO PERMIT THE STERILIZATION OF MENTALLY ILL OR MENTALLY RETARDED WARDS ONLY WHEN THERE IS A MEDICAL NECESSITY, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES, passes its second reading, by electronic vote (115-2), and there being no objection is read a third time.

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Representative Blust requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (116-1).

The bill passes its third reading and is ordered sent to the Senate.

H.B. 549, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ELECTION FUND REQUIRED BY THE HELP AMERICA VOTE ACT OF 2002 (HAVA) AS A CONDITION FOR RECEIVING FEDERAL FUNDS UNDER THAT ACT, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

SPECIAL MESSAGE FROM THE SENATE

2003 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
March 26, 2003

Mr. Speaker:

Pursuant to your message received on March 25, 2003, that the House of Representatives fails to concur in the Senate Amendment No. 1 to, **H.B. 382**, A BILL TO BE ENTITLED AN ACT TO ALLOW DISTRICT COURT JUDGES TO PERFORM MARRIAGE CEREMONIES, and requests conferees, the President *Pro Tempore* appoints:

Senator Rand, Chair
Senator Clodfelter
Senator Carrington

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

2003 GENERAL ASSEMBLY FIRST SESSION

March 26, 2003

Senate Chamber
March 26, 2003

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. 382**, A BILL TO BE ENTITLED AN ACT TO ALLOW DISTRICT COURT JUDGES TO PERFORM MARRIAGE CEREMONIES, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

CONFERENCE REPORT

Representative Tolson sends forth the Conference Report on **H.B. 382**, A BILL TO BE ENTITLED AN ACT TO ALLOW DISTRICT COURT JUDGES TO PERFORM MARRIAGE CEREMONIES. Without objection Rule 44(d) is suspended and the Conference Report is placed on today's Calendar for immediate consideration.

Representative Tolson moves the adoption of the following Conference Report.

H.B. 382

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 382, A BILL TO BE ENTITLED AN ACT TO ALLOW DISTRICT COURT JUDGES TO PERFORM MARRIAGE CEREMONIES, submit the following report:

The Senate recedes from its amendment #1

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

Date conferees approved report: March 26, 2003.

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*Conferees for the
Senate*

S/ Anthony E. Rand
 S/ John H. Carrington
 S/ Daniel G. Clodfelter

*Conferees for the
House of Representatives*

S/ Joe P. Tolson
 S/ R. Phillip Haire
 S/ Ronnie N. Sutton
 S/ Harold J. Brubaker

The Conference Report is adopted, by electronic vote (104-10), and the Senate is so notified by Special Message.

The Senate having previously adopted the Conference Report, Speaker Morgan orders the bill enrolled and presented to the Governor by Special Message.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
 SUBCOMMITTEES**

The following report from standing committee is presented:

By Representatives Decker and Pate, Chairs, for the Committee on Ways and Means:

H.B. 328, A BILL TO BE ENTITLED AN ACT REVISING REAL ESTATE LICENSING EXAMINATION PROCEDURES, CLARIFYING CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE LICENSEES, AND ENABLING THE REAL ESTATE COMMISSION TO PERMIT LIMITED COMMERCIAL PRACTICE BY NONRESIDENT REAL ESTATE BROKERS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

On motion of Speaker Morgan, pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

SELECT COMMITTEE APPOINTED

March 26, 2003

Pursuant to House Rule 26(a), the House Select Committee on the University Board of Governor's Nominating Committee is hereby established.

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Members of the committee are:

Representative Brubaker - Co-Chair	Representative Howard
Representative McLawhorn - Co-Chair	Representative Justus
Representative G. Allen	Representative McComas
Representative Culpepper	Representative Miner
Representative Earle	Representative Sherrill
Representative Hackney	Representative Walker
Representative Haire	Representative Womble

The purpose of the committee is to provide for the election of eight members to the University Board of Governors in accordance with Article IX, Section 8 of the North Carolina Constitution and G. S. 116-6.

S/ James B. Black, Speaker

S/ Richard T. Morgan, Speaker

Attest:

S/ Denise Weeks, Principal Clerk

On motion of Representative Culpepper, seconded by Representative Capps, the House adjourns at 4:33 p.m. to reconvene March 27 at 1:00 p.m.

THIRTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Thursday, March 27, 2003

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

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

"Weeping God:

"We hear You cry through Your prophet: 'My anguish, my anguish! I writhe in pain! Oh, the walls of my heart! My heart is beating wildly; I cannot keep silent; for I hear the sound of the trumpet, the alarm of war.' (Jeremiah 4:19)

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"God, we weep with You. Our hearts ache. We, also, long for peace and for the safe return of our men and women who fight in a foreign land. Our prayers ascend for peaceful solutions all over Your world - from the war in Iraq, to the work of governments, the work of these Representatives, to our own life situations.

"And, God, as the week draws to an end, we pray for safe travels and refreshing rest.

"In the name of the God of steadfast love we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 26 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Clary, Hill, and Warren for today. Representative Nesbitt is excused for a portion of the session.

ENROLLED BILLS

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

H.B. 382, AN ACT TO ALLOW DISTRICT COURT JUDGES TO PERFORM MARRIAGE CEREMONIES.

CHAPTERED BILLS

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

H.B. 35, AN ACT EXEMPTING THE TOWN OF WAYNESVILLE FROM THE MAILED NOTICE PROVISION OF G.S. 160A-384 WHEN THE ENTIRE ZONING JURISDICTION IS REZONED. (S.L. 2003-3)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Allred and Coates, Chairs, for the Committee on Transportation:

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H.B. 21, A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND TO AUTHORIZE THE USE OF HIGHWAY TRUST FUND FUNDS TO MATCH FEDERAL-AID HIGHWAY FUNDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, 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. 22, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE THE PORTION OF CONTRACT MAINTENANCE RESURFACING FUNDS ALLOCATED TO WIDENING EXISTING NARROW PAVEMENTS SCHEDULED FOR RESURFACING TO BE USED TO WIDEN ANY EXISTING NARROW PAVEMENTS AND TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE HIGHWAY TRUST FUND SECONDARY ROAD PAVING FUNDS ALLOCATED TO EACH COUNTY FOR THE ADDITIONAL PURPOSE OF SAFETY IMPROVEMENTS ON PAVED AND UNPAVED ROADS IN THE SAME COUNTY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, 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. 23, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE DEPARTMENT OF TRANSPORTATION AS THE STATE AGENCY RESPONSIBLE FOR FIXED GUIDEWAY TRANSIT SAFETY, PURSUANT TO FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with a favorable report.

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

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

H.B. 393, A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF COUNTY COMMISSIONERS IN CERTAIN COUNTIES TO REQUIRE REGISTERS OF DEEDS NOT TO ACCEPT ANY DEED FOR REGISTRATION UNLESS THE COUNTY TAX COLLECTOR

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CERTIFIES THAT NO DELINQUENT TAXES ARE DUE ON THAT PROPERTY, 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 Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

H.B. 34, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CHARTER SCHOOLS TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, 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.

By Representatives Holliman and Setzer, Chairs, for the Committee on Insurance:

H.B. 270, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE INSURANCE LAWS, 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.R. 667, A HOUSE RESOLUTION HONORING THE MEMORY OF JIM THORPE, 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. The original resolution is placed on the Unfavorable Calendar.

By Representative Hackney, Chair, for the Committee on Judiciary I:

H.B. 408, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SECRET PEEPING STATUTE AND TO MAKE CONFORMING CHANGES,

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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 Decker and Pate, Chairs, for the Committee on Ways and Means:

H.B. 404, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE DISPLAY OF THE UNITED STATES FLAG, 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 Walker, Chair, for the Committee on Local Government I:

H.B. 295, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF BEECH MOUNTAIN TO REGULATE GOLF CARTS AND UTILITY VEHICLES, 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. 396, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE EDGEcombe COUNTY SCHOOL 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.

H.B. 480, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STAGGERED FOUR-YEAR TERMS FOR ALL FIVE MEMBERS OF THE BOARD OF COMMISSIONERS OF WILKES COUNTY, RATHER THAN THE CURRENT SYSTEM WHERE FOUR OF THE MEMBERS ARE ELECTED FOR STAGGERED FOUR-YEAR TERMS AND ONE FOR A TWO-YEAR TERM, with a favorable report.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Brubaker, Dockham, Goodwin, and K. Williams:

H.J.R. 693, A JOINT RESOLUTION COMMENDING THE ATLANTIC COAST CONFERENCE ON ITS 50TH ANNIVERSARY AND HONORING THE MEMORY OF FORMER COMMISSIONERS JAMES H. WEAVER AND ROBERT C. JAMES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Brubaker, Culp, Dockham, and K. Williams:

H.B. 694, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE ASHEBORO MUNICIPAL AIRPORT AS THE OFFICIAL LOCATION OF THE NORTH CAROLINA AVIATION HALL OF FAME AND THE NORTH CAROLINA AVIATION MUSEUM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gibson:

H.B. 695, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF TROY TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS, is referred to the Committee on Local Government I.

By Representatives Gibson and Goodwin:

H.B. 696, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WADESBORO TO EXTEND THE MAYOR'S TERM OF OFFICE FROM TWO TO FOUR YEARS AND TO AMEND THE CHARTER OF THE TOWN OF ANSONVILLE TO EXTEND THE MAYOR'S AND COUNCIL MEMBERS' TERMS OF OFFICE FROM TWO TO FOUR YEARS, is referred to the Committee on Local Government I.

By Representative Gibson:

H.B. 697, A BILL TO BE ENTITLED AN ACT TO ALLOW MONTGOMERY COUNTY TO ACQUIRE PROPERTY FOR AIRPORT

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PURPOSES BY USING THE "QUICK TAKE" PROCEDURE, is referred to the Committee on Local Government I.

By Representative Gibson:

H.B. 698, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MONROE TO LEVY A PREPARED FOOD TAX, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hunter:

H.R. 699, A HOUSE RESOLUTION EXPRESSING GRATITUDE TO THE NUCOR CORPORATION FOR ITS CONTRIBUTIONS TO THE STATE'S ECONOMY AND ENVIRONMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hunter:

H.B. 700, A BILL TO BE ENTITLED AN ACT TO IMPROVE AND STRENGTHEN CREMATION LAW IN NORTH CAROLINA AND TO IMPROVE AND MAKE TECHNICAL CORRECTIONS TO THE FUNERAL LAW, is referred to the Committee on Finance.

By Representative Allred:

H.B. 701, A BILL TO BE ENTITLED AN ACT ALLOWING THE CITY OF BURLINGTON TO ANNEX PROPERTY THAT IT OWNS IN AND AROUND LAKE MACKINTOSH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McHenry, B. Allen, Allred, Baker, Barbee, Barnhart, Black, Blackwood, Blust, Bowie, Capps, Clary, Culp, Daughtridg, Daughtry, Decker, Dockham, Eddins, Ellis, England, Farmer-Butterfield, Frye, Gibson, Gillespie, Glazier, Goforth, Gorman, Grady, Gulley, Hilton, Howard, L. Johnson, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, McComas, McCombs, McGee, McMahan, Miner, Mitchell, Moore, Munford, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Walend, Walker, A. Williams, K. Williams, C. Wilson, G. Wilson, and Wood:

H.R. 702, A HOUSE RESOLUTION SUPPORTING PRESIDENT GEORGE W. BUSH'S LEADERSHIP IN HIS EFFORT TO PROTECT

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THE UNITED STATES FROM SADDAM HUSSEIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Jeffus, Adams, Bowie, and Jones (Primary Sponsors); and Blust:

H.B. 703, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO, AS REVISED AND REORGANIZED BY CHAPTER 1137 OF THE SESSION LAWS OF 1959, TO INCREASE THE MEMBERSHIP OF THE CITY OF GREENSBORO BOARD OF ALCOHOLIC CONTROL FROM THREE TO FIVE MEMBERS, is referred to the Committee on Local Government II.

By Representatives Sexton, Daughtridge, Gillespie, Glazier, Goodwin, Hilton, Weiss, and K. Williams:

H.R. 704, A HOUSE RESOLUTION SUPPORTING THE MEN AND WOMEN OF THE NATIONAL GUARD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gulley and Black (Primary Sponsors):

H.B. 705, A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE TOWN OF MATTHEWS ALL THE TERRITORY REMAINING IN ITS SPHERE OF INFLUENCE, is referred to the Committee on Finance.

By Representative Saunders:

H.B. 706, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF CHARLOTTE TO ALLOW THE CITY TO PURCHASE APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT FOR PUBLIC TRANSIT PURPOSES FROM PERSONS OR ENTITIES THAT HAVE RECENTLY MET STATE BIDDING LAW REQUIREMENTS AND PROVIDED APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT TO THE FEDERAL GOVERNMENT, STATE OF NORTH CAROLINA, OR ANOTHER STATE, is referred to the Committee on Local Government I.

By Representative Stiller:

H.B. 707, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF OCEAN ISLE BEACH TO USE TRAFFIC CAMERAS

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TO MONITOR TRAFFIC ON PUBLIC STREETS, is referred to the Committee on Transportation.

By Representative Saunders:

H.B. 708, A BILL TO BE ENTITLED AN ACT EXTENDING THE SUNSET ON THE PRIVATE SALE OF HAL MARSHALL CENTER, is referred to the Committee on Local Government I.

By Representatives Saunders, Miner and Carney (Primary Sponsors):

H.B. 709, A BILL TO BE ENTITLED AN ACT TO CONTINUE THE PILOT PROGRAM AUTHORIZED TO USE MENTOR FUNDS FOR FULL-TIME MENTORS, is referred to the Committee on Education.

By Representatives Sutton, G. Allen, and Insko:

H.B. 710, A BILL TO BE ENTITLED AN ACT TO ADD A MEMBER REPRESENTING THE OCCANEECHI BAND OF THE SAPONI NATION TO THE BOARD OF THE NORTH CAROLINA INDIAN CULTURAL CENTER BOARD, is referred to the Committee on Military, Veterans and Indian Affairs.

By Representative A. Williams:

H.B. 711, A BILL TO BE ENTITLED AN ACT RELATING TO THE 6TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative A. Williams:

H.B. 712, A BILL TO BE ENTITLED AN ACT RELATING TO THE 6TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative A. Williams:

H.B. 713, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF PLYMOUTH, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative A. Williams:

H.B. 714, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF PLYMOUTH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative A. Williams:

H.B. 715, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative A. Williams:

H.B. 716, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative A. Williams:

H.B. 717, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative A. Williams:

H.B. 718, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative A. Williams:

H.B. 719, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative A. Williams:

H.B. 720, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative A. Williams:

H.B. 721, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative A. Williams:

H.B. 722, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Setzer:

H.B. 723, A BILL TO BE ENTITLED AN ACT RELATING TO THE 89TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Setzer:

H.B. 724, A BILL TO BE ENTITLED AN ACT RELATING TO THE 89TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Setzer and Hilton:

H.B. 725, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CITY OF CLAREMONT AND THE CITY OF CONOVER, is referred to the Committee on Finance.

By Representative Rayfield:

H.B. 726, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CAPITAL AND OPERATIONAL COSTS OF ESTABLISHING THE MOUNTAIN ISLAND EDUCATIONAL STATE FOREST TO BE LOCATED IN LINCOLN AND GASTON COUNTIES, is referred to the Committee on Appropriations.

By Representatives Culp, Barbee, Blust, Church, Dockham, Fox, Gibson, Hill, Lewis, McGee, Ray, Rhodes, Saunders, Tolson, Walker, West, G. Wilson, and Yongue:

H.B. 727, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT MEMBERS OF THE SOIL AND WATER CONSERVATION COMMISSION

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ARE AUTHORIZED TO HOLD OFFICE CONCURRENTLY WITH OTHER ELECTIVE OR APPOINTIVE OFFICES, is referred to the Committee on State Government.

By Representative Holliman:

H.B. 728, A BILL TO BE ENTITLED AN ACT EXTENDING THE POWER OF THE CITY OF THOMASVILLE TO MAKE A VOLUNTARY SATELLITE ANNEXATION, is referred to the Committee on Finance.

By Representatives Gorman and LaRoque (Primary Sponsors); Wainwright and K. Williams:

H.B. 729, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DEPARTMENT OF TRANSPORTATION FROM INSTALLING ANY ADDITIONAL STOPLIGHTS ON A CERTAIN PORTION OF U.S. HIGHWAY 70, is referred to the Committee on Transportation.

By Representatives Gorman, LaRoque, Wainwright, and K. Williams:

H.B. 730, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REPORT ON TRANSPORTATION IMPROVEMENT PROGRAM PROJECTS, is referred to the Committee on Transportation.

By Representative Blackwood:

H.B. 731, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF STALLINGS TO MAKE VOLUNTARY SATELLITE ANNEXATION OF CERTAIN PROPERTY WITH THE CONSENT OF THE TOWN OF INDIAN TRAIL, is referred to the Committee on Finance.

By Representative Michaux:

H.B. 732, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA STREET GANG TERRORISM AND PREVENTION ACT OF 2003, is referred to the Committee on Judiciary III.

By Representative Michaux:

H.B. 733, A BILL TO BE ENTITLED AN ACT TO ALLOW RETIRED MEMBERS OF THE DURHAM FIREMEN'S SUPPLEMENTAL RETIREMENT SYSTEM TO SERVE ON THE BOARD OF TRUSTEES OF THE

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SYSTEM AND TO MAKE THE NAME OF THE SYSTEM GENDER-NEUTRAL, is referred to the Committee on Pensions and Retirement.

By Representatives Michaux, Miller, and Luebke (Primary Sponsors):

H.B. 734, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY COUNCIL TO AUTHORIZE THE CITY'S HOUSING APPEALS BOARD TO HEAR PUBLIC HEALTH NUISANCES CASES, is referred to the Committee on Local Government II.

By Representatives Michaux, Luebke, and Miller (Primary Sponsors):

H.B. 735, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF DURHAM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S REFUSE AND DEBRIS ORDINANCE WITHOUT FURTHER NOTICE THAT CALENDAR YEAR AND AUTHORIZING THE CITY OF DURHAM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE WITHOUT FURTHER NOTICE THAT CALENDAR YEAR, is referred to the Committee on Local Government II.

By Representative Miller:

H.B. 736, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO COLLECT A GENERAL MUNICIPAL VEHICLE TAX OF UP TO TEN DOLLARS ON VEHICLES RESIDENT IN THE CITY, is referred to the Committee on Finance.

By Representatives Miller, Luebke, and Michaux:

H.B. 737, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RECALL ELECTIONS FOR THE DURHAM BOARD OF EDUCATION, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Miller and Hunter (Primary Sponsors); Adams, B. Allen, Bell, Bonner, Cunningham, Earle, Farmer-Butterfield, Hall, Jones, Lucas, Luebke, McAllister, Michaux, Parmon, Wainwright, Womble, and Wright:

H.B. 738, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING THE CLEAN WATER MANAGEMENT TRUST FUND BY INCLUDING IN THE LIST OF ELIGIBLE GRANT APPLICANTS

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CERTAIN NONPROFIT CORPORATIONS WHOSE PRIMARY PURPOSE IS THE PROMOTION OF HEALTH, WELFARE, AND SAFETY OR SOCIOECONOMIC IMPROVEMENT OF ECONOMICALLY DISTRESSED COMMUNITIES AND BY MODIFYING THE QUALIFICATIONS, POWERS, AND DUTIES OF THE TRUSTEES OF THE FUND, is referred to the Committee on Environment and Natural Resources.

By Representatives Earle, Alexander, Bell, Carney, Cunningham, and Saunders:

H.B. 739, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE MECKLENBURG COUNTY HEALTH DEPARTMENT FOR NURSES FOR ITS SCHOOL HEALTH PROGRAM, is referred to the Committee on Appropriations.

By Representative C. Wilson:

H.B. 740, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE EFFECTIVENESS AND EFFICIENCY OF THE ECONOMIC DEVELOPMENT BOARD IN THE FORMULATION OF THE STATE'S ECONOMIC DEVELOPMENT POLICIES AND TO PROVIDE FOR GREATER TRANSPARENCY AND ACCOUNTABILITY IN THE STATE'S EFFORTS TO CREATE JOBS FOR NORTH CAROLINA CITIZENS, is referred to the Committee on Economic Growth and Community Development, and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hill:

H.B. 741, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BRUNSWICK AND COLUMBUS COUNTIES TO HAVE SIGNS PROVIDED AND PLACED ON HIGHWAYS AND PUBLIC ROADWAYS TO ACKNOWLEDGE THE ESTABLISHMENT AND LOCATION OF VOLUNTARY AGRICULTURAL DISTRICTS IN THEIR COUNTIES IN ORDER TO INCREASE IDENTITY AND PRIDE IN THEIR AGRICULTURAL COMMUNITIES, is referred to the Committee on Agriculture.

By Representatives Hill and Stiller (Primary Sponsors):

H.B. 742, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A PROPOSED ANNEXATION OF THE TOWN OF CAROLINA SHORES, is referred to the Committee on Finance.

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By Representatives Nesbitt and Walend (Primary Sponsors); and Glazier:

H.B. 743, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NURSE TESTIMONIAL PRIVILEGE, is referred to the Committee on Judiciary II.

By Representatives Hackney, Alexander, Glazier, Harrell, Insko, Lucas, Luebke, McLawhorn, Rapp, Ross, Wainwright, Weiss, and Womble:

H.B. 744, A BILL TO BE ENTITLED AN ACT TO REQUIRE INSURERS TO INFORM COVERED PERSONS ABOUT ASSISTANCE AVAILABLE FROM THE MANAGED CARE PATIENT ASSISTANCE PROGRAM, is referred to the Committee on Insurance.

By Representative Sutton:

H.B. 745, A BILL TO BE ENTITLED AN ACT TO REVISE THE MEMBERSHIP OF THE NORTH CAROLINA INDIAN CULTURAL CENTER BOARD, is referred to the Committee on Military, Veterans and Indian Affairs.

By Representative Sutton:

H.B. 746, A BILL TO BE ENTITLED AN ACT TO AMEND AND MODERNIZE THE LAW NAMING THE INDIAN TRIBES IN THIS STATE BY ADDING CLARIFYING INFORMATION ABOUT REFERENCES TO THE LUMBEE TRIBE AND BY ADDING SECTIONS RECOGNIZING THE MEHERRIN TRIBE AND THE OCCANEECHI BAND OF THE SAPONI NATION, is referred to the Committee on Military, Veterans and Indian Affairs.

By Representative Sutton:

H.B. 747, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF CULTURAL RESOURCES AND THE COMMISSION OF INDIAN AFFAIRS TO STUDY THE FUTURE OF THE NORTH CAROLINA ARCHAEOLOGICAL COLLECTION AT UNC-CHAPEL HILL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Owens:

H.B. 748, A BILL TO BE ENTITLED AN ACT AUTHORIZING CAMDEN COUNTY TO OWN AND OPERATE A HIGH-SPEED

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INTERNET AND DATA COMMUNICATIONS SYSTEM TO PROVIDE HIGH-SPEED INTERNET AND DATA COMMUNICATIONS SERVICES TO RURAL HOMES AND BUSINESSES IN THE COUNTY, is referred to the Committee on Local Government I.

By Representatives Owens and Justice (Primary Sponsors); Dickson, Insko, and L. Allen:

H.B. 749, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL REVENUE OPTIONS FOR LOCAL GOVERNMENTS, is referred to the Committee on Finance.

By Representative Culpepper:

H.B. 750, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF PINEBLUFF TO CONVEY TO ADJACENT PROPERTY OWNERS INTERNAL CENTER COURTS AND ALLEYS AT PRIVATE NEGOTIATED SALE, is referred to the Committee on Local Government I.

By Representative Culpepper:

H.B. 751, A BILL TO BE ENTITLED AN ACT RELATING TO THE TITLE TO EXISTING LAND AND THE LAND BUILT UP AND CONSTRUCTED IN THE TOWN OF KITTY HAWK IN THE COUNTY OF DARE AS A RESULT OF CERTAIN EROSION CONTROL WORK IN SAID TOWN AND ANNEXING A TRACT TO THE CORPORATE LIMITS OF THAT TOWN, is referred to the Committee on State Government.

By Representative Culpepper:

H.B. 752, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DARE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

H.R. 753, A HOUSE RESOLUTION PROVIDING FOR ELECTION OF MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the Select Committee on the University Board of Governors Nominating.

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By Representative Culpepper:

H.B. 754, A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PERSONS NOMINATED AS MAGISTRATES, is referred to the Committee on Judiciary IV.

By Representatives Ross, Ellis, Miner, and Weiss (Primary Sponsors):

H.B. 755, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF CARY AND GARNER TO ACQUIRE PROPERTY FOR THE PRESENT OR FUTURE LOCATION OR RELOCATION OF TELEPHONE, TELEGRAPH, ELECTRIC, OR OTHER LINES TO BE OPERATED BY PUBLIC UTILITIES, is referred to the Committee on Local Government I.

By Representatives Ross, Michaux, Alexander, and Luebke (Primary Sponsors); B. Allen, Bell, Bonner, Carney, Earle, Farmer-Butterfield, Glazier, Goodwin, Holliman, Insko, McComas, Parmon, Wainwright, and Weiss:

H.B. 756, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR IN-PERSON REGISTRATION AND VOTING AT EARLY VOTING SITES AND AT CENTRAL SITES ON ELECTION DAY, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Stiller and Hill (Primary Sponsors):

H.B. 757, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF OAK ISLAND AND THE TOWN OF ST. JAMES, is referred to the Committee on Finance.

By Representative Stiller:

H.B. 758, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO TAKE SHRIMP WITH A TRAWL NET IN CERTAIN INLAND WATERS IN BRUNSWICK AND NEW HANOVER COUNTIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Goforth, B. Allen, Bonner, Bordsen, Capps, Carney, Culp, England, Farmer-Butterfield, Gibson, Goodwin, Gorman, Gulley, Hall, Hilton, Holliman, Hunter, C. Johnson, L. Johnson, Jones,

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LaRoque, Lewis, Lucas, McHenry, Mitchell, Moore, Parmon, Rapp, Ray, Ross, Stam, Sutton, Tolson, Warner, K. Williams, C. Wilson, and Yongue:

H.B. 759, A BILL TO BE ENTITLED AN ACT TO REDUCE SALES TAXES ON LIGHT CONSTRUCTION EQUIPMENT, is referred to the Committee on Finance.

By Representative G. Allen:

H.B. 760, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC LAWS OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative G. Allen:

H.B. 761, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC LAWS OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative G. Allen:

H.B. 762, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC LAWS OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative G. Allen:

H.B. 763, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC LAWS OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Rayfield (By Request):

H.B. 764, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT AS IT APPLIES TO GASTON COUNTY SO THAT VACANCIES IN THE OFFICE OF SHERIFF OF GASTON COUNTY WILL BE FILLED IN ACCORDANCE WITH G.S. 162-5, is referred to the Committee on Local Government II.

By Representative Culpepper:

H.B. 765, A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN CHOWAN COUNTY, is referred to the Committee on Local Government II.

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By Representatives Miner, Saunders, and Glazier (Primary Sponsors); B. Allen, Bordsen, Capps, Cunningham, Earle, Eddins, Ellis, Gulley, Munford, Ross, Stam, and Weiss:

H.B. 766, A BILL TO BE ENTITLED AN ACT TO PROVIDE MANAGEMENT FLEXIBILITY AND ACCOUNTABILITY FOR CERTAIN SCHOOL SYSTEMS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Fox and L. Allen:

H.B. 767, A BILL TO BE ENTITLED AN ACT AUTHORIZING WARREN COUNTY TO CREATE A TELECOMMUNICATIONS AUTHORITY TO PROVIDE GREATER TELECOMMUNICATIONS SERVICES TO CITIZENS AND BUSINESSES IN THE COUNTY, is referred to the Committee on Public Utilities.

By Representative Gibson:

H.B. 768, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE TOURISM DEVELOPMENT AUTHORITIES IN ANSON AND MONTGOMERY COUNTIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gibson:

H.B. 769, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF TROY TO LEVY A PRIVILEGE TAX ON DRUG DEALERS, is referred to the Committee on Finance.

By Representatives Stiller, Hill, and Wright (Primary Sponsors):

H.B. 770, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH BRUNSWICK SANITARY DISTRICT TO REQUIRE MANDATORY CONNECTIONS TO ITS WATER AND SEWER SYSTEMS, is referred to the Committee on Public Utilities.

By Representative Hall:

H.B. 771, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANY INTERSTATE COMMERCIAL ZONING CLASSIFICATION ADOPTED BY HALIFAX COUNTY AND APPLICABLE TO AREAS ADJACENT TO INTERSTATE 95 SHALL CONSTITUTE A ZONED COMMERCIAL OR INDUSTRIAL AREA PURSUANT TO THE NORTH

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CAROLINA OUTDOOR ADVERTISING CONTROL ACT AND DEPARTMENT OF TRANSPORTATION RULES ADOPTED PURSUANT TO THAT ACT, is referred to the Committee on Local Government II.

By Representative Hall:

H.B. 772, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HALIFAX, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Insko:

H.B. 773, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO REQUIRE SPRINKLERS IN BARS, CLUBS, AND OTHER SIMILAR PLACES OF PUBLIC ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Preston:

H.B. 774, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF BEAUFORT, is referred to the Committee on Finance.

By Representative Culpepper:

H.B. 775, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF NAGS HEAD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Adams and Jeffus (Primary Sponsors):

H.B. 776, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO GIVE THE CITY MANAGER GREATER AUTHORITY TO APPROVE CERTAIN CONTRACTS, is referred to the Committee on Local Government II.

By Representative Creech:

H.B. 777, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF NORTHBROOK, is referred to the Committee on Finance.

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By Representative Creech:

H.B. 778, A BILL TO BE ENTITLED AN ACT RELATING TO THE 26TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Creech:

H.B. 779, A BILL TO BE ENTITLED AN ACT RELATING TO THE 26TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Creech:

H.B. 780, A BILL TO BE ENTITLED AN ACT RELATING TO THE 26TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Creech:

H.B. 781, A BILL TO BE ENTITLED AN ACT RELATING TO JOHNSTON COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Stiller, Hill, and Wright (Primary Sponsors):

H.B. 782, A BILL TO BE ENTITLED AN ACT AUTHORIZING SATELLITE ANNEXATION BY THE NORTH BRUNSWICK SANITARY DISTRICT, is referred to the Committee on Finance.

By Representative Church:

H.B. 783, A BILL TO BE ENTITLED AN ACT TO TEMPORARILY REQUIRE THE AFFIRMATIVE VOTE OF AT LEAST FOUR MEMBERS OF THE BOARD OF COMMISSIONERS OF BURKE COUNTY TO AMEND OR REPEAL ARTICLE XII OF THE BURKE COUNTY ZONING ORDINANCE, RELATING TO THE CATAWBA RIVER, LAKE JAMES, LAKE RHODHISS, AND LAKE HICKORY OVERLAY DISTRICT, SO AS TO ALLOW THE ORDINANCE TO CONTINUE TO WORK, is referred to the Committee on Local Government I.

By Representative Coates:

H.B. 784, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF SALISBURY TO LIMIT THE CLEAR-CUTTING OF TREES

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IN BUFFER ZONES PRIOR TO DEVELOPMENT AND ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS, is referred to the Committee on Local Government II.

By Representative Haire:

H.B. 785, A BILL TO BE ENTITLED AN ACT TO REWRITE RULE 45 OF THE NORTH CAROLINA RULES OF CIVIL PROCEDURE, is referred to the Committee on Judiciary IV.

By Representative Culpepper:

H.B. 786, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PRIMA FACIE RULE FOR PARKING APPLIES TO CIVIL PARKING AND RED LIGHT CAMERA ENFORCEMENT ACTIONS, is referred to the Committee on Judiciary III.

By Representative Mitchell:

H.B. 787, A BILL TO BE ENTITLED AN ACT TO ESTABLISH EQUITY IN REPORTING REQUIREMENTS BETWEEN FEDERAL POLITICAL COMMITTEES AND NORTH CAROLINA POLITICAL COMMITTEES, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representative Luebke:

H.B. 788, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF DURHAM TO REGULATE FEES FOR PRIVATELY INITIATED TOWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Luebke and Insko:

H.J.R. 789, A JOINT RESOLUTION IN SUPPORT OF MODIFYING THE HABITUAL FELON PROGRAM TO PROVIDE SUBSTANCE ABUSERS WITH AN INTENSIVE REHABILITATION ALTERNATIVE TO INCARCERATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Haire:

H.B. 790, A BILL TO BE ENTITLED AN ACT REPEALING THE CHARTER FOR THE TOWN OF CASHIERS BECAUSE THE TOWN

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HAS BEEN INACTIVE SINCE INCORPORATION, AND INCORPORATING THE VILLAGE OF CASHIERS, is referred to the Committee on Finance.

By Representatives McComas and Justice (Primary Sponsors):

H.B. 791, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTIES OF NEW HANOVER AND PENDER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McComas:

H.B. 792, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McComas:

H.B. 793, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Starnes:

H.B. 794, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO IS CONVICTED OF A MISDEMEANOR MAY HAVE HIS OR HER RECORD EXPUNGED IN CERTAIN CIRCUMSTANCES AND TO ESTABLISH A FEE FOR THE COST OF HAVING THE RECORD EXPUNGED, is referred to the Committee on Judiciary III and, if favorable, to the Committee on Finance.

By Representatives Wright and McComas (Primary Sponsors):

H.B. 795, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO DOWNTOWN AREA REVITALIZATION EFFORT, INC., IN THE CITY OF WILMINGTON, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 38, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE DEPARTMENT OF TRANSPORTATION AS THE STATE AGENCY

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RESPONSIBLE FOR FIXED GUIDEWAY TRANSIT SAFETY, PURSUANT TO FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is read the first time and referred to the Committee on Transportation.

S.B. 292, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF RALEIGH TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE FOR CERTAIN PUBLIC HEARINGS, is read the first time and referred to the Committee on Local Government II.

S.B. 294, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CRAVEN COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD TO PROVIDE ITS OWN LAW ENFORCEMENT PERSONNEL AND TO CONTRACT FOR ADDITIONAL LAW ENFORCEMENT SERVICES, is read the first time and referred to the Committee on Alcoholic Beverage Control.

S.J.R. 416 (Committee Substitute), A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND THE HOUSE OF REPRESENTATIVES TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, is read the first time and referred to the Education Subcommittee on Community Colleges.

CALENDAR

Action is taken on the following:

H.B. 237 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO SUPPORT NURSING SCHOLARSHIPS IN NORTH CAROLINA, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Bell, Blackwood, Blust, Bonner, Bordsen, Capps, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Gulley, Hackney, Haire, Hall, Harrell, Hilton, Holliman, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Owens, Parmon, Pate, Preston, Rapp, Ray,

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Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: Representatives Barnhart, Bowie, Creech, and Kiser - 4.

Excused absences: Representatives Clary, Hill, Nesbitt, and Warren - 4.

H.B. 482 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE AN ALPHA KAPPA ALPHA SORORITY SPECIAL REGISTRATION PLATE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Bell, Blackwood, Blust, Bonner, Bordsen, Capps, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Gulley, Hackney, Haire, Hall, Harrell, Hilton, Holliman, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: Representatives Barnhart, Bowie, Creech, and Kiser - 4.

Excused absences: Representatives Clary, Hill, Nesbitt, and Warren - 4.

BILL PLACED ON CALENDAR

Representative Culpepper gives notice, pursuant to Rule 36(b), and **H.R. 667** (Committee Substitute), A HOUSE RESOLUTION HONORING THE MEMORY OF JIM THORPE, is placed on the Calendar for immediate consideration.

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Representative Culpepper offers Amendment No. 1 which is adopted by electronic vote (111-0).

The resolution, as amended, is adopted, by electronic vote (112-0), and is ordered engrossed and printed.

On motion of Representative Culpepper, seconded by Representative Howard, the House adjourns at 2:00 p.m. to reconvene Monday, March 31, 2003, at 7:00 p.m.

THIRTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Monday, March 31, 2003

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

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

"God, our help in ages past, our hope for years to come:

"In Your kingdom there are no borders, no nationalities, no race, no class, no pain, no war. Give to the warring world a vision of that kingdom. We lift our prayers for a timely solution to the problems in the world that put lives at risk. Bless our President and his staff in their decision-making, as well as all the leaders of the world. Give them Your wisdom.

"God, now we are beginning to put names and faces on those captured and those who have died; many live and are stationed in our own State. Be with their families in their fear and loss and guide us in the best ways to support them in their anguish and grief.

"God, as we begin a new week in the work of this place, bless these Representatives with hearts for justice, minds for creative solutions, voices that speak peace and devotion to the public good.

"In Your hope-filled name we pray. Amen."

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Speaker Black leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 27 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives McComas, McHenry, Nesbitt, and Womble for today.

ENROLLED BILLS

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

H.B. 432, AN ACT PROVIDING THAT STATE EMPLOYEES, PUBLIC SCHOOL EMPLOYEES, AND COMMUNITY COLLEGE EMPLOYEES MAY SHARE LEAVE VOLUNTARILY.

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

H.B. 135, AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS.

CHAPTERED BILLS

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

H.B. 382, AN ACT TO ALLOW DISTRICT COURT JUDGES TO PERFORM MARRIAGE CEREMONIES. (S.L. 2003-4)

S.B. 235, AN ACT TO ALLOW A RETAILER THAT LEASES MOTOR VEHICLES AND THAT HAS PAID THE HIGHWAY USE TAX ON THE MOTOR VEHICLES TO PAY AN ADDITIONAL GROSS RECEIPTS TAX ON THE MOTOR VEHICLES. (S.L. 2003-5)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Goodwin, Vice Chair, for the Committee on Judiciary II:

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H.B. 26, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT DEVICES DESIGNED TO COVER REGISTRATION PLATES TO PREVENT THE TAKING OF A CLEAR PHOTOGRAPH BY TRAFFIC CONTROL SYSTEMS USING CAMERAS ARE UNLAWFUL, 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 B. Allen, Ross, Miner and Hackney (Primary Sponsors); Bell, Capps, Eddins, Ellis, Jones, Luebke, McHenry, Munford, Parmon, Rapp, Stam, Weiss, and Womble:

H.B. 796, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF STATE-OWNED REAL PROPERTY ENCOMPASSING THE DOROTHEA DIX HOSPITAL CAMPUS WITHOUT THE APPROVAL OF THE GENERAL ASSEMBLY, is referred to the Committee on State Government.

By Representatives Ross, Yongue, Preston and Womble (Primary Sponsors); B. Allen, Bonner, Glazier, Goforth, Goodwin, Gorman, Insko, C. Johnson, Luebke, Parmon, Warner, Warren, and Weiss:

H.B. 797, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ASSIST LOCAL SCHOOL ADMINISTRATIVE UNITS ON THE IMPLEMENTATION OF THE NO CHILD LEFT BEHIND ACT OF 2001, is referred to the Committee on Education.

By Representatives Moore and Munford (Primary Sponsors); Blust, Gorman, Holmes, Insko, and McHenry:

H.B. 798, A BILL TO BE ENTITLED AN ACT TO ENACT THE UNIFORM TRANSFER ON DEATH (TOD) SECURITY REGISTRATION ACT, is referred to the Committee on Judiciary II.

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By Representatives Ross, B. Allen, and Munford (Primary Sponsors); Insko, Luebke, and Weiss:

H.B. 799, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA MARTIN LUTHER KING RESOURCE CENTER, is referred to the Appropriations Subcommittee on General Government.

By Representatives Warner and Pate (Primary Sponsors); G. Allen, Coates, Culp, Decker, Glazier, Hilton, Insko, Jeffus, Lucas, McAllister, McLawhorn, Sauls, Wainwright, and K. Williams:

H.B. 800, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SALARY SCHEDULE FOR TEACHER ASSISTANTS, is referred to the Committee on Appropriations.

By Representatives Warner and Lucas:

H.B. 801, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE COMPETENCY TESTING PROGRAM TO ENSURE THAT HIGH SCHOOL STUDENTS WHO DO NOT PASS THE COMPETENCY TEST ARE GIVEN AN OPPORTUNITY TO TAKE AN ALTERNATIVE TEST, is referred to the Committee on Education.

By Representatives Glazier, Miner, Saunders and Warner (Primary Sponsors); Bell, Cole, Culp, Dickson, Fox, Gibson, Goforth, Goodwin, Jeffus, Lucas, McAllister, Rapp, and Ross:

H.B. 802, A BILL TO BE ENTITLED AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ADDITIONAL PURCHASING FLEXIBILITY, is referred to the Committee on Education.

By Representatives Insko, Alexander, Carney, Farmer-Butterfield, Glazier, Hackney, Holliman, Lucas, Luebke, Nye, and Weiss:

H.B. 803, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES PROGRAMS, AS REQUESTED BY COALITION 2001, is referred to the Committee on Appropriations.

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

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H.B. 804, A BILL TO BE ENTITLED AN ACT TO CREATE A STATE EARNED INCOME TAX CREDIT, is referred to the Committee on Finance.

By Representatives Yongue, Preston, L. Johnson and Carney (Primary Sponsors); Church, Cole, Crawford, Culp, Gillespie, Glazier, Goodwin, Gorman, Insko, Lucas, Michaux, and Sutton:

H.B. 805, A BILL TO BE ENTITLED AN ACT TO EFFECTIVELY RECRUIT AND RETAIN TEACHERS FOR THE NORTH CAROLINA PUBLIC SCHOOLS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Tolson and Insko:

H.B. 806, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ALTERNATIVE FUEL AND ALTERNATIVE FUEL VEHICLE REBATE AND INFRASTRUCTURE GRANT PROGRAM, is referred to the Committee on Finance.

By Representative Culpepper:

H.B. 807, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE LAW ESTABLISHING THE ELECTIVE SHARE OF A DECEDENT'S SURVIVING SPOUSE AND TO REPEAL THE RIGHT OF A SURVIVING SPOUSE TO ELECT A LIFE INTEREST IN LIEU OF AN INTESTATE SHARE, is referred to the Committee on Judiciary IV.

By Representatives Insko and Justice (Primary Sponsors); and Glazier:

H.B. 808, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE NURSING FACULTY FELLOWS PROGRAM AND APPROPRIATING FUNDS FOR SCHOLARSHIP LOANS UNDER THE PROGRAM, is referred to the Committee on Appropriations.

By Representatives Miner, Nye, Kiser and Crawford (Primary Sponsors); G. Allen, Barbee, Barnhart, Blackwood, Bowie, Brubaker, Capps, Church, Clary, Cole, Culp, Daughtridge, Decker, Dockham, Eddins, Ellis, England, Fox, Frye, Gibson, Gillespie, Goforth, Gorman, Gulley, Hall, Harrell, Hill, Hilton, Holmes, Howard, C. Johnson, L. Johnson, Justice, Justus, LaRoque, Lewis, Lucas, McComas, McCombs, McGee,

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McHenry, McMahan, Mitchell, Owens, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Sauls, Setzer, Sexton, Starnes, Walend, Walker, Warner, Warren, West, K. Williams, C. Wilson, G. Wilson, Wood, and Yongue:

H.B. 809, A BILL TO BE ENTITLED AN ACT TO ENSURE ACCESS TO HEALTH CARE BY ESTABLISHING A REASONABLE TWO HUNDRED FIFTY THOUSAND DOLLAR LIMIT ON NON-ECONOMIC DAMAGES, ACCOUNTING FOR CERTAIN COLLATERAL SOURCE PAYMENTS, AUTHORIZING THE PERIODIC PAYMENT OF FUTURE ECONOMIC DAMAGES, PROVIDING THE FORM OF VERDICTS AND AWARDS OF DAMAGES, AND REGULATING ATTORNEY CONTINGENCY FEES IN MEDICAL MALPRACTICE ACTIONS; AND TO PROVIDE THAT CERTAIN CONFIDENTIALITY REQUIREMENTS APPLY TO DOCUMENTS REGARDING NURSING HOME QUALITY OF CARE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wood, Gorman, and K. Williams:

H.B. 810, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT CONSTITUTIONAL AMENDMENT REFERENDA BE HELD ONLY AT THE DATE OF THE STATEWIDE GENERAL ELECTION IN EVEN-NUMBERED YEARS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives C. Wilson, McHenry, and West:

H.B. 811, A BILL TO BE ENTITLED AN ACT TO ELIMINATE TWO POSITIONS IN THE DIVISION OF WATER QUALITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rapp, B. Allen, Carney, England, Farmer-Butterfield, Glazier, Goforth, Jeffus, C. Johnson, McHenry, Nye, Parmon, and Pate:

H.B. 812, A BILL TO BE ENTITLED AN ACT TO AMEND THE EARNINGS RESTRICTION ON RETIREES UNDER THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM BY ELIMINATING THE APPLICATION OF THE RESTRICTION TO THE TWELVE-MONTH PERIOD IMMEDIATELY FOLLOWING THE DATE OF RETIREMENT, is referred to the Committee on Pensions and Retirement.

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By Representatives McMahan and Black (Primary Sponsors); Alexander, Barnhart, Blackwood, Carney, Cunningham, Earle, Goodwin, Gulley, McHenry, Mitchell, Ray, Rayfield, Rhodes, and Saunders:

H.J.R. 813, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BONNIE E. CONE, FOUNDER OF THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE, is referred to the Committee on Rules, Calendar, and Operations of the House.

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

H.B. 814, A BILL TO BE ENTITLED AN ACT TO RESTORE THE PREVIOUS RATE OF EXCISE TAX ON LIQUOR; TO ALLOW FOR SALES OF HIGHER-ALCOHOL CONTENT MALT BEVERAGES; TO RAISE BEER AND WINE TAXES; AND TO DIRECT A PORTION OF THE PROCEEDS OF THESE TAX INCREASES TO SUBSTANCE ABUSE TREATMENT, is referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 100 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE EFFICIENCY IN STATE GOVERNMENT BY ALLOWING A SALES AND USE TAX EXEMPTION FOR STATE AGENCIES INSTEAD OF A SALES AND USE TAX REFUND TO STATE AGENCIES, is read the first time and referred to the Committee on Finance.

S.B. 117, A BILL TO BE ENTITLED AN ACT TO NAME THE WESTERN JUSTICE ACADEMY IN HONOR OF REPRESENTATIVE LARRY T. JUSTUS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 136 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING DISSENTERS' RIGHTS WITH REGARD TO MAJORITY CONSENT ACTION, is read the first time and referred to the Committee on Judiciary II.

S.B. 244 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING

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TO RECOGNIZE RETIRED NURSES BY SPECIAL LICENSURE STATUS AND TO ESTABLISH A FEE FOR THIS STATUS, is read the first time and referred to the Committee on Finance.

S.B. 245, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HUNTING OF COYOTES IN CONTROLLED HUNTING PRESERVES AND TO MAKE IT UNLAWFUL TO IMPORT LIVE COYOTES INTO THIS STATE, is read the first time and referred to the Committee on Wildlife Resources.

S.B. 288, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE POLK COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS BOARD OF EDUCATION, is read the first time and referred to the Committee on Local Government I.

S.B. 338, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE LAW PROVIDING THAT CERTAIN SECONDARY SUPPLIERS OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, ALLOWING THE MEMBERS OF AN ELECTRIC MEMBERSHIP CORPORATION TO VOTE BY PROXY ON DECISIONS TO ENCUMBER CORPORATE PROPERTY OR TO DISSOLVE THE CORPORATION, AND MAKING TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE, is read the first time and referred to the Committee on Public Utilities.

S.B. 440, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COURT TO ISSUE AN ORDER FOR ARREST WHEN A DEFENDANT FAILS TO APPEAR IN COURT AFTER RECEIVING A CITATION FOR A MISDEMEANOR, is read the first time and referred to the Committee on Judiciary I.

CALENDAR

Action is taken on the following:

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

H.B. 326, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF JONESVILLE, passes its second reading, by the following vote, and remains on the Calendar.

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Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives, Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Clary, Coates, Crawford, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McCombs, McGee, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Wood, Wright, and Yongue - 110.

Voting in the negative: Representative Creech.

Excused absences: Representatives McComas, McHenry, Nesbitt, and Womble - 4.

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

H.B. 401 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF HENDERSON TO GIVE ANNUAL NOTICE TO VIOLATORS OF THE CITY'S WEEDED LOT ORDINANCE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 501, A BILL TO BE ENTITLED AN ACT REDRAWING THE ELECTION DISTRICT BOUNDARIES FOR THE TOWN OF ENFIELD IN HALIFAX COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

INTRODUCTION OF PAGES

Pages for the week of March 31 are introduced to the membership. They are: Miranda Arrowood of McDowell; Penny Edwards of McDowell;

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Kimberly Frank of Union; Aimee Gable of Union; Landdis Hollifield of McDowell; Heather McLeod of Lee; Julie Putnam of Craven; Sarah Robertson of Stokes; Jason Sexton of Granville; Chelsea Sigmon of Watauga; and Carey Sitze of Lee.

On motion of Representative Culpepper, seconded by Representative Haire, the House adjourns at 7:25 p.m. to reconvene April 1 at 3:00 p.m.

THIRTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 1, 2003

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by Speaker Black designated to preside by Speaker Morgan.

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

"Our soul waits for the Lord; God is our help and shield. Our hearts are glad in God because we trust in God's holy name. Let Your steadfast love, O God, be upon us, even as we hope in You.' (Based on Psalm 33:20-22)

"God, in You alone is our hope as individuals, as communities, states and nations. In You is our only hope for peace. Bless our feeble attempts at faithfulness to Your purpose for this world. Today in this place the work of the State is being done. Bless these leaders with a sense that You walk with them, that You gift each of them with what they need for the task of government, and that You have expectations of them. In their work may they sense Your justice being done, the public being served and their decisions blessed by You.

"In Your guiding name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 31 has been examined and found correct. Upon his motion, the Journal is approved as written.

No leave of absence is granted for today.

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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. 307, AN ACT TO EXTEND THE SUNSET PROVISION OF THE ACT THAT STRENGTHENED THE AUTHORITY OF THE STATE VETERINARIAN TO PREVENT AND CONTROL AN OUTBREAK OF FOOT-AND-MOUTH DISEASE AND ANY OTHER CONTAGIOUS ANIMAL DISEASE. (S.L. 2003-6)

H.B. 135, AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS. (S.L. 2003-7)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

H.B. 421, A BILL TO BE ENTITLED AN ACT TO MAKE VETERANS DAY A HOLIDAY FOR SCHOOL PERSONNEL, 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 April 2. The original bill is placed on the Unfavorable Calendar.

By Representatives Holliman and Setzer, Chairs, for the Committee on Insurance:

H.B. 253, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND RELATED SUBSTANTIVE CHANGES TO THE CONTINUING CARE RETIREMENT (CCR) LAWS TO ELIMINATE THE UNNECESSARY PROVISION ALLOWING FOR ACCREDITED BUT UNLICENSED PROVIDERS OF CCR SERVICES; CHANGE REFERENCES FROM "FACILITY" TO "PROVIDER" WHERE APPROPRIATE TO ACCOMMODATE THE SITUATION WHERE AN ENTITY OPERATES MORE THAN ONE FACILITY; CHANGE "FORECAST" TO "FORECASTED" WHERE FOUND; CHANGE THE OPERATING

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RESERVES STATUTE BY REWORDING SOME PROVISIONS TECHNICALLY; CHANGE REFERENCES TO "REGISTRATION" OF A FACILITY TO "LICENSURE"; MAKE GENDER NEUTRAL CHANGES TO THE CCR LAWS; CLARIFY THAT A PROVIDER MUST HOLD SEMI-ANNUAL MEETINGS WITH THE RESIDENTS OF EACH FACILITY OPERATED BY THE PROVIDER; AND MAKE OTHER TECHNICAL AND CONFORMING CHANGES TO ARTICLE 64, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 2.

H.B. 358, A BILL TO BE ENTITLED AN ACT TO INCREASE THE DAMAGE AMOUNTS ON DEFINED MOTOR VEHICLE ACCIDENTS, 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 April 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 Representatives Alexander and Insko:

H.B. 815, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF CHEMICAL DEPENDENCY TREATMENT FACILITY TO PROVIDE THAT SOCIAL SETTING DETOXIFICATION FACILITIES AND MEDICAL DETOXIFICATION FACILITIES ARE NOT CHEMICAL DEPENDENCY TREATMENT FACILITIES FOR THE PURPOSES OF CERTIFICATE OF NEED REQUIREMENTS AND TO AMEND THE DEFINITION OF CHEMICAL DEPENDENCY TREATMENT BED TO PROVIDE THAT BEDS LICENSED FOR DETOXIFICATION ARE NOT CHEMICAL DEPENDENCY TREATMENT BEDS FOR THE PURPOSES OF CERTIFICATE OF NEED REQUIREMENTS, is referred to the Committee on Health.

By Representative Wood:

H.B. 816, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO EXPAND THE HOUSE OF

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REPRESENTATIVES BY ADDING ONE MEMBER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hilton and Sexton (Primary Sponsors); Barnhart, Blackwood, Bowie, Capps, Crawford, Creech, Culp, Daughtry, Decker, Eddins, Ellis, Fox, Frye, Gibson, Gillespie, Gorman, Gulley, Holliman, Holmes, Justus, Lewis, McGee, McHenry, McMahan, Mitchell, Nye, Pate, Ray, Rayfield, Sauls, Setzer, Starnes, Stiller, Walker, West, K. Williams, C. Wilson, G. Wilson, Wood, and Yongue:

H.B. 817, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PISTOL MAY BE PURCHASED BY A PERSON WHO HAS A CONCEALED HANDGUN PERMIT WITHOUT OBTAINING AN ADDITIONAL PERMIT TO PURCHASE A HANDGUN, is referred to the Committee on Judiciary III.

By Representative Sutton:

H.B. 818, A BILL TO BE ENTITLED AN ACT TO MODIFY THE EFFECTIVE DATE OF THE ACT PROVIDING FOR THE REMOVAL OF DD FORMS 214 AND OTHER MILITARY RECORDS FROM CERTAIN PUBLIC RECORDS, is referred to the Committee on Judiciary III.

By Representatives Miller and Ellis (Primary Sponsors); Barnhart, Blackwood, Blust, Bowie, Capps, Culp, Frye, Gorman, Gulley, Hilton, Holmes, Howard, Hunter, L. Johnson, Justice, Justus, Kiser, LaRoque, Lewis, Luebke, McGee, McHenry, Michaux, Moore, Munford, Pate, Preston, Ray, Setzer, Sexton, Stam, Walend, Walker, West, K. Williams, C. Wilson, and G. Wilson:

H.B. 819, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE REQUIREMENT THAT THE COUNTY BOARDS OF ELECTIONS MUST PROVIDE BEYOND THE BUFFER ZONE AROUND THE VOTING PLACE A SPACE WHERE CAMPAIGNING AND OTHER ELECTION-RELATED ACTIVITY CAN BE CONDUCTED, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Miller, Walend, and Insko (Primary Sponsors):

H.B. 820, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE TRAVELING SCIENCE AND TECHNOLOGY EDUCATION PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA

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AT CHAPEL HILL, is referred to the Committee on Science and Technology and, if favorable, to the Committee on Appropriations.

By Representatives Justus and Alexander:

H.B. 821, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE PROCESS OF FILLING A VACANCY ON A PARTY TICKET, is referred to the Committee on Election Law and Campaign Finance Reform.

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

H.B. 822, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS TO COVER MEDICALLY NECESSARY EARLY INTERVENTION SERVICES FOR CHILDREN FROM BIRTH TO THREE YEARS OF AGE WHO ARE COVERED UNDER THE PLAN, is referred to the Committee on Insurance.

By Representatives McAllister, Adams, B. Allen, Hunter, and Jones:

H.B. 823, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A ZETA PHI BETA SORORITY SPECIAL REGISTRATION PLATE, is referred to the Committee on Finance.

By Representative Allred:

H.B. 824, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT THE USE OF THE RIGHT-OF-WAY OVER COOK ROAD FOR CONSTRUCTION OF A PRIVATE BRIDGE IN THE TOWN OF ELON, is referred to the Committee on Transportation.

By Representatives Grady, Bowie, and Glazier (Primary Sponsors); Dockham, Hilton, Justice, Michaux, and Walend:

H.B. 825, A BILL TO BE ENTITLED AN ACT TO REQUIRE ANY PRIVATE OR PUBLIC INSTITUTION THAT OFFERS A POST-SECONDARY DEGREE TO PROVIDE MENINGOCOCCAL AND HEPATITIS B IMMUNIZATION INFORMATION TO NEWLY ENROLLED STUDENTS IF THE INSTITUTION HAS A RESIDENTIAL CAMPUS, is referred to the Education Subcommittee on Universities.

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By Representative Insko:

H.B. 826, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONFIDENTIALITY PROVISIONS OF CHAPTER 122C OF THE GENERAL STATUTES TO PERMIT IMPLEMENTATION OF MENTAL HEALTH SYSTEM REFORM, is referred to the Committee on Health and, if favorable, to the Committee on Judiciary I.

By Representatives Weiss, Luebke, Insko, and Glazier (Primary Sponsors); Howard, McAllister, Michaux, and Womble:

H.B. 827, 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.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 51, A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOPHOLE THAT ALLOWS CORPORATIONS TO CONTINUE AVOIDING FRANCHISE TAXES, is read the first time and referred to the Committee on Finance.

S.B. 57 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF CAROLINA BEACH AND WRIGHTSVILLE BEACH TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES, is read the first time and referred to the Committee on Local Government I.

S.B. 356, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF HENDERSON TO GIVE ANNUAL NOTICE TO VIOLATORS OF THE CITY'S WEEDED LOT ORDINANCE, is read the first time and referred to the Committee on Local Government II.

S.B. 387, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE EDGEcombe COUNTY SCHOOL SYSTEM, is read the first time and referred to the Committee on Local Government I.

S.B. 396, A BILL TO BE ENTITLED AN ACT TO ANNEX THE RIGHT-OF-WAY OF MCMILLAN STREET TO THE CORPORATE LIMITS OF THE CITY OF RAEFORD, is read the first time and referred to the Committee on Finance.

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S.B. 419, A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CHADBOURN, is read the first time and referred to the Committee on Finance.

S.B. 425 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COUNTY OF CABARRUS TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE IN LIEU OF PUBLICATION, is read the first time and referred to the Committee on Local Government I.

CALENDAR

Action is taken on the following:

H.B. 326, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF JONESVILLE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtride, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nye, Owens, Parmon, Pate, Rapp, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: Representative Ellis.

Excused absences: None.

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

H.B. 295 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF BEECH MOUNTAIN TO REGULATE GOLF

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CARTS AND UTILITY VEHICLES, 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. 396 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE EDGECOMBE COUNTY SCHOOL 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. 480, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STAGGERED FOUR-YEAR TERMS FOR ALL FIVE MEMBERS OF THE BOARD OF COMMISSIONERS OF WILKES COUNTY, RATHER THAN THE CURRENT SYSTEM WHERE FOUR OF THE MEMBERS ARE ELECTED FOR STAGGERED FOUR-YEAR TERMS AND ONE FOR A TWO-YEAR TERM, 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. 21 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND TO AUTHORIZE THE USE OF HIGHWAY TRUST FUND FUNDS TO MATCH FEDERAL-AID HIGHWAY FUNDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 22 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE THE PORTION OF CONTRACT MAINTENANCE RESURFACING FUNDS ALLOCATED TO WIDENING EXISTING NARROW PAVEMENTS

April 1, 2003

SCHEDULED FOR RESURFACING TO WIDEN ANY EXISTING NARROW PAVEMENTS AND TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE HIGHWAY TRUST FUND SECONDARY ROAD PAVING FUNDS ALLOCATED TO EACH COUNTY FOR THE ADDITIONAL PURPOSE OF SAFETY IMPROVEMENTS ON PAVED AND UNPAVED ROADS IN THE SAME COUNTY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, passes its second reading, by electronic vote (117-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 47 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADOPTING THE CAROLINA LILY AS THE OFFICIAL WILDFLOWER OF NORTH CAROLINA, passes its second reading, by electronic vote (111-7), 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. 65 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PHOTOGRAPHS AND VIDEO OR AUDIO RECORDINGS MADE PURSUANT TO AN AUTOPSY ARE NOT PUBLIC RECORDS AND TO ALLOW FOR LIMITED ACCESS TO RECORDED IMAGES OF AN AUTOPSY BY THE PUBLIC, passes its second reading, by electronic vote (94-22), and remains on the Calendar.

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

H.B. 379 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE PURSUIT OF AN EDUCATION A CONDITION OF INTERMEDIATE PUNISHMENT, COMMUNITY PUNISHMENT, AND PROBATION, 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.

On motion of Representative Culpepper, seconded by Representative Ray, the House adjourns at 5:01 p.m. to reconvene April 2 at 3:00 p.m.

April 1, 2003

THIRTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 2, 2003

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by Speaker Morgan designated to preside by Speaker Black.

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

"God of all compassion:

"Look with mercy on Your warring children. Restore to Your world a measure of peace and to the Middle East, cradle of many faiths, an end to discord. We thank You for the rescue and return of Prisoner of War, Jessica Lynch, and pray for those still in captivity. We ask for Your blessing on those who are in harm's way and on those families who will not see sons and daughters return home.

"God, as we are about the business of this beautiful State we pray for Your special blessing on these who have been chosen by the public to lead. Give them wisdom, strength, insight, compassion, a sense of humor and zeal for their work.

"In Your loving name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 1 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Speaker Black and Representative Saunders for today. Representative Glazier 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 Munford, Chair, for the Committee on Judiciary IV:

April 2, 2003

H.B. 273, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT STATE EMPLOYEES WHO VOLUNTEER FOR VACCINATION AGAINST SMALLPOX INCIDENT TO THE ADMINISTRATION OF SMALLPOX COUNTERMEASURES BY HEALTH PROFESSIONALS UNDER SECTION 304 OF THE FEDERAL HOMELAND SECURITY ACT OF 2002 AND ANY FAMILY MEMBERS LIVING IN THE HOMES OF THESE VACCINATED EMPLOYEES WILL BE ABLE TO RECOVER FOR ANY ADVERSE MEDICAL REACTIONS DUE TO THE VACCINATION, 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 Bell and G. Wilson, Chairs, for the Committee on Pensions and Retirement:

H.B. 34, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CHARTER SCHOOLS TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, with a favorable report.

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

H.B. 56, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, with a favorable report as to the committee substitute bill, 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.

H.B. 543, A BILL TO BE ENTITLED AN ACT TO INCLUDE DEPUTY FIRE MARSHALS, ASSISTANT FIRE MARSHALS, AND COUNTY FIREFIGHTERS AS ELIGIBLE MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, 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 Appropriations.

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

By Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

H.B. 271, A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL GUIDANCE COUNSELORS, 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 Pensions and Retirement.

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

By Representative Sutton, Chair, for the Committee on Judiciary III:

H.B. 478, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE NORTH CAROLINA CHILD ALERT NOTIFICATION (NC CAN) SYSTEM AND TO RENAME THAT SYSTEM THE AMBER ALERT 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 of April 3. The original bill is placed on the Unfavorable Calendar.

By Representative Adams, Chair, for the Committee on Local Government II:

H.B. 440, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF WENTWORTH TO EXEMPT AGRICULTURAL LAND USES WITHIN THAT JURISDICTION FROM ZONING, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 3.

H.B. 626, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF GREENSBORO AND THE PIEDMONT TRIAD INTERNATIONAL AIRPORT ADMINISTRATION TO AMEND THE BOUNDARIES OF CERTAIN TERRITORY THAT CANNOT BE ANNEXED BY THE CITY UNDER GENERAL LAW, with a favorable

April 2, 2003

report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 627, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO EXPEND FUNDS ON ROADS OUTSIDE THE CORPORATE LIMITS, 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 Transportation.

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

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

S.B. 2 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN APPLICANTS FOR DRIVERS LICENSES TO SUBMIT MEDICAL CERTIFICATES FROM OUT-OF-STATE PHYSICIANS, 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 Walker, Chair, for the Committee on Local Government I:

H.B. 511, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TOWN-OWNED PROPERTIES OF THE TOWN OF ANDREWS FROM THE CEILING ON VOLUNTARY SATELLITE ANNEXATIONS, with a favorable report.

On motion of Speaker Morgan, pursuant to Rule 38(b), the bill is re-referred to the Committee on Finance.

H.B. 512, A BILL TO BE ENTITLED AN ACT TO ALLOW NONRESIDENT PROPERTY OWNERS TO SERVE ON THE HISTORIC PRESERVATION COMMISSION IN THE TOWN OF NAGS HEAD, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 3.

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H.B. 542, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF CASWELL BEACH, OAK ISLAND, AND OCEAN ISLE BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE PURPOSES OF ENGAGING IN BEACH EROSION CONTROL, FLOOD AND HURRICANE PROTECTION WORKS, AND PUBLIC BEACH ACCESS, 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 Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

H.J.R. 472, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARY LEWIS WYCHE, FOUNDER AND FIRST PRESIDENT OF THE NORTH CAROLINA NURSES ASSOCIATION AND ONE OF THE THREE NURSES APPOINTED TO THE FIRST NORTH CAROLINA BOARD OF NURSE EXAMINERS, ON THE ONE HUNDREDTH ANNIVERSARY OF PROFESSIONAL NURSING IN NORTH CAROLINA, with a favorable report.

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

SUBCOMMITTEE REFERRALS

Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Standing Committee on Education, refer the following bills to the Education Subcommittee on Pre-School, Elementary and Secondary Education:

H.B. 38, A BILL TO BE ENTITLED AN ACT TO PERMIT CAREER TEACHERS TO RETAIN CAREER STATUS WHEN THEY CHANGE SCHOOL SYSTEMS OR RETURN TO TEACHING AFTER LEAVING THE PROFESSION.

H.B. 601, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE EARLY ENTRY OF MOTIVATED STUDENTS INTO FOUR-YEAR COLLEGE PROGRAMS.

H.B. 801, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE COMPETENCY TESTING PROGRAM TO ENSURE THAT HIGH SCHOOL STUDENTS WHO DO NOT PASS THE COMPETENCY TEST ARE GIVEN AN OPPORTUNITY TO TAKE AN ALTERNATIVE TEST.

April 2, 2003

H.B. 802, A BILL TO BE ENTITLED AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ADDITIONAL PURCHASING FLEXIBILITY.

Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Standing Committee on Education, refer **H.B. 567**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT OUT-OF-STATE TUITION MUST BE SET AT A LEVEL TO RECOVER NOT LESS THAN THE FULL COST OF THE EDUCATION, to the Education Subcommittee on Universities.

ENROLLED BILLS

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

H.B. 237, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO SUPPORT NURSING SCHOLARSHIPS IN NORTH CAROLINA.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Gorman, Wainwright, and C. Johnson (Primary Sponsors); Alexander and C. Wilson:

H.B. 828, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF THE NORTH CAROLINA HISTORY EDUCATION CENTER AT TRYON PALACE, is referred to the Committee on Appropriations.

By Representatives Holliman and Setzer (Primary Sponsors):

H.B. 829, A BILL TO BE ENTITLED AN ACT TO ADOPT THE NAIC MODEL STANDARD NONFORFEITURE LAW FOR INDIVIDUAL DEFERRED ANNUITIES, is referred to the Committee on Insurance.

By Representatives Hilton, Allred, Barbee, Barnhart, Blackwood, Blust, Bowie, Brubaker, Capps, Church, Clary, Culp, Daughtridge, Daughtry, Decker, Dockham, Eddins, Ellis, England, Frye, Gillespie, Goforth, Gorman, Grady, Gulley, Hill, Holmes, Howard, L. Johnson, Justice, Justus, Kiser, LaRoque, Lewis, McComas, McCombs, McGee, McHenry, McMahan, Miner, Mitchell, Moore, Parmon, Pate, Preston, Ray, Rayfield,

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Rhodes, Sauls, Setzer, Sexton, Stam, Starnes, Stiller, Walend, Walker, Warner, West, K. Williams, C. Wilson, G. Wilson, Wood, and Yongue:

H.B. 830, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURES PERTAINING TO PARENTAL CONSENT FOR A MINOR TO OBTAIN AN ABORTION, is referred to the Committee on Judiciary I.

By Representatives Gibson and McComas (Primary Sponsors); Ellis, Hackney, C. Johnson, Luebke, McLawhorn, McMahan, Munford, Parmon, Stiller, Warren, and C. Wilson:

H.B. 831, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COASTAL RECREATIONAL FISHING LICENSE AND A MARINE RESOURCES RESTORATION FUND TO RESTORE, PROTECT, AND ENHANCE THE MARINE RESOURCES OF THE STATE, is referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Finance.

By Representatives Goforth, Nesbitt, and Jeffus (Primary Sponsors); Alexander and Glazier:

H.B. 832, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE KIDS VOTING NORTH CAROLINA PROGRAM, is referred to the Committee on Appropriations.

By Representatives McGee, Frye, Parmon and Stiller (Primary Sponsors); B. Allen, L. Allen, Barbee, Blackwood, Blust, Culp, Daughtridge, Goforth, Gorman, Harrell, Howard, Jones, Lewis, McHenry, Moore, Pate, Preston, Rapp, Sauls, Walker, West, and K. Williams:

H.B. 833, A BILL TO BE ENTITLED AN ACT TO REQUIRE SOLICITORS OF CHARITABLE SOLICITATIONS THAT REQUEST CONTRIBUTIONS BY TELEPHONE TO, WHEN REQUESTED BY THE PERSON BEING SOLICITED ON THE TELEPHONE, CLEARLY DISCLOSE TO THAT PERSON AT THE TIME OF THE REQUEST THE FIXED PERCENTAGE OF THE GROSS REVENUES THAT THE CHARITABLE ORGANIZATION OR SPONSOR WILL RECEIVE AS A BENEFIT FROM THE SOLICITATION CAMPAIGN AND SEND THAT PERSON A COPY OF THE SOLICITOR'S MOST RECENT FINANCIAL REPORT, TO REQUIRE THIS PERCENTAGE TO BE INCLUDED IN THE SOLICITOR'S FINANCIAL REPORT, AND TO PROHIBIT A

April 2, 2003

PERSON FROM MISREPRESENTING THIS REQUESTED INFORMATION, is referred to the Committee on Ways and Means.

By Representatives C. Johnson, Warren, and McLawhorn (Primary Sponsors):

H.B. 834, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO HELP CONSTRUCT THE NEW PITT COUNTY SENIOR CENTER, is referred to the Committee on Appropriations.

By Representatives Blackwood, Dockham, Frye, Gibson, Glazier, Insko, Justus, Kiser, Luebke, McMahan, C. Wilson, and Womble:

H.B. 835, A BILL TO BE ENTITLED AN ACT REQUIRING CERTAIN PHARMACIES TO PROVIDE PRESCRIPTION DRUG DISCOUNTS TO CERTAIN INDIVIDUALS, is referred to the Committee on Health.

By Representatives McLawhorn and Michaux (Primary Sponsors); and Alexander:

H.B. 836, A BILL TO BE ENTITLED AN ACT TO PERMIT THE COMMUNITY COLLEGES SYSTEM TO USE UNSPENT FUNDS TO PURCHASE INSTRUCTIONAL EQUIPMENT, is referred to the Committee on Appropriations.

By Representative Jones:

H.B. 837, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC LAWS OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Jones:

H.B. 838, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC LAWS OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Jones:

H.B. 839, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC LAWS OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

April 2, 2003

By Representative Alexander:

H.B. 840, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF A PROTECTIVE ORDER UNDER THE LAWS RELATING TO DOMESTIC VIOLENCE, is referred to the Committee on Judiciary I.

By Representatives Preston and McLawhorn (Primary Sponsors):

H.B. 841, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A RETENTION INCENTIVE PROGRAM FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Michaux and Stam (Primary Sponsors); and Alexander:

H.B. 842, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SYSTEM FOR ALL NORTH CAROLINA ELECTIONS THAT COMPLIES WITH THE HELP AMERICA VOTE ACT, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Starnes and Frye (Primary Sponsors); and Gillespie:

H.B. 843, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A NEW NATIONAL GUARD READINESS CENTER IN CALDWELL COUNTY, is referred to the Committee on Appropriations.

BILL PLACED ON CALENDAR

Representative Culpepper gives notice, pursuant to Rule 36(b), and **H.J.R. 472**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARY LEWIS WYCHE, FOUNDER AND FIRST PRESIDENT OF THE NORTH CAROLINA NURSES ASSOCIATION AND ONE OF THE THREE NURSES APPOINTED TO THE FIRST NORTH CAROLINA BOARD OF NURSE EXAMINERS, ON THE ONE HUNDREDTH ANNIVERSARY OF PROFESSIONAL NURSING IN NORTH CAROLINA, is placed on the Calendar for immediate consideration as a Special Order of Business.

The resolution passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

April 2, 2003

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. 462, A BILL TO BE ENTITLED AN ACT TO INCLUDE DULY LICENSED MARRIAGE AND FAMILY THERAPISTS UNDER THE INSURANCE 'FREEDOM OF CHOICE' LAW AND UNDER THE PROFESSIONAL CORPORATIONS ACT.

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

On motion of Representative Culpepper and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 9.

H.B. 65 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PHOTOGRAPHS AND VIDEO OR AUDIO RECORDINGS MADE PURSUANT TO AN AUTOPSY ARE NOT PUBLIC RECORDS AND TO ALLOW FOR LIMITED ACCESS TO RECORDED IMAGES OF AN AUTOPSY BY THE PUBLIC.

Representative Bordsen offers Amendment No. 1 which fails of adoption by electronic vote (35-83).

The bill passes its third reading, by electronic vote (101-17), and is ordered sent to the Senate.

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

H.B. 23, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE DEPARTMENT OF TRANSPORTATION AS THE STATE AGENCY RESPONSIBLE FOR FIXED GUIDEWAY TRANSIT SAFETY, PURSUANT TO FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

April 2, 2003

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

H.B. 26 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT DEVICES DESIGNED TO COVER REGISTRATION PLATES TO PREVENT THE TAKING OF A CLEAR PHOTOGRAPH BY TRAFFIC CONTROL SYSTEMS USING CAMERAS ARE UNLAWFUL.

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

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

H.B. 253, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND RELATED SUBSTANTIVE CHANGES TO THE CONTINUING CARE RETIREMENT (CCR) LAWS TO ELIMINATE THE UNNECESSARY PROVISION ALLOWING FOR ACCREDITED BUT UNLICENSED PROVIDERS OF CCR SERVICES; CHANGE REFERENCES FROM "FACILITY" TO "PROVIDER" WHERE APPROPRIATE TO ACCOMMODATE THE SITUATION WHERE AN ENTITY OPERATES MORE THAN ONE FACILITY; CHANGE "FORECAST" TO "FORECASTED" WHERE FOUND; CHANGE THE OPERATING RESERVES STATUTE BY REWORDING SOME PROVISIONS TECHNICALLY; CHANGE REFERENCES TO "REGISTRATION" OF A FACILITY TO "LICENSURE"; MAKE GENDER NEUTRAL CHANGES TO THE CCR LAWS; CLARIFY THAT A PROVIDER MUST HOLD SEMI-ANNUAL MEETINGS WITH THE RESIDENTS OF EACH FACILITY OPERATED BY THE PROVIDER; AND MAKE OTHER TECHNICAL AND CONFORMING CHANGES TO ARTICLE 64, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 270, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE INSURANCE LAWS, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

April 2, 2003

H.B. 358 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE DAMAGE AMOUNTS ON DEFINED MOTOR VEHICLE ACCIDENTS, passes its second reading, by electronic vote (117-0).

Representative Cole 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. 393 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF THE BOARD OF COUNTY COMMISSIONERS IN CERTAIN COUNTIES TO REQUIRE THE REGISTER OF DEEDS IN THE COUNTY NOT TO ACCEPT ANY DEED TRANSFERRING REAL PROPERTY FOR REGISTRATION UNLESS THE COUNTY TAX COLLECTOR CERTIFIES THAT NO DELINQUENT TAXES ARE DUE ON THAT PROPERTY.

Representative A. Williams offers Amendment No. 1 which is adopted by electronic vote (116-1).

The bill, as amended, passes its second reading, by electronic vote (105-9).

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

Representative Bordsen states that her voting equipment malfunctioned and she requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (106-9).

SPECIAL MESSAGE FROM THE SENATE

2003 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
April 2, 2003

Mr. Speaker:

It is ordered that a message be sent to your Honorable Body notifying you that pursuant to **S.R. 174** (Committee Substitute), A SENATE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF

April 2, 2003

THE UNIVERSITY OF NORTH CAROLINA, the Senate has elected the following individuals to the University of North Carolina Board of Governors:

R. Steve Bowden
Freeman Edward Broadwell, Jr.
William L. Burns, Jr.
John W. Davis III
Peter D. Hans
Adelaide Daniels Key
Charles S. Norwood, Jr.
Estelle "Bunny" Sanders

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

CALENDAR (continued)

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

H.B. 408 (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.

H.B. 421 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VETERANS DAY A HOLIDAY FOR SCHOOL PERSONNEL.

On motion of Representative McLawhorn and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 8.

On motion of Representative Culpepper, seconded by Representative Jones, the House adjourns at 5:05 p.m. to reconvene April 3 at 1:00 p.m.

THIRTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Thursday, April 3, 2003

April 3, 2003

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

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

"Creative and creating God:

"How beautiful are our surroundings when Your paintbrush strikes the earth in the springtime. Open our eyes, we pray, that in the beauty of our State we might catch some sight of Your kingdom which is more than our minds can take in, and may the signs of Your kingdom give us strength to weather the ugly in life.

"In these trying times we ask for Your blessing on all who are in harm's way all over the world and we especially pray for our President and his staff and the decisions that are before them.

"God, in many ways the work done in this Chamber affects Your kingdom - in lives touched and helped or harmed. Guide these good women and men in their decision-making. May their efforts always serve to make North Carolina a better place in which to live and work. And give to each of them a weekend of rest and rejuvenation for the task ahead.

"In Your bounteous name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 2 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barbee, Brubaker, Culp, Dockham, Hilton, Howard, McMahan, Nesbitt, Wainwright, and K. Williams for today.

ENROLLED BILLS

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

H.B. 340, AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER.

April 3, 2003

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

H.J.R. 472, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARY LEWIS WYCHE, FOUNDER AND FIRST PRESIDENT OF THE NORTH CAROLINA NURSES ASSOCIATION AND ONE OF THE THREE NURSES APPOINTED TO THE FIRST NORTH CAROLINA BOARD OF NURSE EXAMINERS, ON THE ONE HUNDREDTH ANNIVERSARY OF PROFESSIONAL NURSING IN NORTH CAROLINA. (RESOLUTION 2003-6)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Allred and Coates, Chairs, for the Committee on Transportation:

H.B. 651, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY MANAGER TO MAKE DECISIONS REGARDING ROUTINE TRAFFIC CONTROL MEASURES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 7.

H.B. 674, A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF THE DURHAM NORTHERN LOOP, with a favorable report.

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

H.B. 824, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT THE USE OF THE RIGHT-OF-WAY OVER COOK ROAD FOR CONSTRUCTION OF A PRIVATE BRIDGE IN THE TOWN OF ELON, 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 Hackney, Chair, for the Committee on Judiciary I:

April 3, 2003

S.B. 440, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COURT TO ISSUE AN ORDER FOR ARREST WHEN A DEFENDANT FAILS TO APPEAR IN COURT AFTER RECEIVING A CITATION FOR A MISDEMEANOR, with a favorable report.

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

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

H.B. 520, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF OAK ISLAND, 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 April 7. The original bill is placed on the Unfavorable Calendar.

By Representatives G. Allen, Luebke, McComas, and Miner, Chairs, for the Committee on Finance:

S.B. 51, A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOPHOLE THAT ALLOWS CORPORATIONS TO CONTINUE AVOIDING FRANCHISE TAXES, with a favorable report.

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

By Representatives Bell and G. Wilson, Chairs, for the Committee on Pensions and Retirement:

H.B. 15, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, with a favorable report as to the committee substitute bill, 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 are introduced, read the first time and referred to committee:

April 3, 2003

By Representatives B. Allen, Bell, Bonner, Carney, Culpepper, Cunningham, Earle, Farmer-Butterfield, Glazier, Goodwin, Hall, Harrell, Hunter, Jones, Lucas, McAllister, Michaux, Owens, Parmon, Ross, Wainwright, Warren, A. Williams, and Womble:

H.J.R. 844, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ELMER "E.V." WILKINS, FORMER EDUCATOR AND CIVIC LEADER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Grady, Clary, Decker, Howard, L. Johnson, Justice, Lucas, McHenry, McLawhorn, Moore, Pate, Preston, Sauls, Stiller, Walend, Warner, A. Williams, and K. Williams:

H.B. 845, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FEDERAL FUNDS UNDER THE TANF BLOCK GRANT FOR BOYS AND GIRLS CLUBS, is referred to the Committee on Appropriations.

By Representatives Alexander, Insko, Jeffus, and McLawhorn:

H.B. 846, A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY TO KNOWINGLY OPERATE A CHILD CARE FACILITY ILLEGALLY, is referred to the Committee on Judiciary I.

By Representatives Hilton, Barnhart, Frye, McHenry, Setzer, and Warner:

H.B. 847, 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 Michaux, Glazier, and Jeffus:

H.B. 848, A BILL TO BE ENTITLED AN ACT TO ALLOW THE OLD NORTH CAROLINA STATE MEDICAL SOCIETY TO MAKE RECOMMENDATIONS TO THE GOVERNOR FOR NOMINATIONS TO THE NORTH CAROLINA MEDICAL BOARD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Weiss, Insko, Jeffus, and Luebke:

H.B. 849, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH AND MAINTAIN A LIST OF CHRONIC VIOLATORS

April 3, 2003

AND A DATABASE OF ENFORCEMENT ACTIONS AND TO FURTHER DISCOURAGE VIOLATIONS RELATING TO THE ENVIRONMENT, is referred to the Committee on Environment and Natural Resources.

By Representatives McLawhorn and Sexton (Primary Sponsors); L. Allen, Coates, England, Fox, Glazier, Goodwin, Haire, Jeffus, C. Johnson, LaRoque, Lucas, McHenry, Warner, Warren, and A. Williams:

H.B. 850, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A PLAN FOR MOVING FACULTY AND PROFESSIONAL STAFF SALARIES IN THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM TO THE NATIONAL AVERAGE, is referred to the Committee on Appropriations.

By Representative Walend:

H.B. 851, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR THE PAYMENT OF ACCUMULATED INTEREST TO ALL MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM WHO RECEIVE THE RETURN OF THEIR ACCUMULATED CONTRIBUTIONS, is referred to the Committee on Pensions and Retirement.

By Representative Walend:

H.B. 852, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FUNDING FOR THE SAVINGS RESERVE ACCOUNT AND TO PROVIDE THAT ANY BALANCE NOT NEEDED TO FUND THE SAVINGS RESERVE ACCOUNT MAY BE USED ONLY FOR CAPITAL IMPROVEMENTS, REPAIRS AND RENOVATIONS, OR MAINTENANCE, is referred to the Committee on Appropriations.

By Representatives Crawford and Sherrill (Primary Sponsors); Earle, Owens, and Wright:

H.B. 853, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

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By Representatives Capps, Barnhart, Blust, Gorman, Gulley, L. Johnson, Lewis, Rhodes, Sexton, and Walker:

H.B. 854, A BILL TO BE ENTITLED AN ACT TO PROHIBIT COVERAGE FOR ABORTIONS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is referred to the Committee on Health.

By Representatives Alexander and Rayfield (Primary Sponsors); Insko, McLawhorn, and Setzer:

H.B. 855, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A BREAST CANCER AWARENESS SPECIAL REGISTRATION PLATE, is referred to the Committee on Finance.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

By Representatives Bowie and McAllister, Chairs, for the Education Subcommittee on Universities.

H.B. 506, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STUDENT MEMBER OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA SHALL HAVE THE SAME RIGHT TO VOTE AS ALL OTHER MEMBERS, reported to the Standing Committee on Education, with a favorable recommendation.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 295 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES FOR PARAMEDICS, THE NORTH CAROLINA COASTAL FEDERATION, AND THE ALPHA KAPPA ALPHA SORORITY, is read the first time and referred to the Committee on Finance.

S.B. 330 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF RALEIGH AND THE TOWNS OF HOLLY SPRINGS AND RUTHERFORDTON TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT

April 3, 2003

AND AUTHORIZING THE CITY OF RALEIGH AND THE TOWN OF RUTHERFORDTON TO ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS, is read the first time and referred to the Committee on Local Government I.

S.B. 353, A BILL TO BE ENTITLED AN ACT TO REQUIRE SOLICITORS OF CHARITABLE SOLICITATIONS THAT REQUEST CONTRIBUTIONS BY TELEPHONE TO, WHEN REQUESTED BY THE PERSON BEING SOLICITED ON THE TELEPHONE, CLEARLY DISCLOSE TO THAT PERSON AT THE TIME OF THE REQUEST THE FIXED PERCENTAGE OF THE GROSS REVENUES THAT THE CHARITABLE ORGANIZATION OR SPONSOR WILL RECEIVE AS A BENEFIT FROM THE SOLICITATION CAMPAIGN AND SEND THAT PERSON A COPY OF THE SOLICITOR'S MOST RECENT FINANCIAL REPORT, TO REQUIRE THIS PERCENTAGE TO BE INCLUDED IN THE SOLICITOR'S FINANCIAL REPORT, AND TO PROHIBIT A PERSON FROM MISREPRESENTING THIS REQUESTED INFORMATION, is read the first time and referred to the Committee on Ways and Means.

S.B. 384 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF THE DURHAM NORTHERN LOOP AND INTRASTATE IMPROVEMENT PROJECTS, is read the first time and referred to the Committee on Transportation.

S.B. 389 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REENACTING THE SUBSTANTIVE PROVISIONS OF S.L. 2000-65 RELATING TO MECKLENBURG COUNTY'S AUTHORITY TO SELL AND CONVEY REAL ESTATE, is read the first time and referred to the Committee on Local Government II.

CALENDAR

Action is taken on the following:

H.B. 440, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF WENTWORTH TO EXEMPT AGRICULTURAL LAND USES WITHIN THAT JURISDICTION FROM ZONING, 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 sent to the Senate.

H.B. 512, A BILL TO BE ENTITLED AN ACT TO ALLOW NON-RESIDENT PROPERTY OWNERS TO SERVE ON THE HISTORIC PRESERVATION COMMISSION IN THE TOWN OF NAGS HEAD, 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. 358 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE DAMAGE AMOUNTS ON DEFINED MOTOR VEHICLE ACCIDENTS, passes its third reading, by electronic vote (104-0), and is ordered sent to the Senate.

H.B. 393 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF THE BOARD OF COUNTY COMMISSIONERS IN CERTAIN COUNTIES TO REQUIRE THE REGISTER OF DEEDS IN THE COUNTY NOT TO ACCEPT ANY DEED TRANSFERRING REAL PROPERTY FOR REGISTRATION UNLESS THE COUNTY TAX COLLECTOR CERTIFIES THAT NO DELINQUENT TAXES ARE DUE ON THAT PROPERTY.

The bill, as amended, passes its third reading, by electronic vote (100-5), and is ordered engrossed and sent to the Senate.

H.B. 478 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE NORTH CAROLINA CHILD ALERT NOTIFICATION (NC CAN) SYSTEM AND TO RENAME THAT SYSTEM THE AMBER ALERT SYSTEM.

On motion of Representative Decker and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 8.

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:

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H.J.R. 392, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF J. FRANK BRYANT, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of April 7.

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2, **H.B. 783**, A BILL TO BE ENTITLED AN ACT TO TEMPORARILY REQUIRE THE AFFIRMATIVE VOTE OF AT LEAST FOUR MEMBERS OF THE BOARD OF COMMISSIONERS OF BURKE COUNTY TO AMEND OR REPEAL ARTICLE XII OF THE BURKE COUNTY ZONING ORDINANCE, RELATING TO THE CATAWBA RIVER, LAKE JAMES, LAKE RHODISS, AND LAKE HICKORY OVERLAY DISTRICT, SO AS TO ALLOW THE ORDINANCE TO CONTINUE TO WORK, is withdrawn from the Committee on Local Government I and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, seconded by Representative England, the House adjourns at 1:31 p.m. to reconvene Monday, April 7, 2003, at 7:00 p.m.

THIRTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, April 7, 2003

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

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

"O God of every nation, of every race and land,
Redeem the whole creation with Your almighty hand;
Where hate and fear divide us and bitter threats are hurled,
In love and mercy guide us and heal our strife-torn world.'
(William W. Reid, Jr., 1958)

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"God, this new week, this new day, this new minute puts before us once again opportunities to be the kind of people You call us to be. Grace our President and all the world's leaders with minds of compassionate, just decision-making. Protect all those serving this country in foreign lands and at home. Comfort them in their fears, be a shield and fortress to them in danger.

"And God, as this House is about the work of community this week, hold before these leaders the end results of words spoken, votes taken, and legislation enacted. Especially give them eyes to see the helpless, the hopeless, the poor, the children - any who can't speak for themselves. God, give them Your blessing when a job is well done and mercifully forgive them when they fall short.

"In Your holy name we pray. Amen."

Speaker Morgan leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives Adams, Brubaker, Nesbitt, Sexton, and Wright for today.

ENROLLED BILLS

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

H.B. 36, AN ACT TO REPEAL THE LAW THAT AUTHORIZES THE INVOLUNTARY STERILIZATION OF PERSONS WHO ARE MENTALLY ILL OR MENTALLY RETARDED, TO PERMIT THE STERILIZATION OF MENTALLY ILL OR MENTALLY RETARDED WARDS ONLY WHEN THERE IS A MEDICAL NECESSITY, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES.

CHAPTERED BILLS

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

H.B. 340, AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER. (S.L. 2003-8)

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Goodwin, Vice Chair, for the Committee on Judiciary II:

H.B. 394, A BILL TO BE ENTITLED AN ACT CLARIFYING THE LAW PERTAINING TO LEGAL DEADLINES FALLING ON A HOLIDAY, 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 April 8. The original bill is placed on the Unfavorable Calendar.

By Representatives Decker and Pate, Chairs, for the Committee on Ways and Means:

H.B. 230, A BILL TO BE ENTITLED AN ACT TO ASSIST RICHMOND COUNTY WITH EXPEDITING THE CONSTRUCTION OF PUBLIC SCHOOL FACILITIES, 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 Michaux and Stam, Chairs, for the Committee on Election Law and Campaign Finance Reform:

H.B. 842, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SYSTEM FOR ALL NORTH CAROLINA ELECTIONS THAT COMPLIES WITH THE HELP AMERICA VOTE ACT, 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 Munford, Chair, for the Committee on Judiciary IV:

H.B. 636, A BILL TO BE ENTITLED AN ACT TO GIVE EFFECT TO ELECTRONIC JUDGMENT DOCKETS BY MODERNIZING LAWS REGARDING JUDGMENTS AND REESTABLISHING THE EFFECTIVE

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DATE OF CIVIL JUDGMENT LIENS AND THE DATE FROM WHICH INTEREST ACCRUES ON JUDGMENTS, 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 April 8. The original bill is placed on the Unfavorable Calendar.

H.B. 637, A BILL TO BE ENTITLED AN ACT TO PERMIT THE SETTLOR OF A REVOCABLE TRUST TO RELIEVE THE TRUSTEE OF DUTIES, RESTRICTIONS, AND LIABILITIES IMPOSED BY THE UNIFORM TRUSTS ACT, with a favorable report.

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

H.B. 656, A BILL TO BE ENTITLED AN ACT TO AMEND THE TRUST ADMINISTRATION 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.

By Representative Womble, Chair, for the Committee on State Government:

H.B. 544, A BILL TO BE ENTITLED AN ACT CREATING THE STATE GOVERNMENT EMPLOYMENT PAY EQUITY STUDY COMMISSION AND APPROPRIATING FUNDS FOR THAT PURPOSE, 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 Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representatives Insko and Justus, Chairs, for the Committee on Health:

H.B. 354, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE PREVENTION AND CONTROL OF LEAD POISONING IN CHILDREN, 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.

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

H.B. 517, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF HOLLY SPRINGS TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

On motion of Speaker Morgan, pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Allred and Coates, Chairs, for the Committee on Transportation:

H.B. 692, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LICENSED AUCTIONEERS CONDUCTING AUCTIONS FOR MOTOR VEHICLE DEALERS DO NOT NEED MOTOR VEHICLE DEALER 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.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 242, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FIRE DEPARTMENTS TO HONOR RETIRING OR DECEASED FIRE-FIGHTERS BY AWARDING THEIR FIRE HELMETS TO THEM OR TO A SURVIVING RELATIVE, is read the first time and referred to the Committee on Ways and Means.

S.B. 251 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE PRACTICE OF THE "REBIRTHING" TECHNIQUE, is read the first time and referred to the Committee on Judiciary II.

S.B. 355, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WAKE FOREST TO USE TOWN LABOR FOR PHASED

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CONSTRUCTION OF ELECTRICAL DISTRIBUTION FEEDER CIRCUITS AND FOR CONSTRUCTION OF AN ELECTRIC SUBSTATION WITHOUT REGARD TO THE DOLLAR VALUE OF THE LABOR, is read the first time and referred to the Committee on Local Government I.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative C. Wilson:

H.B. 856, A BILL TO BE ENTITLED AN ACT TO ADOPT THE INTERNATIONAL BUILDING CODE AS THE STATE BUILDING CODE, is referred to the Committee on Ways and Means.

By Representative C. Wilson:

H.B. 857, A BILL TO BE ENTITLED AN ACT TO STREAMLINE BUILDING CODE ADOPTION FOR GENERAL AND RESIDENTIAL CONSTRUCTION AND THE REVIEW PROCESS FOR STATE CAPITAL IMPROVEMENT PROJECTS, is referred to the Committee on Ways and Means.

By Representatives C. Wilson, McHenry and Tolson (Primary Sponsors); Alexander, Barbee, Bell, Capps, Carney, Cole, Earle, England, Frye, Gibson, Gillespie, Glazier, Grady, Harrell, Hilton, Justice, Lewis, McGee, McMahan, Moore, Pate, Rapp, Ray, Rayfield, Rhodes, Sauls, Setzer, Stiller, Walend, and K. Williams:

H.B. 858, A BILL TO BE ENTITLED AN ACT TO PHASE IN PARITY FUNDING FOR COMMUNITY COLLEGE OCCUPATIONAL CONTINUING EDUCATION COURSES TO ENHANCE ECONOMIC DEVELOPMENT, is referred to the Committee on Appropriations.

By Representatives Adams, Hunter, McAllister, and Michaux:

H.B. 859, A BILL TO BE ENTITLED AN ACT TO ELIMINATE STATEWIDE VOTING TO ELECT MEMBERS OF THE BOARD OF MORTUARY SCIENCE AND TO ESTABLISH A NEW PROCESS WHEREBY MEMBERS ARE APPOINTED TO SERVE ON THE BOARD, is referred to the Committee on State Government.

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By Representative Adams:

H.B. 860, A BILL TO BE ENTITLED AN ACT TO AMEND THE REGISTRATION REQUIREMENTS AND FEES TO ENGAGE IN CERTAIN ACTIVITIES WITH CONTROLLED SUBSTANCES, is referred to the Committee on Judiciary III and, if favorable, to the Committee on Finance.

By Representatives Earle and Wainwright (Primary Sponsors); Adams, Alexander, B. Allen, Bell, Carney, Cunningham, Farmer-Butterfield, Hunter, Insko, Jones, Lucas, Luebke, McAllister, Michaux, Miller, Womble, and Wright:

H.B. 861, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE REVIEW OF DISPARITIES IN HIRING, COMPENSATION, ADVANCEMENT, AND RETENTION ACROSS DEMOGRAPHIC GROUPS WITHIN STATE GOVERNMENT EMPLOYMENT, is referred to the Committee on State Government and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Earle and Wainwright (Primary Sponsors); B. Allen, Bell, Bonner, Bordsen, Carney, Farmer-Butterfield, Glazier, Hall, Insko, Jones, Lucas, Parmon, and Ross:

H.B. 862, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A STATE STUDY TO DETERMINE WHETHER THERE EXISTS AN OVERREPRESENTATION OF MINORITY YOUTH IN NORTH CAROLINA YOUTH DEVELOPMENT CENTERS AND TO CONSIDER STATEWIDE DISPOSITIONAL ALTERNATIVES AND TO APPROPRIATE FUNDS FOR THIS PURPOSE, is referred to the Committee on Appropriations.

By Representatives C. Wilson and Hill (Primary Sponsors); Allred, Baker, Barnhart, Church, Daughtridge, Eddins, Ellis, Gorman, Gulley, Hilton, Justice, Justus, LaRoque, McComas, McHenry, Mitchell, Owens, Preston, Ray, Sexton, Starnes, Stiller, West, A. Williams, K. Williams, G. Wilson, and Wright:

H.B. 863, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PUBLIC SCHOOLS SHALL OPEN AFTER LABOR DAY EXCEPT IN UNUSUAL CIRCUMSTANCES OR YEAR-ROUND SCHOOLS, IN ORDER TO PROMOTE FAMILY UNITY AND ECONOMIC RECOVERY

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IN NORTH CAROLINA, is referred to the Committee on Economic Growth and Community Development.

By Representatives Brubaker and Saunders (Primary Sponsors); and Luebke:

H.B. 864, A BILL TO BE ENTITLED AN ACT INCREASING THE EFFICIENCY OF GUARANTEED ENERGY SAVINGS CONTRACTS FOR STATE GOVERNMENTAL UNITS, is referred to the Committee on Ways and Means.

By Representatives Tolson and Miner (Primary Sponsors); Haire, Hall, Harrell, Lucas, and Sutton:

H.B. 865, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX CREDITS FOR RESEARCH AND DEVELOPMENT BY INFORMATION TECHNOLOGY BUSINESSES, is referred to the Committee on Science and Technology and, if favorable, to the Committee on Finance.

By Representatives Haire, Alexander, Insko, Luebke, and Weiss:

H.B. 866, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CLEAN AIR TRUST FUND AND TO APPROPRIATE FUNDS TO IT, is referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Appropriations.

By Representatives Blust, Culp, Farmer-Butterfield, Fox, Gorman, Jones, Luebke, McAllister, Parmon, Ross, and Stam:

H.B. 867, A BILL TO BE ENTITLED AN ACT TO REDUCE THE NUMBER OF SIGNATURES REQUIRED OF A NEW PARTY TO ACHIEVE BALLOT ELIGIBILITY; TO REDUCE THE NUMBER OF VOTES A NEW PARTY MUST GAIN FOR A NOMINEE IN ORDER TO MAINTAIN BALLOT ELIGIBILITY; AND TO ALLOW THAT NOMINEE TO BE ANY STATEWIDE NOMINEE, NOT JUST ITS NOMINEE FOR PRESIDENTIAL ELECTOR OR GOVERNOR, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Culpepper, Luebke, and Weiss:

H.B. 868, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF VARIOUS ENVIRONMENTAL LAWS, is referred to the Committee on Environment and Natural Resources.

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By Representatives Gorman and Blust:

H.B. 869, A BILL TO BE ENTITLED AN ACT TO ADVANCE THE DATE FOR REPORTING MAILED ABSENTEE AND ONE-STOP VOTES BY PRECINCT FROM 2006 TO 2004 FOR THOSE COUNTIES CAPABLE OF DOING SO, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representative Gillespie:

H.B. 870, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MUNICIPAL COMMUNITY BUILDINGS ARE EXEMPT FROM RULES GOVERNING FOOD HANDLING ESTABLISHMENTS UNDER CERTAIN CIRCUMSTANCES, is referred to the Committee on Health.

By Representatives Insko, Hackney, Luebke, and Weiss:

H.B. 871, A BILL TO BE ENTITLED AN ACT ENCOURAGING THE USE OF SOLAR ENERGY SYSTEMS AND PROHIBITING ORDINANCES, COVENANTS, AND OTHER RESTRICTIONS THAT UNREASONABLY RESTRICT THE INSTALLATION OR USE OF SUCH SYSTEMS, is referred to the Committee on Ways and Means.

By Representatives Insko, Luebke, and Weiss:

H.B. 872, A BILL TO BE ENTITLED AN ACT REQUIRING ELECTRIC UTILITIES TO MAKE NET ENERGY METERING AVAILABLE TO NONUTILITY CUSTOMERS WHO HAVE THEIR OWN ELECTRIC GENERATION FACILITY, is referred to the Committee on Public Utilities.

By Representatives Insko and Luebke:

H.B. 873, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT HEALTH EDUCATION COURSES OFFERED IN PUBLIC SCHOOLS PROVIDE MEDICALLY AND FACTUALLY ACCURATE INFORMATION, is referred to the Committee on Education.

By Representatives Frye and Dockham (Primary Sponsors); Barnhart, Bowie, Capps, Daughtry, Eddins, Gillespie, Gorman, Gulley, Hilton, McGee, McMahan, Mitchell, Munford, Pate, Rapp, Rayfield, Sauls, Stam, Walker, West, K. Williams, and G. Wilson:

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H.B. 874, A BILL TO BE ENTITLED AN ACT PROVIDING FOR COVERAGE OF EMERGENCY SERVICES IN CERTAIN SITUATIONS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is referred to the Committee on Health.

By Representatives Barnhart, Starnes, Walend, and Wood:

H.B. 875, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FUNDS FOR THE GRADUATE TUITION REMISSION SHALL BE DEDUCTED FROM OVERHEAD RECEIPTS AND THE GENERAL FUND APPROPRIATION TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA REDUCED ACCORDINGLY, is referred to the Committee on Appropriations.

By Representatives Barnhart, Rhodes, and Justus (Primary Sponsors); Blust, Frye, Hilton, Kiser, McHenry, and Moore:

H.B. 876, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROTECTION AGAINST TERRORISM, IDENTITY THEFT, AND VOTER FRAUD, is referred to the Committee on Judiciary III.

By Representative Hackney:

H.B. 877, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATING TO POSTSEPARATION SUPPORT TO FURTHER CLARIFY THE EVENTS UNDER WHICH POSTSEPARATION SUPPORT TERMINATES AND TO CLARIFY THAT POSTSEPARATION SUPPORT IS A TEMPORARY MEASURE AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION, is referred to the Committee on Judiciary I.

By Representatives Hackney, Alexander, Luebke, and Weiss:

H.B. 878, 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, is referred to the Committee on Finance.

By Representative Crawford:

H.B. 879, A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 126 OF THE GENERAL STATUTES, THE STATE PERSONNEL

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

By Representative Justus:

H.B. 880, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A BLOOD ANALYSIS REPORT SENT DIRECTLY TO THE CLERK OF SUPERIOR COURT MAY BE USED AS THE BASIS FOR THE CIVIL REVOCATION OF A DRIVERS LICENSE, is referred to the Committee on Judiciary IV.

By Representative Yongue:

H.B. 881, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PAY A BONUS TO CHILD NUTRITION PERSONNEL IN THE PUBLIC SCHOOLS, is referred to the Committee on Appropriations.

By Representative Gillespie:

H.B. 882, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM PRIOR AUTHORIZATION REQUIREMENTS FOR PRESCRIPTION DRUGS UNDER THE MEDICAID PROGRAM ANTIHEMOPHILIC DRUGS PRESCRIBED FOR THE TREATMENT OF HEMOPHILIA AND BLOOD DISORDERS, is referred to the Committee on Health.

By Representative Insko:

H.B. 883, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO TEMPORARILY WAIVE CERTAIN REQUIREMENTS OF THE MENTAL HEALTH COMMITMENT STATUTES TO FURTHER MENTAL HEALTH REFORM EFFORTS, is referred to the Committee on Health.

By Representative Starnes:

H.B. 884, A BILL TO BE ENTITLED AN ACT TO REQUIRE VERIFICATION OF EXCESS WITHHOLDING ALLOWANCES, is referred to the Committee on Finance.

By Representative Starnes:

H.B. 885, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ENTERPRISE TIER ADJUSTMENT FOR COUNTIES THAT EXPERIENCE

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A DOUBLING OF THEIR UNEMPLOYMENT RATE, is referred to the Committee on Finance.

By Representatives Wright and Howard (Primary Sponsors):

H.B. 886, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS PROVISIONS RELATING TO THE NORTH CAROLINA MEDICAL BOARD UNDER THE LAWS REGULATING THE PRACTICE OF MEDICINE, is referred to the Committee on Health.

By Representatives G. Allen and Hackney (Primary Sponsors); Alexander and Insko:

H.B. 887, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX INCENTIVES TO PROMOTE PRESERVATION OF OPEN SPACES, is referred to the Committee on Finance.

By Representatives Moore and Glazier:

H.B. 888, A BILL TO BE ENTITLED AN ACT TO INCREASE PURCHASING FLEXIBILITY FOR PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representative Eddins:

H.B. 889, A BILL TO BE ENTITLED AN ACT TO PROVIDE IN THE SAME MANNER AS FEDERAL LAW THAT A CONTROLLED SUBSTANCE ANALOGUE SHALL, TO THE EXTENT INTENDED FOR HUMAN CONSUMPTION, BE TREATED AS A CONTROLLED SUBSTANCE IN SCHEDULE I OF THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT, AND TO PROVIDE THAT THUS MAE 1, 4-BUTANEDIOL, AN ANALOGUE OF GAMMA-HYDROXYBUTRIC ACID (GHB), IS A SCHEDULE I CONTROLLED SUBSTANCE WHEN THE SUBSTANCE IS INTENDED FOR HUMAN CONSUMPTION, is referred to the Committee on Health.

By Representatives Eddins and Holliman (Primary Sponsors):

H.B. 890, A BILL TO BE ENTITLED AN ACT TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS AND THE DEPARTMENT OF CORRECTION TO STUDY METHODS OF REDUCING THE NUMBER OF UNCLAIMED RESTITUTION PAYMENTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Eddins:

H.B. 891, A BILL TO BE ENTITLED AN ACT REGARDING AN OUTSTANDING STATEWIDE WARRANT REPOSITORY/ HOMELAND SECURITY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Saunders and McComas (Primary Sponsors):

H.B. 892, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COMMON LAW DETERMINES WHETHER A DRIVER OF A TRUCK OR TRACTOR TRAILER OF AN INTERSTATE MOTOR CARRIER IS AN EMPLOYEE SUBJECT TO THE WORKERS' COMPENSATION ACT, is referred to the Committee on Judiciary II.

By Representative Saunders:

H.B. 893, A BILL TO BE ENTITLED AN ACT TO IMPOSE DEADLINES ON THE REPORT OF FIRE CONDITIONS AND TO PROVIDE THAT UNALLOCATED FUNDS ESCHEAT TO THE GENERAL FUND, is referred to the Committee on Appropriations.

By Representative Clary:

H.B. 894, A BILL TO BE ENTITLED AN ACT TO CLARIFY APPLICATION OF THE ADULT CARE HOME MORATORIUM, is referred to the Committee on Health.

By Representatives Gibson and Clary:

H.B. 895, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LICENSING BOARD OF GENERAL CONTRACTORS TO ESTABLISH TEMPORARY RULES THAT ALLOW A LICENSEE TO BID AND CONTRACT DIRECTLY WITH THE OWNER OF A PUBLIC BUILDING PROJECT IN CERTAIN CIRCUMSTANCES, is referred to the Committee on Ways and Means.

By Representative Gibson:

H.B. 896, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF COSMETIC ART EXAMINERS TO ESTABLISH NEW FEES AND TO INCREASE CERTAIN CURRENT

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FEES UNDER THE COSMETIC ART ACT, is referred to the Committee on Finance.

By Representatives Gibson and Gillespie (Primary Sponsors); Gorman and LaRoque:

H.B. 897, A BILL TO BE ENTITLED AN ACT TO MAKE IMPROVEMENTS IN THE REGULATION OF PETROLEUM UNDERGROUND STORAGE TANKS AND TO THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP PROGRAM, is referred to the Committee on Environment and Natural Resources.

By Representatives Gibson and LaRoque (Primary Sponsors):

H.B. 898, A BILL TO BE ENTITLED AN ACT TO GRANT AN ALLOWANCE FOR CONTROLLED HUNTING PRESERVES LICENSED BY THE WILDLIFE RESOURCES COMMISSION FOR THE TAKING OF DOMESTICALLY RAISED GAME BIRDS, is referred to the Committee on Wildlife Resources.

By Representative Gibson:

H.B. 899, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON SOLICITING A VIOLATION OF OR CONSPIRING TO VIOLATE THE LAW MAKING IT A MISDEMEANOR FOR EMPLOYING UNITS TO MAKE FALSE STATEMENTS TO THE EMPLOYMENT SECURITY COMMISSION IS GUILTY OF A FELONY, SO AS TO DETER THE PRACTICE OF STATE EMPLOYMENT TAX AVOIDANCE (SUTA DUMPING), is referred to the Committee on Judiciary I.

By Representatives Gibson and McComas (Primary Sponsors):

H.B. 900, A BILL TO BE ENTITLED AN ACT MODIFYING THE DEFINITION OF "RESTAURANT" FOR ABC PERMITS, is referred to the Committee on Alcoholic Beverage Control.

By Representatives Jeffus and Walend (Primary Sponsors); Adams, Alexander, Dickson, Hunter, Insko, Lucas, Luebke, McLawhorn, Miller, Weiss, and Womble:

H.B. 901, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SEXUAL ASSAULT PROGRAMS AND SEXUAL ASSAULT PREVENTION, is referred to the Committee on Appropriations.

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By Representative LaRoque:

H.B. 902, A BILL TO BE ENTITLED AN ACT TO REPEAL AN EXCEPTION TO THE DATE ON WHICH REAL PROPERTY IS TO BE LISTED AND APPRAISED FOR PROPERTY TAX PURPOSES, is referred to the Committee on Finance.

By Representatives Blust, Barnhart, Blackwood, Capps, Hilton, L. Johnson, Lewis, McHenry, Mitchell, Rayfield, Rhodes, and Sexton:

H.B. 903, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO ESTABLISH THE OPERATING BUDGET GROWTH FACTOR FOR THE GENERAL FUND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Lewis:

H.B. 904, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Lewis:

H.B. 905, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Alexander:

H.B. 906, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTINUE ASSISTANT DISTRICT ATTORNEY POSITIONS IN PROSECUTORIAL DISTRICT 26, is referred to the Committee on Appropriations.

By Representative Alexander:

H.B. 907, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE COUNCIL FOR THE DEAF AND HARD OF HEARING AND TO CHANGE THE APPOINTING AUTHORITY AND MEMBERSHIP COMPOSITION OF TWO OF THE MEMBERS APPOINTED TO THE COUNCIL, is referred to the Committee on Health.

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By Representatives Lucas, Glazier, Warner, and Dickson (Primary Sponsors):

H.B. 908, A BILL TO BE ENTITLED AN ACT FOR THE PLANNING AND DEVELOPMENT OF THE CAPE FEAR RIVER FRESHWATER AQUARIUM, is referred to the Committee on Appropriations.

CALENDAR

Action is taken on the following:

H.J.R. 392, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF J. FRANK BRYANT, FORMER MEMBER OF THE GENERAL ASSEMBLY, 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 by Special Message.

H.B. 520 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF OAK ISLAND, 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. 651, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY MANAGER TO MAKE DECISIONS REGARDING ROUTINE TRAFFIC CONTROL MEASURES, 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. 2 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN APPLICANTS FOR DRIVERS LICENSES TO SUBMIT MEDICAL CERTIFICATES FROM OUT-OF-STATE PHYSICIANS, passes its second reading, by electronic vote (109-0), 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.

INTRODUCTION OF PAGES

Pages for the week of April 7 are introduced to the membership. They are: Margaret Armstrong of Nash; Mary Elizabeth Armstrong of Nash, Meghan Dawson of Cumberland; Shawn Guy of Edgecombe; Nathan Harrell of Surry; Brady Hauser of Surry; Brett Jarrett of Lincoln; Danielle Lucas of Cumberland; Amy McClellon of Cumberland; Lindsey White of Wake; and Trey Williams of Halifax.

On motion of Representative Culpepper, seconded by Representative LaRoque, the House adjourns at 7:49 p.m. to reconvene April 8 at 4:00 p.m.

FORTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 8, 2003

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

The following prayer is offered by Representative Wainwright.

"O Lord:

"We ask Your blessings on us this day as public servants to Your people. Help us to be considerate, just, humble, and kind in our relationships, discussions, committees, and here on the House Floor. May we sincerely examine the needs of our State and the needs of the people we serve, and seek to accomplish Your will in our decisions and policy-making. Despite these difficulties, we are not without hope, for You are with us. Your Spirit continues to direct us. Continue Your call upon our lives and remind us of our responsibilities to be partners with You for the future. Supply us with all our needs and give us Your peace. Amen."

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

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Representatives Bordsen, Bowie, Brubaker, and Miller 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 Nesbitt, Chair, for the Committee on Judiciary II:

H.B. 743, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NURSE TESTIMONIAL PRIVILEGE, with a favorable report.

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

By Representatives Holliman and Setzer, Chairs, for the Committee on Insurance:

H.B. 744, A BILL TO BE ENTITLED AN ACT TO REQUIRE INSURERS TO INFORM COVERED PERSONS ABOUT ASSISTANCE AVAILABLE FROM THE MANAGED CARE PATIENT ASSISTANCE PROGRAM, with a favorable report.

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

By Representative Goodwin, Chair, for the Committee on Occupational Safety and Health:

H.B. 609, A BILL TO BE ENTITLED AN ACT TO ENHANCE SAFETY LAWS PERTAINING TO THE ELEVATOR AND AMUSEMENT DEVICE ACTS OF NORTH CAROLINA, 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 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 Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 328 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REVISING REAL ESTATE LICENSING EXAMINATION PROCEDURES, CLARIFYING CONTINUING EDUCATION REQUIREMENTS FOR REAL

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ESTATE LICENSEES, AND ENABLING THE REAL ESTATE COMMISSION TO PERMIT LIMITED COMMERCIAL PRACTICE BY NONRESIDENT REAL ESTATE BROKERS, with a favorable report.

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

H.B. 685, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SUNSET HARBOR, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 9.

H.B. 790, A BILL TO BE ENTITLED AN ACT REPEALING THE CHARTER FOR THE TOWN OF CASHIERS BECAUSE THE TOWN HAS BEEN INACTIVE SINCE INCORPORATION, AND INCORPORATING THE VILLAGE OF CASHIERS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 9.

S.B. 396, A BILL TO BE ENTITLED AN ACT TO ANNEX THE RIGHT-OF-WAY OF MCMILLAN STREET TO THE CORPORATE LIMITS OF THE CITY OF RAEFORD, with a favorable report.

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

S.B. 419, A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CHADBOURN, with a favorable report.

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

By Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

H.B. 345, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE BOARD OF EDUCATION TO GRANT OR RENEW SCHOOL CHARTERS FOR A PERIOD OF UP TO TEN YEARS, with a favorable report.

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

By Representatives McLawhorn and Sexton, Chairs, for the Permanent Subcommittee on Community Colleges of the Standing Committee on

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Education, with approval of standing committee chairs for report to be made directly to the floor of the House:

S.J.R. 416 (Committee Substitute), A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND THE HOUSE OF REPRESENTATIVES TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, with a favorable report.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Insko and Holliman (Primary Sponsors):

H.B. 909, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE REHABILITATION PSYCHOLOGY AND COUNSELING PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL SCHOOL OF MEDICINE, is referred to the Committee on Appropriations.

By Representatives Eddins and Holliman (Primary Sponsors); Gillespie and Lewis:

H.B. 910, A BILL TO BE ENTITLED AN ACT TO REQUIRE RESTITUTION FOR INMATES WITH WORK-RELEASE PRIVILEGES AND TO PROVIDE THAT AT LEAST TWENTY PERCENT OF AN INMATE'S WORK-RELEASE EARNINGS SHALL BE USED TO FULFILL THE INMATE'S RESTITUTION OBLIGATION, is referred to the Committee on Judiciary III.

By Representatives Eddins and Holliman (Primary Sponsors); and Gillespie:

H.B. 911, A BILL TO BE ENTITLED AN ACT TO PROVIDE CRIME VICTIMS WITH A CAUSE OF ACTION TO RECOVER PROFITS RECEIVED AS A RESULT OF THE CRIMES COMMITTED AGAINST THEM, is referred to the Committee on Judiciary I.

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By Representatives Brubaker, Culpepper, Goforth, and Gorman (Primary Sponsors):

H.B. 912, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CERTIFICATION OF WASTEWATER SITE EVALUATORS, is referred to the Committee on Finance.

By Representatives Brubaker and Saunders (Primary Sponsors):

H.B. 913, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA UTILITIES COMMISSION TO DETERMINE A TIME IN WHICH FINAL RULES CONCERNING THE DESIGNATION OF A UNIVERSAL SERVICE PROVIDER FOR TELEPHONE SERVICE SHALL BE ADOPTED, is referred to the Committee on Public Utilities.

By Representatives Brubaker and Saunders (Primary Sponsors):

H.B. 914, A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR PLACING INTO SERVICE BROADBAND INTERNET ACCESS EQUIPMENT, is referred to the Committee on Finance.

By Representatives Brubaker and Culp:

H.B. 915, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT MANUFACTURED HOMES SET UP ON LEASED PROPERTY MAY BE FINANCED AS A REAL PROPERTY LEASEHOLD ESTATE TO ALLOW THE OWNERS TO OBTAIN BETTER INTEREST RATES IN FINANCING THE PURCHASES OF THEIR HOMES, is referred to the Committee on Judiciary II.

By Representatives Brubaker and Insko:

H.B. 916, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A VACCINATION PROGRAM FOR FIRST RESPONDERS TO TERRORIST INCIDENTS, CATASTROPHIC OR NATURAL DISASTERS, OR EMERGENCIES, is referred to the Committee on Health.

By Representatives Brubaker, Church, and Hall (Primary Sponsors); Adams, Culp, Earle, Farmer-Butterfield, Fox, Gibson, Howard, LaRoque, Lewis, McAllister, McHenry, Miner, Stiller, Wainwright, Warner, and Wright:

H.B. 917, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAWS RELATED TO PERMISSIBLE INTEREST RATES FOR HOME

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LOANS SECURED BY SECOND AND SUBSEQUENT MORTGAGES TO THE LAWS GOVERNING PERMISSIBLE INTEREST RATES FOR HOME LOANS SECURED BY FIRST MORTGAGES, is referred to the Committee on Financial Institutions.

By Representatives Goodwin and Miner (Primary Sponsors); and Jeffus:

H.B. 918, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR SERVICE OF PROCESS IN CIVIL CASES AND TO EARMARK THE INCREASE TO ENSURE TIMELY SERVICE OF PROCESS, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Finance.

By Representatives Goodwin and McHenry (Primary Sponsors):

H.B. 919, A BILL TO BE ENTITLED AN ACT TO ALLOW INCOME TAX CREDITS FOR VOLUNTARY WORKPLACE SAFETY EFFORTS BY EMPLOYERS, is referred to the Committee on Occupational Safety and Health and, if favorable, to the Committee on Finance.

By Representative Sutton:

H.B. 920, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE AVAILABILITY OF ALCOHOLIC BEVERAGES SHOULD BE UNIFORM THROUGHOUT NORTH CAROLINA, is referred to the Committee on Alcoholic Beverage Control.

By Representatives Frye and Rapp (Primary Sponsors):

H.B. 921, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO EXPEDITE THE COMPLETION OF CERTAIN HIGHWAY CORRIDORS TO AID IN RURAL ECONOMIC DEVELOPMENT, is referred to the Committee on Transportation.

By Representatives Luebke, Insko, and Weiss:

H.B. 922, A BILL TO BE ENTITLED AN ACT TO LOWER THE NUMBER OF AGRICULTURAL WORKERS THAT MUST BE EMPLOYED BY AN EMPLOYER IN ORDER FOR AGRICULTURAL EMPLOYMENT TO BE WITHIN THE PURVIEW OF THE WORKERS' COMPENSATION ACT, is referred to the Committee on Agriculture.

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By Representative Luebke:

H.B. 923, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE PRACTICE OF COMPLEMENTARY OR ALTERNATIVE FORMS OF HEALTH CARE FROM THE PRACTICE OF MEDICINE, is referred to the Committee on Health.

By Representative Luebke:

H.B. 924, A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO INCLUDE SEXUAL ORIENTATION, GENDER IDENTITY, AND GENDER EXPRESSION TO THE LIST OF CLASSIFICATIONS COVERED BY THE STATE'S EQUAL EMPLOYMENT OPPORTUNITY LAW, is referred to the Committee on State Government.

By Representative Luebke:

H.B. 925, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTY APPEAL IN JUVENILE "PAY ORDER" CASES, is referred to the Committee on Judiciary IV.

By Representatives Dickson, B. Allen, Earle, England, Farmer-Butterfield, Glazier, Goforth, Insko, Jeffus, Lewis, Lucas, Parmon, Rapp, Weiss, and Yongue:

H.B. 926, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF ASSAULT IN THE PRESENCE OF A CHILD, is referred to the Committee on Judiciary III.

By Representatives Brubaker, Gillespie, and Mitchell:

H.B. 927, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY METHODS OF PROVIDING ASSISTANCE TO DAIRY FARMERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Brubaker:

H.B. 928, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE APPALACHIAN STATE UNIVERSITY TO REGULATE PARKING ON CERTAIN STREETS, is referred to the Education Subcommittee on Universities.

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By Representatives Brubaker (By Request); and Culp:

H.B. 929, A BILL TO BE ENTITLED AN ACT TO EXPAND THE NEW MOTOR VEHICLES WARRANTIES ACT ("LEMON LAW") TO VEHICLES OF TEN THOUSAND POUNDS OR MORE, is referred to the Committee on Transportation.

By Representatives Brubaker, Culp, and Mitchell:

H.B. 930, A BILL TO BE ENTITLED AN ACT TO STUDY THE USE OF GENERAL PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS FOR SMALL AND MEDIUM DAIRY, POULTRY, AND ANIMAL OPERATIONS AND RECOMMEND ANY ADDITIONAL PERMIT REQUIREMENTS THAT ARE NEEDED TO PROTECT WATER QUALITY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Brubaker, Culp, Lewis, and Mitchell:

H.B. 931, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FARM FUTURES PILOT PROGRAM THAT PROMOTES COLLABORATIVE EFFORTS AMONG FEDERAL AND STATE AGENCIES, UNIVERSITIES, NONGOVERNMENTAL ORGANIZATIONS, PRIVATE ENTERPRISE, AND LANDOWNERS TO PROTECT AND ENHANCE WORKING FARMS FOR PURPOSES OF SUPPORTING RURAL COMMUNITIES, PRODUCING SAFE AND HEALTHY FOOD AND FIBER, PROTECTING HABITAT FOR ENDANGERED AND OTHER WILDLIFE AND PLANT SPECIES, PRESERVING OPEN SPACE, IMPROVING WATER QUALITY AND GROUNDWATER RECHARGE, AND INCREASING ECONOMIC OPPORTUNITIES FOR EXISTING AND NEW FARM FAMILIES, is referred to the Committee on Appropriations.

By Representatives Alexander and Warren (Primary Sponsors); and Insko:

H.B. 932, A BILL TO BE ENTITLED AN ACT ESTABLISHING REGIONAL INTERAGENCY COORDINATING COUNCILS UNDER THE LAWS RELATING TO EARLY INTERVENTION SERVICES FOR CHILDREN FROM BIRTH TO FIVE YEARS OF AGE WITH DISABILITIES, is referred to the Committee on Children, Youth and Families and, if favorable, to the Appropriations Subcommittee on Health and Human Services.

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By Representatives Alexander and Insko:

H.B. 933, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA CLEAN VEHICLES PROGRAM, is referred to the Committee on Environment and Natural Resources.

By Representative C. Wilson:

H.B. 934, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURES USED BY THE DIVISION OF MOTOR VEHICLES TO RECORD AND DISCLOSE INFORMATION CONCERNING MOTOR VEHICLE THEFTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nesbitt:

H.B. 935, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE HONORARY LISTON B. RAMSEY MOUNTED HORSE/CAISSON PATROL UNIT, is referred to the Appropriations Subcommittee on Justice and Public Safety.

By Representatives Michaux and Luebke:

H.B. 936, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR TWO ADDITIONAL DISTRICT COURT JUDGES FOR DISTRICT COURT DISTRICT 14, is referred to the Appropriations Subcommittee on Justice and Public Safety.

By Representative Michaux:

H.B. 937, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURE BY WHICH THE GENERAL ASSEMBLY ELECTS THE MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Michaux, Earle, and Weiss:

H.B. 938, A BILL TO BE ENTITLED AN ACT TO CONTINUE TO APPROPRIATE FUNDS TO THE STATE BOARD OF EDUCATION FOR THE WORK OF THE CONSORTIUM OF THE HISTORICALLY MINORITY COLLEGE AND UNIVERSITY INITIATIVE TO DETERMINE THE BEST METHODS FOR CLOSING THE ACHIEVEMENT GAP

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AMONG CHILDREN OF VARIOUS DEMOGRAPHIC GROUPS WHO ARE PERFORMING BELOW GRADE LEVEL AND TO DISSEMINATE AND REPLICATE THESE METHODS ACROSS THE STATE OF NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representatives Coates, Barbee, Starnes, and Warner (Primary Sponsors); Howard, McCombs, Mitchell, Preston, and Sexton:

H.B. 939, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO REGULATE FARMED CERVIDS, TO CHANGE CERTAIN REQUIREMENTS FOR QUALIFYING FOR CAPTIVITY LICENSES FOR CERTAIN DEER, AND TO AUTHORIZE THE INTRASTATE TRANSPORT OF CERTAIN DEER, is referred to the Committee on Agriculture.

By Representative Miller (By Request):

H.B. 940, A BILL TO BE ENTITLED AN ACT REQUIRING TEXTBOOK PUBLISHERS TO MAKE ELECTRONIC COPIES OF TEXTBOOKS AVAILABLE TO PUBLIC SCHOOL STUDENTS, is referred to the Committee on Education and, if favorable, to the Committee on Science and Technology.

By Representative Miller:

H.B. 941, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE ANALYSIS OF THE STATE'S LEGACY INFORMATION TECHNOLOGY SYSTEMS, is referred to the Committee on Science and Technology.

By Representatives Miller and Luebke:

H.B. 942, A BILL TO BE ENTITLED AN ACT RELATING TO STATEWIDE INTERNET ACCESS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Walend, England, and Glazier:

H.B. 943, A BILL TO BE ENTITLED AN ACT PROHIBITING SCHOOL PERSONNEL FROM RECOMMENDING OR REQUIRING THE USE OF CERTAIN MEDICATIONS BY ANY CHILD, is referred to the Committee on Education.

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By Representative Mitchell:

H.B. 944, A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN NOTIFICATIONS BEFORE A TOWER MAY COLLECT CERTAIN CHARGES, is referred to the Committee on Transportation.

By Representative Culpepper:

H.B. 945, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE BUILDING CODE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gibson:

H.B. 946, A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 126 OF THE GENERAL STATUTES, THE STATE PERSONNEL ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gibson and McHenry (Primary Sponsors):

H.B. 947, 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, is referred to the Committee on Finance.

By Representatives A. Williams, B. Allen, G. Allen, L. Allen, Church, Cole, Culpepper, Cunningham, Decker, Dickson, England, Glazier, Goforth, Gulley, Hackney, Haire, Harrell, Hill, LaRoque, Lucas, Luebke, Miller, Nye, Owens, Pate, Rapp, Sauls, Tolson, Wainwright, Warren, West, K. Williams, and Yongue:

H.B. 948, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND THE WILDLIFE RESOURCES COMMISSION WITH RESPECT TO THE REGULATION OF CERVIDS, is referred to the Committee on Agriculture.

By Representatives Hackney, Insko, Brubaker, and Culp (Primary Sponsors):

H.B. 949, A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATUTORY FRAMEWORK FOR THE FINANCING OF CAPITAL

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FACILITIES BY THE STATE, TO AUTHORIZE THE ISSUANCE OF SPECIAL INDEBTEDNESS TO FINANCE THE CONSTRUCTION OF A NEW PSYCHIATRIC HOSPITAL NEAR SILER CITY IN CHATHAM COUNTY, AND TO AUTHORIZE THE ISSUANCE OF SPECIAL OBLIGATION BONDS FOR THE CONSTRUCTION OF THE NEW PSYCHIATRIC HOSPITAL, is referred to the Committee on Finance.

By Representative Hackney:

H.B. 950, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO OBTAIN A COURT ORDER BEFORE PLACING A JUVENILE COMMITTED TO A TRAINING SCHOOL IN AN ALTERNATIVE PROGRAM OF THE DEPARTMENT, is referred to the Committee on Judiciary I.

By Representative Hackney:

H.B. 951, A BILL TO BE ENTITLED AN ACT TO ESTABLISH CIVIL NO-CONTACT ORDERS FOR THE PROTECTION OF INDIVIDUALS WHO ARE VICTIMS OF SEXUAL ASSAULT, is referred to the Committee on Judiciary I.

By Representative Hackney:

H.B. 952, A BILL TO BE ENTITLED AN ACT TO MAKE A CLARIFYING CHANGE TO THE LAWS RELATING TO THE CONFIRMATION OF AN ARBITRATION AWARD UNDER THE FAMILY LAW ARBITRATION ACT, is referred to the Committee on Judiciary I.

By Representatives Weiss and Hackney (Primary Sponsors); G. Allen, Insko, and Luebke:

H.B. 953, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, is referred to the Committee on Finance.

By Representatives Weiss and Insko (Primary Sponsors); Alexander, Farmer-Butterfield, Luebke, and Ross:

H.B. 954, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CIRCUMSTANCES UNDER WHICH A RESIDENT MAY BE TRANSFERRED OR DISCHARGED FROM AN ADULT CARE HOME, is referred to the Committee on Health.

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By Representatives Blust, Creech, Lewis, and Setzer:

H.B. 955, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO GRANT THE GOVERNOR A LINE-ITEM VETO OF APPROPRIATIONS ITEMS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Haire:

H.B. 956, A BILL TO BE ENTITLED AN ACT TO DETER JUVENILES FROM ESCAPING OR ATTEMPTING TO ESCAPE FROM THE CUSTODY OF THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION AND TO ESTABLISH CRIMINAL PENALTIES FOR AIDING OR ASSISTING JUVENILES IN ESCAPING OR ATTEMPTING TO ESCAPE FROM THE CUSTODY OF THE DEPARTMENT, is referred to the Committee on Judiciary IV.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 93, 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 read the first time and referred to the Committee on Judiciary IV.

S.B. 293 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING SALES REPRESENTATIVE COMMISSIONS, is read the first time and referred to the Committee on Judiciary IV.

S.B. 417, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE FOR WAYNE COUNTY TO DESIGNATE STAGGERED TERMS FOR ITS BOARD OF COMMISSIONERS, is read the first time and referred to the Committee on Local Government II.

S.B. 465, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF GOLDSBORO AND HIGH POINT 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 II.

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S.B. 489, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STAGGERED FOUR-YEAR TERMS FOR ALL FIVE MEMBERS OF THE BOARD OF COMMISSIONERS OF WILKES COUNTY, RATHER THAN THE CURRENT SYSTEM WHERE FOUR OF THE MEMBERS ARE ELECTED FOR STAGGERED FOUR-YEAR TERMS AND ONE FOR A TWO-YEAR TERM, is read the first time and referred to the Committee on Local Government I.

S.B. 539 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAW GOVERNING THE LIMITED PRACTICE OF OUT-OF-STATE ATTORNEYS-AT-LAW AND THE OPERATION OF THE COUNCIL AND DISCIPLINARY HEARING COMMISSION OF THE NORTH CAROLINA STATE BAR, is read the first time and referred to the Committee on Judiciary I.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.B. 784 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING BONDING OF CERTAIN JUDGMENTS, is read the first time and referred to the Committee on Judiciary IV.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

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

H.J.R. 681, A JOINT RESOLUTION HONORING THE 250TH ANNIVERSARY OF ROWAN COUNTY AND THE MEMORY OF MATTHEW ROWAN, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of April 9.

CALENDAR

Action is taken on the following:

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

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S.B. 51, A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOP-HOLE THAT ALLOWS CORPORATIONS TO CONTINUE AVOIDING FRANCHISE TAXES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Blackwood, Bonner, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtridge, Decker, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Goforth, Goodwin, Gorman, Grady, Guley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: Representatives Blust, Creech, Ellis, Mitchell, Moore, Munford, and Rhodes - 7.

Excused absences: None.

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

H.B. 34, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CHARTER SCHOOLS TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, passes its second reading, by electronic vote (116-1), and there being no objection is read a third time.

Representatives Carney and Farmer-Butterfield request and are granted permission to be recorded as voting "aye". The adjusted vote total is (118-1).

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. 273 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT EMPLOYEES WHO RECEIVE VACCINATION AGAINST SMALLPOX INCIDENT TO THE ADMINISTRATION OF

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SMALLPOX COUNTERMEASURES BY HEALTH PROFESSIONALS UNDER SECTION 304 OF THE FEDERAL HOMELAND SECURITY ACT OF 2002 AND ANY HOUSEHOLD MEMBERS LIVING IN THE HOMES OF THESE VACCINATED EMPLOYEES WILL BE COVERED FOR ADVERSE MEDICAL REACTIONS DUE TO THE VACCINATION, passes its second reading, by electronic vote (114-0).

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

H.B. 394 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING THE LAW PERTAINING TO LEGAL DEADLINES FALLING ON A HOLIDAY, 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.

H.B. 421 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VETERANS DAY A HOLIDAY FOR SCHOOL PERSONNEL.

Representative McLawhorn offers Amendment No. 1 which is adopted by electronic vote (112-5).

The bill, as amended, passes its second reading, by electronic vote (113-4), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 478 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE NORTH CAROLINA CHILD ALERT NOTIFICATION (NC CAN) SYSTEM AND TO RENAME THAT SYSTEM THE AMBER ALERT SYSTEM, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 636 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE EFFECT TO ELECTRONIC JUDGMENT DOCKETS BY MODERNIZING LAWS REGARDING JUDGMENTS AND REESTABLISHING THE EFFECTIVE DATE OF CIVIL JUDGMENT LIENS

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AND THE DATE FROM WHICH INTEREST ACCRUES ON JUDGMENTS, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 674, A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF THE DURHAM NORTHERN LOOP, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

On motion of Representative Luebke and without objection, the bill is temporarily displaced.

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

H.B. 824 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT ENCROACHMENT ON THE RIGHT-OF-WAY OF COOK ROAD IN THE TOWN OF ELON, ALAMANCE COUNTY, FOR CONSTRUCTION OF A PRIVATE BRIDGE, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

On motion of Representative Allred, the bill is temporarily displaced.

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

S.B. 440, 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, passes its second reading, by electronic vote (87-25), and remains on the Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Allred and without objection, **H.B. 824** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT ENCROACHMENT ON THE RIGHT-OF-WAY OF COOK ROAD IN THE TOWN OF ELON, ALAMANCE COUNTY, FOR CONSTRUCTION

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OF A PRIVATE BRIDGE, which was temporarily displaced, is withdrawn from the Calendar and re-referred to the Committee on Transportation.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Hackney, Chair, for the Committee on Judiciary I:

H.B. 79, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED OF A VIOLENT FELONY OR CERTAIN OTHER CRIMINAL OFFENSES AND TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON CONVICTED OF ANY FELONY OR CERTAIN OTHER CRIMINAL OFFENSES, 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.

Representative Culpepper moves, seconded by Representative Coates, that the House adjourn, subject to the receipt of Committee Reports, to reconvene April 9 at 4:00 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:

H.B. 429, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL GOVERNMENTS TO PAY JUST COMPENSATION FOR REMOVAL OF LAWFULLY ERECTED BUILDINGS, STRUCTURES, OUTDOOR ADVERTISING, OR PERSONAL PROPERTY AND TO AUTHORIZE LOCAL GOVERNMENTS TO ENTER INTO RELOCATION AND

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RECONSTRUCTION AGREEMENTS WITH OWNERS OF NONCONFORMING PROPERTIES, 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 April 9. The original bill is placed on the Unfavorable Calendar.

The House stands adjourned at 8:05 p.m.

FORTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 9, 2003

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

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

"God of all governments:

"In this place are people who can make a positive difference in the lives of many in our State. Equally, their decisions can have negative impact. As our hearts are filled with prayers for our Nation, for peace, for our President, for world leaders, for our service men and women, our prayers for work done here can seem so insignificant. Yet people from many differing situations in life are affected by the decisions made here each day. These women and men have been chosen to serve the public good, to be just and compassionate leaders. May their decisions reflect their high calling and may our State and all its people be blessed by their service.

"In Your just name we pray. Amen."

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

A leave of absence is granted Representative Dockham for today. Representative Barnhart is excused for a portion of the session.

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ENROLLED BILLS

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

H.J.R. 392, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF J. FRANK BRYANT, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 2003-7)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Insko and Justus, Chairs, for the Committee on Health:

H.B. 172, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A PILOT PROJECT FOR LOCAL LONG-TERM CARE PLANNING, 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.

H.B. 669, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF A "PRIMARY CARE HOSPITAL" TO REFLECT FEDERAL REQUIREMENTS, 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. 826, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONFIDENTIALITY PROVISIONS OF CHAPTER 122C OF THE GENERAL STATUTES TO PERMIT IMPLEMENTATION OF MENTAL HEALTH SYSTEM REFORM, 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.

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By Representative Hunter, Chair, for the Committee on Children, Youth and Families:

H.B. 152, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ADMINISTRATION OF MEDICATION TO A CHILD IN A LICENSED OR UNLICENSED CHILD CARE FACILITY WITHOUT PROPER AUTHORIZATION FROM THE CHILD'S PARENT OR GUARDIAN OR A BONA FIDE MEDICAL CARE PROVIDER, TO PROHIBIT A CHILD CARE FACILITY FROM PLACING A CHILD IN A SLEEPING POSITION THAT MAY INCREASE THE RISK OF SUDDEN INFANT DEATH SYNDROME (SIDS), AND TO REQUIRE CERTAIN AGENCIES AND THE MEDICAL COMMUNITY TO WORK JOINTLY IN INVESTIGATING VIOLATIONS OF THESE LAWS, 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 Barbee, Chair, for the Committee on Wildlife Resources:

H.B. 13, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN TRANSYLVANIA COUNTY AND TO REQUIRE WRITTEN PERMISSION BEFORE HUNTING ON THE LAND OF ANOTHER IN TRANSYLVANIA COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 10.

H.B. 581, A BILL TO BE ENTITLED AN ACT TO ALLOW ELECTROFISHING FOR CATFISH IN COLUMBUS COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 10.

H.B. 646, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF CHOOSING THE MEMBERS OF THE CURRITUCK COUNTY GAME COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 10.

H.B. 655, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE ON A PORTION OF PEMBROKE CREEK IN CHOWAN

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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 of April 10. The original bill is placed on the Unfavorable Calendar.

By Representatives Bell and G. Wilson, Chairs, for the Committee on Pensions and Retirement:

H.B. 305, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR BIENNIAL APPROPRIATIONS TO COVER THE RATE OF NORMAL CONTRIBUTION AND ANY RATE OF ACCRUED LIABILITY CONTRIBUTION, AS DETERMINED BY THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 306, 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, AND THE LEGISLATIVE 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. 733, A BILL TO BE ENTITLED AN ACT TO ALLOW RETIRED MEMBERS OF THE DURHAM FIREMEN'S SUPPLEMENTAL RETIREMENT SYSTEM TO SERVE ON THE BOARD OF TRUSTEES OF THE SYSTEM AND TO MAKE THE NAME OF THE SYSTEM GENDER-NEUTRAL, 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 Brubaker and Saunders, Chairs, for the Committee on Public Utilities:

S.B. 338, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE LAW PROVIDING THAT CERTAIN SECONDARY

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SUPPLIERS OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, ALLOWING THE MEMBERS OF AN ELECTRIC MEMBERSHIP CORPORATION TO VOTE BY PROXY ON DECISIONS TO ENCUMBER CORPORATE PROPERTY OR TO DIS-SOLVE THE CORPORATION, AND MAKING TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 10.

By Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

H.B. 17, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE CONSUMER EDUCATION IN GRADES NINE THROUGH TWELVE, 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. 303, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL SCHOOL CHILDREN TO RECEIVE AT LEAST THIRTY MINUTES OF PHYSICAL EDUCATION ACTIVITY DURING A SCHOOL DAY, 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 Womble, Chair, for the Committee on State Government:

H.B. 470, A BILL TO BE ENTITLED AN ACT ESTABLISHING LIBERTY DAY IN THE STATE OF NORTH CAROLINA, with a favorable report.

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

By Representative Lucas, Chair, for the Committee on Military, Veterans and Indian Affairs:

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H.B. 745, A BILL TO BE ENTITLED AN ACT TO REVISE THE MEMBERSHIP OF THE NORTH CAROLINA INDIAN CULTURAL CENTER BOARD, with a favorable report.

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

H.B. 746, A BILL TO BE ENTITLED AN ACT TO AMEND AND MODERNIZE THE LAW NAMING THE INDIAN TRIBES IN THIS STATE BY ADDING CLARIFYING INFORMATION ABOUT REFERENCES TO THE LUMBEE TRIBE AND BY ADDING SECTIONS RECOGNIZING THE MEHERRIN TRIBE AND THE OCCANEECHI BAND OF THE SAPONI NATION, with a favorable report.

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

By Representative Adams, Chair, for the Committee on Local Government II:

H.B. 688, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF MOUNT AIRY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 776, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO GIVE THE CITY MANAGER GREATER AUTHORITY TO APPROVE CERTAIN CONTRACTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 10.

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

H.B. 680, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF GRANITE QUARRY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 706, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF CHARLOTTE TO ALLOW THE CITY TO

April 9, 2003

PURCHASE APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT FOR PUBLIC TRANSIT PURPOSES FROM PERSONS OR ENTITIES THAT HAVE RECENTLY MET STATE BIDDING LAW REQUIREMENTS AND PROVIDED APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT TO THE FEDERAL GOVERNMENT, STATE OF NORTH CAROLINA, OR ANOTHER STATE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 10.

By Representative Munford, Chair, for the Committee on Judiciary IV:

H.B. 352, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING DRUG SCREENING AND ASSESSMENT OF A CRIMINAL DEFENDANT FOR CHEMICAL DEPENDENCY, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, with a favorable report.

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

By Representatives Michaux and Stam, Chairs, for the Committee on Election Law and Campaign Finance Reform:

H.B. 821, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE PROCESS OF FILLING A VACANCY ON A PARTY TICKET, with a favorable report.

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

By Representatives Brubaker and McLawhorn, Chairs, for the Select Committee on University of North Carolina Board of Governors Nominating.

H.R. 753, A HOUSE RESOLUTION PROVIDING FOR ELECTION OF MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, with recommendation that the committee substitute resolution, which changes the title, be adopted, unfavorable as to the original resolution.

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

April 9, 2003

By Representatives Allred and Coates, Chairs, for the Committee on Transportation:

H.B. 627 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO EXPEND FUNDS ON ROADS OUTSIDE THE CORPORATE LIMITS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 10.

H.B. 824 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT ENCROACHMENT ON THE RIGHT-OF-WAY OF COOK ROAD IN THE TOWN OF ELON, ALAMANCE COUNTY, FOR CONSTRUCTION OF A PRIVATE BRIDGE, 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 Walker, Chair, for the Committee on Local Government I:

H.B. 645, A BILL TO BE ENTITLED AN ACT PROVIDING THAT NO GOVERNMENT ENTITY OUTSIDE OF CURRITUCK COUNTY MAY ANNEX ANY PORTION OF CURRITUCK COUNTY INTO ANY GOVERNMENT ENTITY THAT EXISTS IN WHOLE OR IN PART IN CURRITUCK 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 of April 10. The original bill is placed on the Unfavorable Calendar.

H.B. 679, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF RALEIGH AND WAKE COUNTY TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT AND ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS, 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 of April 10. 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 Glazier, Bell, Bordsen, Carney, Lucas, and Rapp:

H.B. 957, A BILL TO BE ENTITLED AN ACT TO REGULATE PERSONS WHO ENGAGE IN PRACTICE AS PARALEGALS, is referred to the Committee on Judiciary IV.

By Representatives Glazier, Bell, Bowie, Carney, Earle, Gibson, Lucas, Luebke, and Rapp:

H.J.R. 958, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY JOB SHARING IN STATE GOVERNMENT EMPLOYMENT, is referred to the Committee on State Government and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Glazier, Bell, Carney, Earle, Gibson, Lucas, Luebke, and Rapp:

H.B. 959, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REVENUE LAWS STUDY COMMITTEE TO CONDUCT A REVIEW OF ALL TAX EXPENDITURES AT LEAST ONCE EVERY TEN YEARS, is referred to the Committee on Finance and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Ross, Weiss, Munford, and Stam (Primary Sponsors); B. Allen, Capps, Eddins, Hackney, and Miner:

H.B. 960, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IF ANY OF THE STATE-OWNED REAL PROPERTY ENCOMPASSING DOROTHEA DIX HOSPITAL IS OFFERED FOR SALE TO A NONGOVERNMENTAL ENTITY, THEN OPTIONS FOR THE SALE OF THE PROPERTY AND THE USE OF THE PROCEEDS FROM THE SALE SHALL BE CONSIDERED BY THE PROPERTY STUDY COMMISSION ESTABLISHED BY THIS ACT AND RECOMMENDATIONS MADE TO THE JOINT LEGISLATIVE COMMISSION

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ON GOVERNMENTAL OPERATIONS PRIOR TO THE SALE OF THE PROPERTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Ross, Munford, Miner, and Weiss (Primary Sponsors); B. Allen, Capps, Eddins, and Ellis:

H.B. 961, A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATUTORY FRAMEWORK FOR THE FINANCING OF CAPITAL FACILITIES BY THE STATE, TO AUTHORIZE THE ISSUANCE OF SPECIAL INDEBTEDNESS TO FINANCE THE CONSTRUCTION OF A NEW PSYCHIATRIC HOSPITAL IN WAKE COUNTY, AND TO AUTHORIZE THE ISSUANCE OF SPECIAL OBLIGATION BONDS FOR THE CONSTRUCTION OF THE NEW PSYCHIATRIC HOSPITAL, is referred to the Committee on Finance.

By Representatives Hilton, Barbee, Barnhart, Capps, Culp, Frye, Gillespie, Gorman, Lewis, McGee, McHenry, Moore, Rayfield, Sauls, Setzer, Starnes, West, K. Williams, C. Wilson, and G. Wilson:

H.B. 962, A BILL TO BE ENTITLED AN ACT TO EXTEND CONSCIENCE PROTECTION TO PHARMACISTS AND OTHER HEALTH CARE PROVIDERS WHO REFUSE TO PARTICIPATE IN OR DISPENSE ABORTIFACIENTS ON MORAL GROUNDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Warner, Decker, and Pate:

H.B. 963, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON CONVICTED OF LEAVING THE SCENE OF AN ACCIDENT INVOLVING INJURY OR DEATH SHALL LOSE THEIR LICENSE FOR A PERIOD OF FIVE YEARS, is referred to the Committee on Judiciary III.

By Representatives Warner, Decker, and Goforth:

H.B. 964, A BILL TO BE ENTITLED AN ACT ELIMINATING THE REQUIREMENT THAT THE STATE PURCHASING OFFICER DETERMINE WHETHER THREE QUALIFIED VENDORS ARE AVAILABLE IN FURNITURE REQUIREMENTS CONTRACTS AND CLARIFYING THE TERM QUALIFIED VENDOR IN SUCH CONTRACTS, is referred to the Committee on State Government.

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By Representatives Hill, Church, and Pate:

H.B. 965, A BILL TO BE ENTITLED AN ACT TO PROVIDE PENALTIES FOR PERSONS WHO CAUSE INJURY OR DEATH WHEN FAILING TO YIELD THE RIGHT-OF-WAY UNDER CERTAIN CIRCUMSTANCES, is referred to the Committee on Judiciary III.

By Representatives Hill and Church:

H.B. 966, A BILL TO BE ENTITLED AN ACT TO AMEND THE FERTILIZER LAW TO INCREASE THE SIZE OF PACKAGES THAT MAY BE SOLD WITH NUTRIENT GUARANTEES IN FRACTIONAL PERCENTAGES, is referred to the Committee on Agriculture.

By Representatives Hill, Church, and Lewis:

H.B. 967, A BILL TO BE ENTITLED AN ACT TO PROTECT THE STATE'S MASTER SETTLEMENT AGREEMENT MONEY, is referred to the Committee on Finance.

By Representatives Hill and Church:

H.B. 968, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FARM FUTURES PILOT PROGRAM THAT PROMOTES COLLABORATIVE EFFORTS AMONG FEDERAL AND STATE AGENCIES, UNIVERSITIES, NONGOVERNMENTAL ORGANIZATIONS, PRIVATE ENTERPRISE, AND LANDOWNERS TO PROTECT AND ENHANCE WORKING FARMS FOR PURPOSES OF SUPPORTING RURAL COMMUNITIES, PRODUCING SAFE AND HEALTHY FOOD AND FIBER, PROTECTING HABITAT FOR ENDANGERED AND OTHER WILDLIFE AND PLANT SPECIES, PRESERVING OPEN SPACE, IMPROVING WATER QUALITY AND GROUNDWATER RECHARGE, AND INCREASING ECONOMIC OPPORTUNITIES FOR EXISTING AND NEW FARM FAMILIES, is referred to the Committee on Agriculture and, if favorable, to the Committee on Appropriations.

By Representative Warner:

H.B. 969, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO CHANGE THE TERM OF OFFICE OF MAGISTRATES, is referred to the Committee on Judiciary II.

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By Representatives K. Williams, Daughtridge, Gorman, Howard, Justice, Kiser, LaRoque, Miner, Moore, Sauls, and Stiller:

H.B. 970, A BILL TO BE ENTITLED AN ACT TO REQUIRE SCHOOL BUS DRIVERS TO MEET THE SAME MEDICAL EVALUATION REQUIREMENTS AS HOLDERS OF COMMERCIAL DRIVERS LICENSES, is referred to the Committee on Transportation.

By Representative Howard:

H.B. 971, A BILL TO BE ENTITLED AN ACT REQUIRING THE CONTINUING EDUCATION OF PERSONS PRACTICING UNDER THE COSMETIC ART ACT, is referred to the Committee on Ways and Means.

By Representative Culpepper:

H.B. 972, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INTERNET-BASED ALTERNATIVE TO PROPERTY TAX CERTIFICATION PROCEDURES, is referred to the Committee on Science and Technology.

By Representatives McLawhorn, Warren, C. Johnson, and Tolson (Primary Sponsors); and A. Williams:

H.B. 973, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO CONSTRUCT THE NORTH CAROLINA CARDIOVASCULAR DISEASES INSTITUTE AT EAST CAROLINA UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Hill and Church:

H.B. 974, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ANY DEPARTMENT, INSTITUTION, OR AGENCY OF THE STATE FROM PURCHASING FOOD PRODUCTS CONTAINING MILK PROTEIN CONCENTRATE OR RECONSTITUTED MILK, is referred to the Committee on State Government.

By Representative Brubaker:

H.B. 975, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE UNIVERSITY OF NORTH CAROLINA FROM CERTAIN REQUIREMENTS REGARDING TERM AND CONVENIENCE CONTRACTS, is referred to the Education Subcommittee on Universities.

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By Representative Brubaker:

H.B. 976, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM PROPERTY TAX EDUCATIONAL PROPERTY HELD BY A NON-PROFIT ENTITY IN TRUST FOR A PUBLIC OR PRIVATE UNIVERSITY OR A COMMUNITY COLLEGE LOCATED IN NORTH CAROLINA, is referred to the Committee on Finance.

By Representatives Brubaker and Mitchell:

H.B. 977, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ANY DEPARTMENT, INSTITUTION, OR AGENCY OF THE STATE FROM PURCHASING FOOD PRODUCTS CONTAINING MILK PROTEIN CONCENTRATE OR RECONSTITUTED MILK, is referred to the Committee on State Government.

By Representatives Cole, Gillespie, Goforth, and Hill:

H.B. 978, A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA VETERINARY BOARD TO ENTER INTO AGREEMENTS WITH ORGANIZATIONS THAT HAVE DEVELOPED PROGRAMS FOR IMPAIRED VETERINARY PERSONNEL, is referred to the Committee on Occupational Safety and Health.

By Representatives Cole, Bowie, Capps, Coates, Culp, Decker, Fox, Frye, and Gillespie:

H.B. 979, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION, SUBJECT TO APPROVAL OF THE VOTERS OF THE STATE, LIMITING THE GOVERNOR FROM REDUCING OR DIVERTING FUNDS APPROPRIATED BY THE GENERAL ASSEMBLY FOR TRANSPORTATION PURPOSES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative A. Williams:

H.B. 980, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE COLLECTION OF PROPERTY TAXES ON MOTOR VEHICLES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative A. Williams:

H.B. 981, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE ISSUE

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

By Representative A. Williams:

H.B. 982, A BILL TO BE ENTITLED AN ACT EXPANDING THE PURPOSES FOR WHICH COUNTIES MAY USE MONEY FROM THE EMERGENCY TELEPHONE SYSTEM FUND, is referred to the Committee on Public Utilities.

By Representatives A. Williams, Lewis, and Pate:

H.B. 983, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO CHARGE CO-PAYMENTS FOR PRESCRIPTION MEDICATIONS PROVIDED TO PRISONERS IN LOCAL CONFINEMENT FACILITIES, is referred to the Committee on Health.

By Representatives Rapp and L. Allen (Primary Sponsors); Bordsen, Carney, Frye, Goodwin, Lucas, Luebke, and Pate:

H.B. 984, A BILL TO BE ENTITLED AN ACT RELATING TO THE AMORTIZATION OF PROPERTY AND TO LIMIT THE PHASING OUT OF NONCONFORMING USES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Ross, Munford, Miner, and B. Allen (Primary Sponsors); and L. Allen:

H.B. 985, A BILL TO BE ENTITLED AN ACT REGARDING THE SALE OF STATE-OWNED PROPERTY IN THE BLOUNT STREET HISTORIC DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Lucas, B. Allen, Bell, Bonner, Capps, Cole, Culp, Decker, Earle, Frye, Glazier, Goodwin, Gulley, Hill, Hilton, L. Johnson, Jones, Kiser, Lewis, McCombs, McGee, McLawhorn, Parmon, Rhodes, Sexton, Sutton, West, and A. Williams:

H.B. 986, A BILL TO BE ENTITLED AN ACT TO REQUIRE A MOTOR VEHICLE INSURER TO DISCLOSE ANY FINANCIAL INTEREST IN A RECOMMENDED REPAIR FACILITY OR SERVICE, is referred to the Committee on Insurance.

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By Representative Wainwright:

H.B. 987, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE BY WHICH COASTAL HABITAT PROTECTION PLANS MUST BE ADOPTED, TO AUTHORIZE THE FISHERIES DIRECTOR TO ISSUE PROCLAMATIONS THAT BECOME EFFECTIVE IMMEDIATELY UPON ISSUANCE, TO ALLOW MARINE FISHERIES INSPECTORS TO ACCEPT DELEGATION OF LAW ENFORCEMENT POWERS FROM THE NATIONAL MARINE FISHERIES SERVICE, TO EXPAND THE ENFORCEMENT AUTHORITY OF MARINE PATROL INSPECTORS, AND TO MAKE OTHER TECHNICAL, CLARIFYING, AND CONFORMING CHANGES, is referred to the Committee on Environment and Natural Resources.

By Representative Wainwright:

H.B. 988, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES FROM GRANTING SHELLFISH CULTIVATION LEASES IN A CERTAIN PART OF CORE SOUND, is referred to the Committee on Environment and Natural Resources.

By Representative Wainwright:

H.B. 989, A BILL TO BE ENTITLED AN ACT TO LIMIT THE AREA OF WESTERN CORE SOUND THAT MAY BE LEASED FOR THE CULTIVATION OF SHELLFISH AND TO DIRECT THE DIVISION OF MARINE FISHERIES TO REPORT TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE ON THE IMPLEMENTATION OF THIS ACT, is referred to the Committee on Environment and Natural Resources.

By Representative Wainwright:

H.B. 990, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES GOVERNING THE CULTIVATION OF SHELLFISH, TO ELIMINATE THE PERSONAL USE EXEMPTION FROM SHELLFISH LICENSE REQUIREMENTS, TO AUTHORIZE THE MARINE FISHERIES COMMISSION TO ADOPT TEMPORARY RULES RELATED TO THE CULTIVATION OF SHELLFISH, AND TO AUTHORIZE THE MARINE FISHERIES COMMISSION TO STUDY ISSUES RELATED TO THE CULTIVATION OF SHELLFISH, is referred to the Committee on Environment and Natural Resources.

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By Representatives Parmon and Womble (Primary Sponsors); Glazier, Lewis, Mitchell, and Ross:

H.B. 991, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SALARY OF TEACHER ASSISTANTS TO THE FEDERAL POVERTY LEVEL AND TO PAY TUITION FOR THE COURSES TEACHER ASSISTANTS MUST TAKE TO COMPLY WITH THE NO CHILD LEFT BEHIND ACT OF 2001, is referred to the Committee on Appropriations.

By Representatives Insko and Justus (Primary Sponsors):

H.B. 992, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC AND NONPROFIT HOSPITALS TO USE THE SET-OFF DEBT COLLECTION ACT, is referred to the Committee on Judiciary I.

By Representative Insko:

H.B. 993, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR RECIPROCITY BETWEEN THE OPTIONAL RETIREMENT PROGRAM FOR STATE INSTITUTIONS OF HIGHER EDUCATION AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representative K. Williams:

H.B. 994, A BILL TO BE ENTITLED AN ACT ALLOWING THE STATE, COUNTIES, AND CITIES TO REPAIR OR CONSTRUCT CERTAIN STRUCTURES WITHOUT HAVING THE PLANS AND SPECIFICATIONS FOR THE STRUCTURES PREPARED BY A REGISTERED ARCHITECT OR ENGINEER, is referred to the Committee on Ways and Means.

By Representative Preston:

H.B. 995, A BILL TO BE ENTITLED AN ACT TO PERMIT VEHICLES WITH PURPLE HEART RECIPIENT SPECIAL REGISTRATION PLATES TO PARK IN METERED SPACES FREE, is referred to the Committee on Ways and Means.

By Representative Preston:

H.B. 996, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSION FOR HEALTH SERVICES TO ADOPT RULES REGARDING MONITORING OF COASTAL RECREATION WATERS

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IN ORDER TO IMPLEMENT THE FEDERAL BEACHES ENVIRONMENTAL ASSESSMENT AND COASTAL HEALTH ACT OF 2000, is referred to the Committee on Environment and Natural Resources.

By Representative Preston:

H.B. 997, A BILL TO BE ENTITLED AN ACT TO AMEND THE INSURANCE LAWS REGARDING HOMEOWNERS' INSURANCE COVERAGE FOR STRUCTURES OTHER THAN RESIDENTIAL DWELLINGS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives L. Johnson and Stam (Primary Sponsors); Allred, Baker, Barbee, Barnhart, Blackwood, Blust, Bonner, Bowie, Brubaker, Capps, Church, Clary, Creech, Culp, Daughtry, Decker, Dockham, Eddins, Ellis, England, Frye, Gillespie, Gorman, Gulley, Hill, Hilton, Holmes, Howard, C. Johnson, Justice, Justus, Kiser, LaRoque, Lewis, McComas, McGee, McHenry, McMahan, Miner, Moore, Pate, Preston, Ray, Rayfield, Rhodes, Sauls, Setzer, Sexton, Starnes, Stiller, Walend, Walker, Warner, West, K. Williams, C. Wilson, G. Wilson, Wood, and Yongue:

H.B. 998, A BILL TO BE ENTITLED AN ACT TO REQUIRE A TWENTY-FOUR HOUR WAITING PERIOD AND THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE AN ABORTION MAY BE PERFORMED, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following is received from the Senate:

S.B. 122 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATION BY THE CITIES OF GASTONIA AND LOCUST AND THE TOWNS OF BLADENBORO, PINE LEVEL, AND RANLO, is read the first time and referred to the Committee on Finance.

WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), **H.B. 656** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE TRUST ADMINISTRATION ACT AND TO MAKE RELATED CHANGES TO THE LAW GOVERNING ACCOUNTINGS IN TESTAMENTARY TRUSTS, is withdrawn from the

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

CALENDAR

Action is taken on the following:

H.B. 674, A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF THE DURHAM NORTHERN LOOP.

On motion of Representative Luebke and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 17.

H.B. 685, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SUNSET HARBOR passes its second reading, by the following three-fifths vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 118.

Voting in the negative: None.

Excused absence: Representative Dockham.

H.B. 790, A BILL TO BE ENTITLED AN ACT REPEALING THE CHARTER FOR THE TOWN OF CASHIERS BECAUSE THE TOWN HAS BEEN INACTIVE SINCE INCORPORATION, AND INCORPORATING THE VILLAGE OF CASHIERS, passes its second reading, by the following vote, and remains on the Calendar.

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Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 118.

Voting in the negative: None.

Excused absence: Representative Dockham.

S.B. 51, A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOP-HOLE THAT ALLOWS CORPORATIONS TO CONTINUE AVOIDING FRANCHISE TAXES.

On motion of Representative Howard, the bill is withdrawn from the Calendar and placed on the Calendar of April 15.

H.B. 273 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT EMPLOYEES WHO RECEIVE VACCINATION AGAINST SMALLPOX INCIDENT TO THE ADMINISTRATION OF SMALLPOX COUNTERMEASURES BY HEALTH PROFESSIONALS UNDER SECTION 304 OF THE FEDERAL HOMELAND SECURITY ACT OF 2002 AND ANY HOUSEHOLD MEMBERS LIVING IN THE HOMES OF THESE VACCINATED EMPLOYEES WILL BE COVERED FOR ADVERSE MEDICAL REACTIONS DUE TO THE VACCINATION.

On motion of Representative Glazier and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 16.

S.B. 440, 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

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MISDEMEANOR, passes its third reading, by electronic vote (105-12), and is ordered enrolled and presented to the Governor.

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

H.B. 354 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE PREVENTION AND CONTROL OF LEAD POISONING IN CHILDREN.

On motion of Representative Insko and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 16.

H.B. 429 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL GOVERNMENTS TO PAY JUST COMPENSATION FOR REMOVAL OF LAWFULLY ERECTED BUILDINGS, STRUCTURES, OUTDOOR ADVERTISING, OR FIXTURES.

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

Representative Pate offers Amendment No. 1.

Representative Culpepper offers perfecting Amendment No. 2 which is adopted by electronic vote (94-22).

Representative Pate withdraws Amendment No. 1, taking perfecting Amendment No. 2 with it.

The bill passes its second reading by electronic vote (97-20).

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

H.B. 462, A BILL TO BE ENTITLED AN ACT TO INCLUDE DULY LICENSED MARRIAGE AND FAMILY THERAPISTS UNDER THE INSURANCE 'FREEDOM OF CHOICE' LAW AND UNDER THE PROFESSIONAL CORPORATIONS ACT, passes its second reading, by electronic vote (109-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.J.R. 681, A JOINT RESOLUTION HONORING THE 250TH ANNIVERSARY OF ROWAN COUNTY AND THE MEMORY OF MATTHEW ROWAN, is moved up on today's Calendar.

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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 sent to the Senate.

BILL PLACED ON CALENDAR

Representative Culpepper gives notice, pursuant to Rule 36(b), and **H.R. 753**, (Committee Substitute), A HOUSE RESOLUTION ELECTING ADDISON BELL, PATSY PERRY, GLADYS ROBINSON, PRISCILLA TAYLOR, PETER KEBER, CARY OWEN, LEROY LAIL, AND BRENT BARRINGER TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is placed on the Calendar for immediate consideration.

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

Representative Capps inquires of Speaker Morgan if he would make further explanation of the reasons for the resolution. Speaker Morgan states that he believes that the explanation given by the bill sponsor is correct.

Representative Culpepper calls the previous question on the adoption of the resolution and the call is sustained by electronic vote (96-19).

The resolution is adopted by electronic vote (98-16).

Representative Farmer-Butterfield requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (99-16).

Pursuant to Article VI, Section 5 of the North Carolina Constitution, the adoption of the resolution is confirmed by *viva voce* vote and ordered printed.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Michaux and without objection, **H.B. 842** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SYSTEM FOR ALL NORTH CAROLINA ELECTIONS THAT COMPLIES WITH THE HELP AMERICA VOTE ACT, is withdrawn from the Calendar and placed on the Calendar of April 15.

CALENDAR (continued)

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

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H.B. 637, A BILL TO BE ENTITLED AN ACT TO PERMIT THE SETTLOR OF A REVOCABLE TRUST TO RELIEVE THE TRUSTEE OF DUTIES, RESTRICTIONS, AND LIABILITIES IMPOSED BY THE UNIFORM TRUSTS ACT, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

Representative Hackney offers Amendment No. 1.

Representative Hackney withdraws his amendment.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 692 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT LICENSED AUCTIONEERS CONDUCTING AUCTIONS FOR MOTOR VEHICLE DEALERS DO NOT NEED MOTOR VEHICLE DEALER LICENSES, 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.

On motion of Representative Culpepper, seconded by Representative Miner, the House adjourns at 6:29 p.m. to reconvene April 10 at 10:30 a.m.

FORTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, April 10, 2003

The House meets at 10:30 a.m. pursuant to adjournment and is called to order by Speaker Black.

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

"Thus says the Lord: Heaven is my throne; and the earth is my footstool; what is the house that You would build for me, and what is my resting place? All these things my hand has made, and so all these things are mine, says the Lord.' (Isaiah 66:1-2)

"God of blessing, You indeed ask in all we do what kind of house we are building for You - what kind of world we are making to leave for the

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future generations - what are we doing in this world with which You have blessed us? May the work being done here be construction for You. In bills, and laws, and budgets and committees and debates may Your kingdom of justice and righteousness be before these Representatives.

"We thank You, God of peace, for celebrations in Iraq of the end of tyranny. We continue to lift up to You the brave men and women who face danger there and in other parts of the world. Now the hard work of reconstruction, peace-making and peace-keeping begins.

"And God, just as You call us to work to build the house, You also call us to rest. As the weekend approaches give to these Representatives Your traveling mercies and a time of rest for body, mind and spirit. May they return in the new week refreshed for the hard task of building our State into a house in which You would choose to live.

"In Your abiding name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 9 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Daughtry, Dockham, Gillespie, Hilton, Ray, West and Wood for today. Representatives Brubaker and A. Williams are excused for a portion of the session.

ENROLLED BILLS

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

S.B. 2, AN ACT TO ALLOW CERTAIN APPLICANTS FOR DRIVERS LICENSES TO SUBMIT MEDICAL CERTIFICATES FROM OUT-OF-STATE PHYSICIANS.

S.B. 440, 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.

H.B. 482, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE AN ALPHA KAPPA ALPHA SORORITY SPECIAL REGISTRATION PLATE.

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees and permanent subcommittees are presented:

By Representative Warren, Chair, for the Education Subcommittee on Pre-School, Elementary and Secondary Education:

H.B. 31, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS, reported to the Standing Committee on Education, with a favorable recommendation as to proposed committee substitute bill, which changes the title, unfavorable as to original bill.

By Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 89, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT APPLYING TO FORSYTH COUNTY CONCERNING FIRE AND RESCUE DISTRICTS, SO THE GENERAL LAW WILL APPLY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 14.

H.B. 142, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF SUNSET BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 14.

H.B. 351, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SALISBURY TO ADOPT AND ENFORCE ORDINANCES RELATING TO PARKING, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 14.

H.B. 597, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS, with a favorable report.

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Pursuant to Rule 36(b), the bill is placed on the Calendar of April 14.

H.B. 598, 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.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 14.

H.B. 626, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF GREENSBORO AND THE PIEDMONT TRIAD INTERNATIONAL AIRPORT ADMINISTRATION TO AMEND THE BOUNDARIES OF CERTAIN TERRITORY THAT CANNOT BE ANNEXED BY THE CITY UNDER GENERAL LAW, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 14.

S.B. 244 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING TO RECOGNIZE RETIRED NURSES BY SPECIAL LICENSURE STATUS AND TO ESTABLISH A FEE FOR THIS STATUS, with a favorable report.

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

By Representative Munford, Chair, for the Committee on Judiciary IV:

S.B. 784 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING BONDING OF CERTAIN JUDGMENTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 14.

By Representative Adams, Chair, for the Committee on Local Government II:

H.B. 516, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ROCKINGHAM TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT AND TO ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS IN THAT CITY, 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.

H.B. 668, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CITY OF WILMINGTON AND NEW HANOVER COUNTY BEACH TOWNS OCCUPANCY TAX ACTS, 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. 703, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO, AS REVISED AND REORGANIZED BY CHAPTER 1137 OF THE SESSION LAWS OF 1959, TO INCREASE THE MEMBERSHIP OF THE CITY OF GREENSBORO BOARD OF ALCOHOLIC CONTROL FROM THREE TO FIVE MEMBERS, 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 April 14. The original bill is placed on the Unfavorable Calendar.

H.B. 734, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY COUNCIL TO AUTHORIZE THE CITY'S HOUSING APPEALS BOARD TO HEAR PUBLIC HEALTH NUISANCES CASES, 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 April 14. The original bill is placed on the Unfavorable Calendar.

By Representative Lucas, Chair, for the Committee on Military, Veterans and Indian Affairs:

H.B. 710, A BILL TO BE ENTITLED AN ACT TO ADD A MEMBER REPRESENTING THE OCCANEECHI BAND OF THE SAPONI NATION TO THE BOARD OF THE NORTH CAROLINA INDIAN CULTURAL CENTER BOARD, 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.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 39 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CHARTER SCHOOLS TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN; AND TO ASSESS INTEREST ON PREMIUM PAYMENTS NOT REMITTED BY CHARTER SCHOOL EMPLOYING UNITS IN A TIMELY MANNER, is read the first time and referred to the Committee on Education and, if favorable, to the Committee on Pensions and Retirement.

S.B. 230 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT REVISED ARTICLE 6 OF THE UNIFORM COMMERCIAL CODE, BULK SALES, AND CONFORMING AMENDMENTS TO OTHER ARTICLES OF THE UNIFORM COMMERCIAL CODE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary II.

S.B. 423 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND ENHANCE CHILD SUPPORT ENFORCEMENT LAWS, is read the first time and referred to the Committee on Judiciary IV.

CALENDAR

Action is taken on the following:

H.B. 685, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SUNSET HARBOR, passes its third reading, by the following three-fifths vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Decker, Dickson, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis,

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Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Mitchell, Moore, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Starnes, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, K. Williams, G. Wilson, Womble, and Yongue - 102.

Voting in the negative: None.

Excused absences: Representatives Daughtry, Dockham, Gillespie, Hilton, Ray, West, A. Williams, and Wood - 8.

H.B. 790, A BILL TO BE ENTITLED AN ACT REPEALING THE CHARTER FOR THE TOWN OF CASHIERS BECAUSE THE TOWN HAS BEEN INACTIVE SINCE INCORPORATION, AND INCORPORATING THE VILLAGE OF CASHIERS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Decker, Dickson, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Mitchell, Moore, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Starnes, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, K. Williams, G. Wilson, Womble, and Yongue - 102.

Voting in the negative: None.

Excused absences: Representatives Daughtry, Dockham, Gillespie, Hilton, Ray, West, A. Williams, and Wood - 8.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Walend and without objection, **H.B. 13**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN TRANSYLVANIA COUNTY AND TO REQUIRE WRITTEN PERMISSION BEFORE HUNTING ON

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THE LAND OF ANOTHER IN TRANSYLVANIA COUNTY, is withdrawn from the Calendar and re-referred to the Committee on Wildlife Resources.

CALENDAR (continued)

H.B. 627 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO EXPEND FUNDS ON ROADS OUTSIDE THE CORPORATE LIMITS, 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. 645 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT NO GOVERNMENT ENTITY OUTSIDE OF CURRITUCK COUNTY MAY ANNEX ANY PORTION OF CURRITUCK COUNTY, OR EXTEND ITS EXTRATERRITORIAL JURISDICTION INTO CURRITUCK 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. 646, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF CHOOSING THE MEMBERS OF THE CURRITUCK COUNTY GAME 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.

H.B. 655 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE ON A PORTION OF PEMBROKE CREEK IN CHOWAN 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. 706, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF CHARLOTTE TO ALLOW THE CITY TO PURCHASE APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT FOR PUBLIC TRANSIT PURPOSES FROM PERSONS OR ENTITIES THAT HAVE RECENTLY MET STATE BIDDING LAW REQUIREMENTS AND PROVIDED APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT TO THE FEDERAL GOVERNMENT, STATE OF NORTH

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CAROLINA, OR ANOTHER STATE, 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. 776, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO GIVE THE CITY MANAGER GREATER AUTHORITY TO APPROVE CERTAIN CONTRACTS, 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. 429 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL GOVERNMENTS TO PAY JUST COMPENSATION FOR REMOVAL OF LAWFULLY ERECTED BUILDINGS, STRUCTURES, OUTDOOR ADVERTISING, OR FIXTURES, passes its third reading, by electronic vote (93-18), and is ordered sent to the Senate.

H.B. 581, A BILL TO BE ENTITLED AN ACT TO ALLOW ELECTROFISHING FOR CATFISH IN COLUMBUS COUNTY, passes its second reading, by electronic vote (88-22), and remains on the Calendar.

H.B. 679 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF RALEIGH TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT AND ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS, AND TO ALLOW WAKE COUNTY TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT, 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. 338, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE LAW PROVIDING THAT CERTAIN SECONDARY SUPPLIERS OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, ALLOWING THE MEMBERS OF AN ELECTRIC MEMBERSHIP CORPORATION TO VOTE BY PROXY ON DECISIONS TO ENCUMBER CORPORATE PROPERTY OR TO DISOLVE THE CORPORATION, AND MAKING TECHNICAL CHANGES

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TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Representative Culpepper moves, seconded by Representative B. Allen, that the House adjourn, subject to the first reading and reference to committee of bills and the ratification of bills, to reconvene on Monday, April 14, 2003, at 7:00 p.m.

The motion carries.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Hackney and Sauls (Primary Sponsors); Insko and Lewis:

H.B. 999, A BILL TO BE ENTITLED AN ACT MAKING VOID AND UNENFORCEABLE AS A MATTER OF PUBLIC POLICY ANY PROVISION IN ANY AGREEMENT OR CONTRACT THAT PROHIBITS THE REUSING, REMANUFACTURING, OR REFILLING OF A TONER OR INKJET CARTRIDGE, is referred to the Committee on Judiciary I.

By Representatives Hackney and Insko:

H.B. 1000, A BILL TO BE ENTITLED AN ACT TO MODIFY THE UNIVERSITY OF NORTH CAROLINA'S OPTIONAL RETIREMENT PLAN, is referred to the Committee on Pensions and Retirement.

By Representatives G. Wilson and Bell (Primary Sponsors):

H.B. 1001, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COMPETITIVE SELECTION OF CERTAIN SUPPLEMENTAL INSURANCE PRODUCTS FOR RETIRED STATE EMPLOYEES, is referred to the Committee on Insurance.

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By Representatives Setzer:

H.B. 1002, A BILL TO BE ENTITLED AN ACT TO AMEND THE NEW MOTOR VEHICLE WARRANTIES ACT TO APPLY TO RECREATIONAL VEHICLES, is referred to the Committee on Judiciary III.

By Representative Tolson:

H.B. 1003, A BILL TO BE ENTITLED AN ACT RELATING TO STATE GOVERNMENT INFORMATION TECHNOLOGY SECURITY, is referred to the Committee on Science and Technology.

By Representatives Barnhart and Glazier:

H.B. 1004, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE QUALITY AND ACCOUNTABILITY OF THE PUBLIC HEALTH SYSTEM BY STRENGTHENING THE PUBLIC HEALTH INFRASTRUCTURE, TO IMPROVE PUBLIC HEALTH OUTCOMES AND REDUCE HEALTH DISPARITIES BY THE DEVELOPMENT OF STATE AND LOCAL COMPREHENSIVE PUBLIC HEALTH PLANS, AND TO IMPROVE THE PUBLIC HEALTH WORKFORCE BY ENHANCING COLLABORATION WITH PUBLIC AND PRIVATE SECTOR ENTITIES AND IMPOSING PERFORMANCE STANDARDS FOR PUBLIC HEALTH PRACTICE, is referred to the Committee on Health and, if favorable, to the Committee on Appropriations.

By Representatives Barnhart, Howard, Miller, and Glazier (Primary Sponsors):

H.B. 1005, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AND REGULATE DEFERRED DEPOSIT LOANS BY PROVIDING CONSUMER PROTECTIONS AND DISCLOSURES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hunter and Barnhart (Primary Sponsors):

H.B. 1006, A BILL TO BE ENTITLED AN ACT TO GRANT GREATER CONSUMER PROTECTION TO RESIDENTS OF MANUFACTURED HOUSING IN NORTH CAROLINA, is referred to the Committee on Judiciary II.

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By Representatives Gibson and Brubaker (Primary Sponsors); and Lewis:

H.B. 1007, A BILL TO BE ENTITLED AN ACT TO PROHIBIT LIMITING THE QUANTITY OF MOTOR FUEL SOLD OR OFFERED FOR SALE UNDER THE MOTOR FUEL MARKETING ACT, is referred to the Committee on Agriculture.

By Representative Gibson:

H.B. 1008, A BILL TO BE ENTITLED AN ACT TO PROVIDE EQUITY IN THE ISSUANCE OF ABC PERMITS BY ALLOWING PERMITS TO BE ISSUED BASED ON EXISTING PERMITS, is referred to the Committee on Alcoholic Beverage Control.

By Representative Gibson:

H.B. 1009, A BILL TO BE ENTITLED AN ACT TO CREATE THE ALCOHOLIC BEVERAGE CONTROL ISSUES STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Blust, Capps, Creech, Culp, Ellis, Lewis, McHenry, McMahan, Moore, and Starnes:

H.B. 1010, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO REQUIRE A TWO-THIRDS VOTE FOR THE GENERAL ASSEMBLY TO LEVY STATE TAXES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Blust, Capps, Creech, Ellis, Lewis, McHenry, McMahan, Mitchell, Moore, Stam, and Starnes:

H.B. 1011, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REIMBURSEMENT OF EXPENSES TO A PREVAILING TAXPAYER IN AN ADMINISTRATIVE APPEAL OR A LAWSUIT IF THE STATE WAS NOT SUBSTANTIALLY JUSTIFIED IN MAINTAINING ITS POSITION AGAINST THE TAXPAYER, is referred to the Committee on Judiciary III.

By Representatives Blust, Capps, McHenry, McMahan, Mitchell, Moore, Starnes, and Walend:

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H.B. 1012, A BILL TO BE ENTITLED AN ACT ELIMINATING THE PORTFOLIO REQUIREMENT FOR TEACHER CERTIFICATION, is referred to the Committee on Education.

By Representatives Blust, Capps, Creech, Lewis, McHenry, McMahan, Moore, Stam, and Starnes:

H.B. 1013, A BILL TO BE ENTITLED AN ACT DIRECTING THE REVENUE LAWS STUDY COMMITTEE TO STUDY A PROPOSAL TO REDUCE UNNECESSARY TAX INCENTIVES AND CUT WASTE AND FRAUD IN GOVERNMENT AND USE THE RESULTING REVENUE TO LOWER PERSONAL AND CORPORATE INCOME TAX RATES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Blust, Capps, Hilton, McHenry, Moore, and Starnes:

H.B. 1014, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO TEST AVAILABLE SOFTWARE TO IMPROVE MEDICAID FRAUD DETECTION AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THIS PURPOSE, is referred to the Committee on Appropriations.

By Representatives Blust, Capps, Hilton, McHenry, and Starnes:

H.B. 1015, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE SCHOOL TESTING PROGRAM, is referred to the Committee on Education.

By Representatives Haire, Carney, Earle, England, Insko, Pate, Ross, Sauls, Tolson, and Weiss:

H.B. 1016, A BILL TO BE ENTITLED AN ACT TO ADD PARTICULAR UNIVERSITY FACILITIES AS NONSMOKING AREAS, is referred to the Education Subcommittee on Universities.

By Representatives Moore and Glazier:

H.B. 1017, A BILL TO BE ENTITLED AN ACT TO AMEND THE CRIMINAL OFFENSE OF BURGLARY BY ELIMINATING THE

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ESSENTIAL ELEMENT THAT THE CRIME BE COMMITTED AT NIGHT, is referred to the Committee on Judiciary II.

By Representative Allred:

H.B. 1018, A BILL TO BE ENTITLED AN ACT TO ALLOW DEFENDANTS IN CONDEMNATION ACTIONS TO RECOVER REASONABLE ATTORNEYS' FEES AND REASONABLE EXPENSES FOR SURVEYS AND APPRAISALS IF THE JUDGMENT IS MORE THAN THE AMOUNT DEPOSITED BY THE CONDEMNOR, is referred to the Committee on Judiciary I.

By Representatives Allred, Lewis, Moore, and Setzer:

H.B. 1019, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE I-85/I-40 CORRIDOR IN ALAMANCE COUNTY AS THE U.S. VETERANS MEMORIAL FREEWAY, is referred to the Committee on Transportation.

By Representative Allred:

H.B. 1020, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PROVIDE SAFETY MARKERS FOR CONTRACT TRUCKERS, is referred to the Committee on Transportation.

By Representative Allred:

H.B. 1021, A BILL TO BE ENTITLED AN ACT TO REQUIRE APPROVAL OF INVOLUNTARY ANNEXATIONS BY THE BOARD OF COMMISSIONERS OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED, is referred to the Committee on Local Government II.

By Representatives Sexton, Barbee, Barnhart, Blackwood, Blust, Bowie, Capps, Creech, Culp, Daughtridge, Dockham, Ellis, Gillespie, Gulley, Hilton, Holmes, McCombs, McHenry, Mitchell, Moore, Pate, Preston, Rhodes, Starnes, Warner, and G. Wilson:

H.B. 1022, A BILL TO BE ENTITLED AN ACT TO REDUCE THE RENEWAL FEE FOR A CONCEALED HANDGUN PERMIT, is referred to the Committee on Finance.

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By Representatives Goodwin and Hackney:

H.B. 1023, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF UNDERINSURED HIGHWAY VEHICLE TO PROVIDE GREATER PROTECTION TO CONSUMERS INJURED IN MOTOR VEHICLE ACCIDENTS, is referred to the Committee on Judiciary II.

By Representatives Goodwin, Farmer-Butterfield, Goforth, Jones, and Parmon:

H.B. 1024, A BILL TO BE ENTITLED AN ACT ADOPTING THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT FOR NORTH CAROLINA, is referred to the Committee on Judiciary II.

By Representatives Jeffus, Adams, Cole, and Sexton (Primary Sponsors); Blust, Bowie, Jones, and Wood:

H.B. 1025, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF HAW RIVER STATE PARK TO THE STATE PARKS SYSTEM, is referred to the Committee on Environment and Natural Resources.

By Representatives Sexton, Moore, and Pate:

H.B. 1026, A BILL TO BE ENTITLED AN ACT TO MAKE THE PROGRAM FOR THE COLLECTION OF WORTHLESS CHECKS AVAILABLE STATEWIDE, is referred to the Committee on Judiciary IV.

By Representatives Carney, Earle, Bordsen, and Dickson (Primary Sponsors); L. Allen, Coates, Farmer-Butterfield, Glazier, Goforth, McLawhorn, Parmon, Rapp, Ross, and Weiss:

H.R. 1027, A HOUSE RESOLUTION REQUESTING THE SPEAKERS OF THE HOUSE OF REPRESENTATIVES TO APPOINT A BLUE RIBBON TASK FORCE TO STUDY ISSUES RELATED TO MEDICAL MALPRACTICE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives K. Williams and Justice (Primary Sponsors); Gorman, Grady, Preston, and Stiller:

H.B. 1028, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A GENERAL PERMIT FOR THE CONSTRUCTION OF RIPRAP SILLS FOR WETLAND ENHANCEMENT AND SHORELINE PROTECTION

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IN ESTUARINE AND PUBLIC TRUST WATERS, is referred to the Committee on Finance.

By Representative Gillespie:

H.B. 1029, A BILL TO BE ENTITLED AN ACT TO REPEAL ANY ACT REQUIRING THE AFFIRMATIVE VOTE OF AT LEAST FOUR MEMBERS OF THE BOARD OF COMMISSIONERS OF A COUNTY TO AMEND OR REPEAL A SPECIFIC TYPE OF ZONING ORDINANCE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Glazier, Gibson, and Pate:

H.B. 1030, A BILL TO BE ENTITLED AN ACT TO WAIVE THE CONCEALED HANDGUN PERMIT FEES FOR QUALIFIED FORMER SWORN LAW ENFORCEMENT OFFICERS, is referred to the Committee on Judiciary IV.

By Representatives Glazier and Eddins (Primary Sponsors); L. Allen, Bordsen, Carney, Gibson, Jeffus, Parmon, and Ross:

H.B. 1031, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CREDITABLE SERVICE FOR LAW ENFORCEMENT OFFICERS IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM SHALL INCLUDE PERIODS OF EMPLOYER-APPROVED LEAVES OF ABSENCE WHEN IN RECEIPT OF WORKERS' COMPENSATION BENEFITS AS A RESULT OF INJURY INCURRED IN THE LINE OF DUTY, is referred to the Committee on Occupational Safety and Health.

By Representatives Glazier and England (Primary Sponsors); Bordsen, Fox, Gibson, and Goforth:

H.B. 1032, A BILL TO BE ENTITLED AN ACT REQUIRING LOCAL BOARDS OF EDUCATION TO GIVE PREFERENCE IN PURCHASING CONTRACTS TO HIGH-CALCIUM FOODS AND BEVERAGES, is referred to the Committee on Education.

By Representatives Glazier and Munford (Primary Sponsors); Bowie and Gibson:

H.B. 1033, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE TO RESOLVE THE ISSUE OF CONFLICTING CHILD CUSTODY ORDERS; TO CLARIFY THE EFFECT OF TERMINATING

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JURISDICTION IN CERTAIN JUVENILE CASES; TO GIVE THE COURT AUTHORITY TO CONVERT A JUVENILE COURT CUSTODY ORDER INTO A PERMANENT CUSTODY ORDER UNDER CHAPTER 50 OF THE GENERAL STATUTES; AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE LAW, is referred to the Committee on Judiciary IV.

By Representatives Allred, Barnhart, Eddins, and Moore:

H.B. 1034, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A MOTHERS AGAINST DRUNK DRIVING (M.A.D.D.) SPECIAL REGISTRATION PLATE, is referred to the Committee on Finance.

By Representatives Kiser, Brubaker, Sherrill, and K. Williams:

H.B. 1035, A BILL TO BE ENTITLED AN ACT TO ESTABLISH ADDITIONAL REQUIREMENTS THAT MUST BE SATISFIED TO SECURE A CRIMINAL APPEARANCE BOND WITH REAL PROPERTY, is referred to the Committee on Judiciary IV.

By Representative Luebke:

H.B. 1036, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW THAT CHARITABLE FOUNDATIONS MAY NOT DONATE TO FOR-PROFITS, is referred to the Committee on Ways and Means.

By Representatives Luebke, Crawford, Michaux, and Miller:

H.B. 1037, A BILL TO BE ENTITLED AN ACT TO ESTABLISH CRIMINAL PENALTIES FOR ALLOWING JUVENILES TO ESCAPE; TO ALLOW JUVENILE DETENTION FACILITIES TO PHOTOGRAPH JUVENILES AND TO RELEASE THE PHOTOGRAPHS WHEN THE JUVENILE ESCAPES; TO ALLOW THE HOLDING OF A JUVENILE IN A LOCAL CONFINEMENT FACILITY WHILE AWAITING TRIAL AS AN ADULT; AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES, is referred to the Committee on Judiciary I.

By Representative Luebke:

H.J.R. 1038, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE LAWFUL POSSESSION AND USE OF MARIJUANA FOR THE TREATMENT OR

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ALLEVIATION OF PAIN OR OTHER SYMPTOMS ASSOCIATED WITH CERTAIN DEBILITATING MEDICAL CONDITIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Weiss and Barnhart:

H.B. 1039, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY CURRENT DEBT COLLECTION PRACTICES IN ORDER TO DETERMINE HOW TO MINIMIZE MISTAKES IN CORRECTLY IDENTIFYING DEBTORS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Sauls and Gibson (Primary Sponsors); Barbee, Clary, Gorman, Haire, Hilton, L. Johnson, Justice, Kiser, LaRoque, Lewis, McHenry, Moore, Munford, Pate, Stiller, Walker, K. Williams, and G. Wilson:

H.B. 1040, A BILL TO BE ENTITLED AN ACT MAKING VOID AND UNENFORCEABLE AS A MATTER OF PUBLIC POLICY ANY PROVISION IN ANY AGREEMENT OR CONTRACT THAT PROHIBITS THE REUSING, REMANUFACTURING, OR REFILLING OF A TONER OR INKJET CARTRIDGE, is referred to the Committee on Judiciary I.

By Representatives C. Wilson, McHenry, and Moore:

H.B. 1041, A BILL TO BE ENTITLED AN ACT TO REQUIRE AGENCIES PROPOSING PERMANENT RULES TO CONSIDER THE ADVERSE ECONOMIC IMPACT OF THE PROPOSED RULE ON SMALL BUSINESS; TO REQUIRE AGENCY REVIEW OF EXISTING RULES PRIOR TO AMENDMENT TO DETERMINE THE IMPACT ON SMALL BUSINESS; AND TO PROVIDE THAT AGENCIES MAY NOT ADOPT RULES THAT ARE MORE RESTRICTIVE THAN APPLICABLE FEDERAL LAW GOVERNING THE SAME SUBJECT MATTER, is referred to the Committee on Judiciary II.

By Representative LaRoque:

H.B. 1042, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURES FOR REVOCATION OF COUNTY AND MUNICIPAL INSPECTION PERMITS, is referred to the Committee on Local Government I.

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By Representatives Harrell and Glazier:

H.B. 1043, A BILL TO BE ENTITLED AN ACT TO PROVIDE IMMUNITY FROM LIABILITY FOR HEALTH CARE PROVIDERS PROVIDING HEALTH CARE TREATMENT TO PERSONS INJURED BY A TERRORIST INCIDENT, is referred to the Committee on Health.

By Representatives Hackney and Insko:

H.B. 1044, A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF SEXUAL BATTERY, is referred to the Committee on Judiciary I.

By Representatives Hackney and Insko:

H.B. 1045, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA CLIMATE ACTION REGISTRY, is referred to the Committee on Environment and Natural Resources.

By Representatives Hackney, Bowie, and Goodwin:

H.B. 1046, A BILL TO BE ENTITLED AN ACT TO DEFINE THE OFFENSE OF AGGRESSIVE DRIVING, is referred to the Committee on Judiciary I.

By Representatives Hackney and Insko:

H.B. 1047, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE CIVIL ACTIONS OF ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION, is referred to the Committee on Judiciary I.

By Representatives Ross, Alexander, Glazier, and Insko:

H.B. 1048, A BILL TO BE ENTITLED AN ACT TO MAKE REVISIONS UNDER THE JUVENILE CODE REGARDING GUARDIANS AD LITEM, is referred to the Committee on Judiciary I.

By Representative Holliman:

H.B. 1049, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA PSYCHOLOGY BOARD TO ALLOW LICENSED PSYCHOLOGICAL ASSOCIATES TO ENGAGE IN THE PRACTICE OF PSYCHOLOGY WITHOUT SUPERVISION AFTER ACHIEVING A CERTAIN LEVEL OF EXPERIENCE IN THE FIELD AND INCREASING

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THE MEMBERSHIP ON THE BOARD FROM SEVEN TO EIGHT, is referred to the Committee on Insurance.

By Representatives Frye and Pate:

H.B. 1050, A BILL TO BE ENTITLED AN ACT TO IMPROVE FIRE SAFETY IN LOCAL CONFINEMENT FACILITIES, is referred to the Committee on Local Government II.

By Representatives Dickson and Insko:

H.B. 1051, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ENERGY ASSISTANCE ACT FOR LOW-INCOME PERSONS, is referred to the Committee on State Government.

By Representatives Owens and Dockham (Primary Sponsors):

H.B. 1052, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONSOLIDATION OF ADMINISTRATIVE FUNCTIONS WITHIN STATE GOVERNMENT, AS RECOMMENDED BY THE GOVERNOR'S COMMISSION TO PROMOTE GOVERNMENT EFFICIENCY AND SAVINGS ON STATE SPENDING, is referred to the Committee on State Government.

By Representatives Owens and Dockham (Primary Sponsors):

H.B. 1053, A BILL TO BE ENTITLED AN ACT DIRECTING THE DEPARTMENT OF ADMINISTRATION TO REVIEW ITS INVENTORY OF STATE-OWNED PROPERTY AND RECOMMEND PROPERTY THAT SHOULD BE SOLD OR LEASED TO THE PRIVATE SECTOR, is referred to the Committee on State Government.

By Representatives Glazier, Dickson, and Goodwin (Primary Sponsors):

H.B. 1054, A BILL TO BE ENTITLED AN ACT TO LIMIT MEDICAL MALPRACTICE LIABILITY INSURANCE PREMIUMS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Glazier, Ross, Weiss, and Harrell (Primary Sponsors); Insko and Michaux:

H.B. 1055, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE SUPREME COURT IN CONDUCTING THE PROPORTIONALITY

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REVIEW REQUIRED BY LAW SHALL CONSIDER NOT ONLY THOSE CAPITAL CASES IN WHICH THE DEATH PENALTY WAS IMPOSED BUT ALSO FACTUALLY SIMILAR CASES IN WHICH THE SENTENCE OF LIFE IMPRISONMENT WAS IMPOSED, is referred to the Committee on Judiciary IV.

By Representatives Blust and Daughtry:

H.B. 1056, A BILL TO BE ENTITLED AN ACT TO ALLOW A MINIMUM LATE FEE IN SELF-SERVICE STORAGE RENTAL UNIT CONTRACTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Blust and Capps:

H.B. 1057, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ALLOW RECALL ELECTIONS FOR ANY OFFICE ESTABLISHED BY THE CONSTITUTION, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representative Blust:

H.B. 1058, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CONVICTED FELONS FROM POSSESSING ALL TYPES OF FIREARMS AND TO DELETE THE EXCEPTION THAT PERMITS CONVICTED FELONS TO POSSESS FIREARMS IN THEIR HOMES OR BUSINESSES, is referred to the Committee on Judiciary III.

By Representatives Blust and Barnhart (Primary Sponsors); Moore and Pate:

H.B. 1059, A BILL TO BE ENTITLED AN ACT TO DISSOLVE AND REPEAL THE CHARTER OF THE GOLDEN L.E.A.F., INC. AND TO DIRECT UNENCUMBERED ASSETS AND FUNDS OF THE GOLDEN L.E.A.F., INC., TO THE FUND ESTABLISHED FOR THE BENEFIT OF HEALTH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Blust:

H.B. 1060, A BILL TO BE ENTITLED AN ACT TO ESTABLISH BY STATUTE AN INDEPENDENT REDISTRICTING COMMISSION TO

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RECOMMEND TO THE GENERAL ASSEMBLY PLANS FOR LEGISLATIVE AND CONGRESSIONAL REDISTRICTING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Blust:

H.B. 1061, A BILL TO BE ENTITLED AN ACT TO EXTEND TO ALL FELONIES THE ADDITIONAL PUNISHMENT FOR THE POSSESSION, DISPLAY, OR DISCHARGE OF A FIREARM DURING THE COMMISSION OF A FELONY, AND TO INCREASE THE LENGTH OF ADDITIONAL PUNISHMENT, is referred to the Committee on Judiciary III.

By Representative McLawhorn:

H.B. 1062, A BILL TO BE ENTITLED AN ACT TO REQUIRE PUBLIC WATER SYSTEMS TO PREPARE LOCAL WATER SUPPLY PLANS AND TO AUTHORIZE THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO MAKE DROUGHT DESIGNATIONS, is referred to the Committee on Public Utilities.

By Representative McLawhorn:

H.B. 1063, A BILL TO BE ENTITLED AN ACT REQUIRING THE DIVISION OF CHILD DEVELOPMENT TO INCLUDE IN ITS SUMMARY OF THE LAWS RELATING TO CHILD CARE FACILITIES A STATEMENT ON HOW PARENTS MAY OBTAIN INFORMATION ON INDIVIDUAL CHILD CARE FACILITIES, is referred to the Committee on Children, Youth and Families.

By Representatives L. Allen, Carney, and Saunders (Primary Sponsors); England, Glazier, Hackney, Jones, Lucas, Parmon, Rapp, and Wright:

H.B. 1064, A BILL TO BE ENTITLED AN ACT TO CLARIFY EXISTING DELEGATIONS OF AUTHORITY TO COUNTIES AND CITIES AND TO CONFIRM FLEXIBILITY IN THE EXECUTION OF THOSE DELEGATED AUTHORITIES, is referred to the Committee on Local Government II.

By Representative L. Allen:

H.B. 1065, A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY AND PROCEDURE FOR A REDEVELOPMENT COMMISSION TO CONVEY CERTAIN PROPERTY IN A DESIGNATED

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REDEVELOPMENT AREA, is referred to the Committee on Economic Growth and Community Development.

By Representatives Alexander and C. Wilson (Primary Sponsors):

H.B. 1066, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE SUBMISSION OF COMPLETE CLAIMS BY PROVIDERS UNDER HEALTH BENEFIT PLANS BY REQUIRING HEALTH BENEFIT PLANS TO DISCLOSE TO CONTRACT PROVIDERS THE PLANS' FEE SCHEDULES AND MEDICAL AND REIMBURSEMENT POLICIES, AND TO PROVIDE NOTICE TO THE PROVIDER PRIOR TO IMPLEMENTING CHANGES TO THE SCHEDULES OR POLICIES, is referred to the Committee on Insurance.

By Representatives Dockham and Owens (Primary Sponsors); Bowie, Glazier, and Pate:

H.J.R. 1067, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE MORE THAN FOUR HUNDRED BOARDS AND COMMISSIONS IN THIS STATE TO DETERMINE IF THERE IS A NEED TO REDUCE THE SIZE OR SCOPE OR ABOLISH ANY OF THESE BOARDS OR COMMISSIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Dockham and Owens (Primary Sponsors):

H.B. 1068, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATEWIDE STATE EMPLOYEE BENEFIT COMMITTEE TO EVALUATE AND PROVIDE A MENU OF PORTABLE SUPPLEMENTAL BENEFITS FOR ALL STATE EMPLOYEES, AS RECOMMENDED BY THE GOVERNOR'S COMMISSION TO PROMOTE GOVERNMENT EFFICIENCY AND SAVINGS ON STATE SPENDING, is referred to the Committee on State Government.

By Representative Miner:

H.B. 1069, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT REGIONAL PUBLIC TRANSPORTATION AUTHORITIES AND REGIONAL TRANSPORTATION AUTHORITIES ARE INCLUDED IN THE STATE TORT CLAIMS ACT, is referred to the Committee on Transportation.

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By Representatives Miner and McComas (Primary Sponsors):

H.B. 1070, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXPENDITURE BENCHMARK FOR A SPECIAL RESPONSIBILITY CONSTITUENT INSTITUTION FOR CERTAIN PURCHASING CONTRACTS, is referred to the Education Subcommittee on Universities.

By Representatives Miner and McComas (Primary Sponsors):

H.B. 1071, A BILL TO BE ENTITLED AN ACT TO CLARIFY EMPLOYEE FLEXIBLE COMPENSATION PLANS OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the Education Subcommittee on Universities.

By Representatives Miner and Gibson (Primary Sponsors); Barbee, Church, Sherrill, West, and Yongue:

H.B. 1072, A BILL TO BE ENTITLED AN ACT TO REGULATE PERSONS SEEKING TO ENGAGE IN BUSINESS AS TICKET BROKERS AND TO APPLY THE PRIVILEGE TAX ON AMUSEMENTS TO SERVICES PROVIDED BY TICKET BROKERS, is referred to the Committee on Finance.

By Representative Miner:

H.B. 1073, A BILL TO BE ENTITLED AN ACT RELATING TO TELECOMMUNICATIONS RATES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Crawford:

H.B. 1074, A BILL TO BE ENTITLED AN ACT TO REVISE A STATUTE TO CREATE A BUTNER ADVISORY COUNCIL SO AS TO ELECT ALL MEMBERS AT LARGE IN ONE MULTISEAT RACE AND ELIMINATE STAGGERED TERMS; TO DEFINE THE ELECTORAL JURISDICTION OF THE COUNCIL; AND TO AMEND THE LEGISLATION IN OTHER NEEDED WAYS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cole, G. Allen, Bonner, Church, Coates, Crawford, Fox, Goforth, Goodwin, Hall, Hill, Insko, Luebke, McGee, McLawhorn, Miller, Moore, Munford, Pate, Saunders, Sutton, Tolson, Warner, Warren, Weiss, A. Williams, and Yongue:

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H.B. 1075, A BILL TO BE ENTITLED AN ACT TO PROTECT CONSUMERS AND TRANSFERORS OF MOTOR VEHICLES UNAWARE OF PRIOR DAMAGE OR WHEN PRIOR DAMAGE WAS MINOR, is referred to the Committee on Judiciary III.

By Representative Gibson:

H.B. 1076, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 130A OF THE GENERAL STATUTES AND OTHER LAWS PERTAINING TO ENVIRONMENTAL HEALTH, is referred to the Committee on Environment and Natural Resources.

By Representative Gibson:

H.B. 1077, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 130A OF THE GENERAL STATUTES AND OTHER LAWS PERTAINING TO ENVIRONMENTAL HEALTH, is referred to the Committee on Environment and Natural Resources.

By Representative Gibson:

H.B. 1078, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTERS 113 AND 113A OF THE GENERAL STATUTES AND OTHER LAWS PERTAINING TO NATURAL RESOURCES, is referred to the Committee on Environment and Natural Resources.

By Representative Gibson:

H.B. 1079, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTERS 113 AND 113A OF THE GENERAL STATUTES AND OTHER LAWS PERTAINING TO NATURAL RESOURCES, is referred to the Committee on Environment and Natural Resources.

By Representative Gibson:

H.B. 1080, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTERS 143 AND 143B OF THE GENERAL STATUTES AND OTHER LAWS PERTAINING TO THE ENVIRONMENT, is referred to the Committee on Environment and Natural Resources.

By Representative Gibson:

H.B. 1081, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTERS 143 AND 143B OF THE GENERAL STATUTES AND

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OTHER LAWS PERTAINING TO THE ENVIRONMENT, is referred to the Committee on Environment and Natural Resources.

By Representative Gibson:

H.B. 1082, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, is referred to the Committee on Environment and Natural Resources.

By Representative Gibson:

H.B. 1083, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, ENVIRONMENTAL HEALTH, AND NATURAL RESOURCES, is referred to the Committee on Environment and Natural Resources.

By Representative Insko:

H.B. 1084, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR UNCOMPENSATED PRENATAL CARE FOR NON-MEDICAID, LOW-INCOME PATIENTS SERVED BY LOCAL HEALTH DEPARTMENTS, is referred to the Committee on Appropriations.

By Representatives Insko, Alexander, and Rapp:

H.B. 1085, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO STUDY THE INCIDENCE OF MENTAL ILLNESS AND SUBSTANCE ABUSE PROBLEMS IN THE NORTH CAROLINA PRISON AND JUVENILE JUSTICE SYSTEMS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Alexander:

H.J.R. 1086, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE TRAFFICKING OF PERSONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Gorman:

H.B. 1087, A BILL TO BE ENTITLED AN ACT TO REQUIRE WINDSHIELDS ON MOTOR VEHICLES, is referred to the Committee on Judiciary III.

By Representatives Barnhart and Miller (Primary Sponsors); and Weiss:

H.B. 1088, A BILL TO BE ENTITLED AN ACT TO REQUIRE CREDIT REPORTING AGENCIES TO NOTIFY CONSUMERS WHEN THE AGENCIES RECEIVE, WITHIN A TWELVE-MONTH PERIOD PERTAINING TO A CONSUMER, THREE CREDIT INQUIRIES OR A REPORT THAT WOULD ADD NEGATIVE INFORMATION TO THE CONSUMER'S CREDIT FILE, is referred to the Committee on Ways and Means.

By Representatives Lewis, McHenry, and Moore:

H.B. 1089, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING NOTICE OF TERMINATION OF FARM MACHINERY AGREEMENTS, is referred to the Committee on Agriculture.

By Representatives Blust and Moore:

H.B. 1090, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO ESTABLISH AN INDEPENDENT REDISTRICTING COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Goodwin, Blackwood, and Dickson (Primary Sponsors); and Moore:

H.B. 1091, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR INDOOR PYROTECHNICS EXHIBITIONS CONDUCTED WITHOUT A PERMIT, AND TO INCREASE THE PENALTIES FOR MULTIPLE RELATED ACTIVITIES IN VIOLATION OF THE NORTH CAROLINA BUILDING CODE, is referred to the Committee on Judiciary II.

By Representatives L. Johnson, Justice, LaRoque, Sauls, and Stam:

H.B. 1092, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ABILITY OF THE STATE BOARD OF EDUCATION TO SAFEGUARD

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SCHOOLCHILDREN THROUGH A COORDINATED PROGRAM OF PROFESSIONAL ETHICS AND DISCIPLINE THAT INCLUDES THE AUTOMATIC REVOCATION OF TEACHER CERTIFICATES UPON CONVICTION OF CERTAIN CRIMES, THE USE OF HEARSAY TESTIMONY IN ADMINISTRATIVE HEARINGS TO REVOKE TEACHER CERTIFICATES, AND THE USE OF INVESTIGATIVE SERVICES AS NEEDED, is referred to the Committee on Finance.

By Representative Culpepper:

H.B. 1093, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE NORTH CAROLINA INSURANCE GUARANTY ASSOCIATION ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Justice, Carney, and Jones:

H.B. 1094, A BILL TO BE ENTITLED AN ACT AUTHORIZING LOCAL BOARDS OF HEALTH TO ADOPT RULES CONCERNING ANIMAL OPERATIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Ross, Alexander, and Luebke:

H.B. 1095, A BILL TO BE ENTITLED AN ACT AMENDING THE LABOR LAWS OF NORTH CAROLINA TO ALLOW PUBLIC SAFETY OFFICERS EMPLOYED BY THE STATE OR ITS POLITICAL SUBDIVISIONS TO ORGANIZE FOR THE PURPOSE OF COLLECTIVE BARGAINING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Moore and Goodwin (Primary Sponsors); and Glazier:

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO REDUCE THE COSTS OF MEDICAL MALPRACTICE ACTIONS BY LIMITING THE NUMBER OF EXPERT MEDICAL WITNESSES AND BY LIMITING DISCOVERY, is referred to the Committee on Judiciary II.

By Representatives Rapp, Carney, Coates, Cole, England, Farmer-Butterfield, Frye, Gibson, Glazier, Goforth, Harrell, C. Johnson, and Sutton:

H.B. 1097, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PROPERTY TAX SUBCOMMITTEE OF THE REVENUE LAWS STUDY

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COMMITTEE TO STUDY THE COLLECTION OF PROPERTY TAXES ON MOTOR VEHICLES, is referred to the Committee on Rules, Calendar, and Operations of the House.

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

H.B. 1098, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO RECOGNIZE THE RIGHT TO HEALTH CARE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative LaRoque:

H.B. 1099, A BILL TO BE ENTITLED AN ACT TO ENFORCE THE DUTY OF CITY COUNCIL MEMBERS AND COUNTY COMMISSIONERS TO VOTE ON NONPROCEDURAL ISSUES AND TO IMPOSE A SIMILAR ENFORCEABLE DUTY TO VOTE ON SCHOOL BOARD MEMBERS, is referred to the Committee on Local Government I.

By Representatives Parmon and Womble (Primary Sponsors); and Rapp:

H.B. 1100, A BILL TO BE ENTITLED AN ACT TO AMEND THE AUTHORITY OF THE WILDLIFE RESOURCES COMMISSION TO ENABLE PROTECTION OF CERTAIN REPTILES AND AMPHIBIANS REQUIRING CONSERVATION MEASURES, is referred to the Committee on Wildlife Resources.

By Representatives Bowie and Nesbitt (Primary Sponsors); Barnhart, Cole, Gillespie, Hilton, Holliman, LaRoque, McComas, Pate, Sauls, Setzer, Stiller, Walend, West, G. Wilson, and Wood:

H.B. 1101, A BILL TO BE ENTITLED AN ACT TO PROHIBIT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA FROM FINANCING, DEVELOPING, OWNING, AND OPERATING LODGING FACILITIES, CONFERENCE CENTERS, AND GOLF COURSES, EXCEPT UNDER CERTAIN CONDITIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Grady and Moore:

H.B. 1102, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE PUBLIC'S RIGHT TO KNOW DETAILS OF CLOSED MEETINGS

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AFTER THE JUSTIFICATION FOR WITHHOLDING DETAILS HAS PASSED BY ADDING TO THE OPEN MEETINGS LAW A REQUIREMENT TO MAKE AND KEEP RECORDINGS OF ALL CLOSED MEETINGS, is referred to the Committee on Judiciary II.

By Representative Grady:

H.B. 1103, A BILL TO BE ENTITLED AN ACT TO REWRITE THE PROVISIONS RELATING TO THE ELECTION OF OPTIONAL RETIREMENT ALLOWANCES AND TO PERMIT RETIREES FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO TERMINATE THEIR OPTIONAL ELECTION UNDER CERTAIN CIRCUMSTANCES, is referred to the Committee on Pensions and Retirement.

By Representatives Sexton, Frye, Goforth, Goodwin, and Moore:

H.B. 1104, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN PRACTICES OF INSURANCE COMPANIES WITH REGARD TO MOTOR VEHICLE REPAIRS ARE UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE TRADE PRACTICES, is referred to the Committee on Judiciary III.

By Representatives Sexton, Moore, and Pate:

H.R. 1105, A HOUSE RESOLUTION URGING CONGRESS TO ENACT LEGISLATION THAT WOULD FAIRLY COMPENSATE INDIVIDUALS SERVING IN THE RESERVES AND NATIONAL GUARD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Starnes, Gillespie, and Moore:

H.B. 1106, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF FETAL HOMICIDE, is referred to the Committee on Judiciary I.

By Representative C. Wilson:

H.B. 1107, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING MANAGED CARE UTILIZATION REVIEW AND GRIEVANCE PROCEDURES TO MAKE THEM CONFORM WITH THE UNITED STATES DEPARTMENT OF LABOR CLAIM RULES, is referred to the Committee on Insurance.

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By Representatives Gibson and Sherrill (Primary Sponsors):

H.B. 1108, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE COMMISSION TO ISSUE BEER AND WINE SHIPPERS PERMITS TO ALLOW THE DIRECT SHIPMENT OF MALT BEVERAGES AND WINES TO RESIDENTS OF NORTH CAROLINA, is referred to the Committee on Alcoholic Beverage Control and, if favorable, to the Committee on Finance.

By Representative Gibson:

H.B. 1109, A BILL TO BE ENTITLED AN ACT TO RESTORE EQUITY IN WORKERS' COMPENSATION RECOVERIES BY PROHIBITING WAIVERS OF SUBROGATION IN WORKERS' COMPENSATION INSURANCE, is referred to the Committee on Judiciary II.

By Representatives Gibson and McComas (Primary Sponsors):

H.B. 1110, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE WORLD TRADE CENTER NORTH CAROLINA TO SUPPORT INTERNATIONAL TRADE EDUCATION PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES IN THE STATE, is referred to the Committee on Appropriations.

By Representative Gibson:

H.B. 1111, A BILL TO BE ENTITLED AN ACT TO PROVIDE A REFUNDABLE TAX CREDIT FOR VOLUNTARY EXPENSES TO REDUCE STORMWATER POLLUTION BEYOND EXPENSES REQUIRED BY LAW, is referred to the Committee on Finance.

By Representative Gibson:

H.B. 1112, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATED TO SANITATION OF FOOD AND LODGING FACILITIES, is referred to the Committee on Environment and Natural Resources.

By Representative Gibson:

H.B. 1113, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, is referred to the Committee on Environment and Natural Resources.

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By Representative Saunders:

H.B. 1114, A BILL TO BE ENTITLED AN ACT TO MAKE VOLUNTEER FILES MAINTAINED BY LOCAL BOARDS OF EDUCATION PRIVATE, is referred to the Committee on Education.

By Representative Jeffus:

H.B. 1115, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO ISSUE RULES REQUIRING FIRE SUPPRESSION EQUIPMENT IN ALL SCHOOL BUSES, is referred to the Committee on Education.

By Representatives Jeffus, Gorman, Parmon, Pate, and Setzer:

H.B. 1116, A BILL TO BE ENTITLED AN ACT TO CREATE A CREDIT AGAINST THE INCOME TAX OF PUBLIC SCHOOL TEACHERS, is referred to the Committee on Finance.

By Representatives Jeffus, Munford, Parmon, and Pate:

H.B. 1117, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A FULL-TIME TEACHER ASSISTANT BE ASSIGNED TO ANY KINDERGARTEN CLASSROOM WITH MORE THAN FIFTEEN STUDENTS, is referred to the Committee on Education.

By Representatives Alexander, Insko, and Luebke:

H.B. 1118, A BILL TO BE ENTITLED AN ACT TO REQUIRE SIGNS TO BE POSTED WARNING OF THE POSSIBLE DANGERS OF CONSUMPTION OF ALCOHOL DURING PREGNANCY, is referred to the Committee on Alcoholic Beverage Control.

By Representative Alexander:

H.B. 1119, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE ELECTION LAWS, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Alexander and Insko:

H.B. 1120, A BILL TO BE ENTITLED AN ACT TO PERMIT THE APPOINTMENT OF CERTAIN HIGH SCHOOL STUDENTS AS PRECINCT

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ASSISTANTS, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Alexander, Earle, Insko, and Moore (Primary Sponsors); and Glazier:

H.B. 1121, A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN PROFESSIONAL LIABILITY INSURERS TO USE EXPERIENCE AND SCHEDULE RATING PLANS AND TO ESTABLISH PREMIUM STABILIZATION ACCOUNTS TO MOLLIFY SEVERE MARKET CYCLE CHANGES CAUSED BY DECREASES IN INVESTMENT INCOME, is referred to the Committee on Insurance.

By Representatives Farmer-Butterfield and Hackney:

H.B. 1122, A BILL TO BE ENTITLED AN ACT TO ESTABLISH TRAINING REQUIREMENTS FOR HEARING OFFICERS IN GUARDIANSHIP CASES, is referred to the Committee on Judiciary II.

By Representatives Farmer-Butterfield, Hackney, Jones, and Rapp:

H.B. 1123, A BILL TO BE ENTITLED AN ACT TO EXPRESSLY PROVIDE FOR LIMITED GUARDIANSHIPS FOR INCOMPETENT PERSONS AND TO CLARIFY THE DUTY OF A GUARDIAN AD LITEM APPOINTED TO REPRESENT A PERSON IN AN INCOMPETENCY ADJUDICATION, is referred to the Committee on Judiciary II.

By Representatives Justice, K. Williams, and Goodwin (Primary Sponsors); Eddins, Gorman, Insko, Pate, and Rapp:

H.B. 1124, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A LAW ENFORCEMENT OFFICERS' SECURITY PROGRAM TO PROTECT THE PERSONAL INFORMATION OF LAW ENFORCEMENT OFFICERS AND THEIR FAMILIES AND TO PROHIBIT THE DISTRIBUTION OR PUBLICATION OF LAW ENFORCEMENT OFFICERS' PERSONAL INFORMATION AND PROVIDE CIVIL AND CRIMINAL PENALTIES FOR SUCH DISTRIBUTION OR PUBLICATION, is referred to the Committee on Ways and Means.

By Representatives Hackney and Culpepper (Primary Sponsors); McComas and Stiller:

H.B. 1125, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE UNIFORM TERMS

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FOR ALL JUDGES OF THE GENERAL COURT OF JUSTICE BY PROVIDING EIGHT-YEAR TERMS FOR DISTRICT COURT JUDGES, is referred to the Committee on Judiciary I.

By Representative Hackney:

H.B. 1126, A BILL TO BE ENTITLED AN ACT ESTABLISHING COLLABORATIVE LAW PROCEDURES UNDER CHAPTER 50 OF THE GENERAL STATUTES WHEREBY PARTIES SEEKING A DIVORCE AND THEIR ATTORNEYS MAY SETTLE THEIR DISPUTES BY WRITTEN AGREEMENT WITH LIMITED JUDICIAL INTERVENTION, is referred to the Committee on Judiciary I.

By Representatives Culp and Gibson (Primary Sponsors); Hackney and Hill:

H.B. 1127, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CERTIFICATION OF ON-SITE WASTEWATER CONTRACTORS AND INSPECTORS, is referred to the Committee on Finance.

By Representatives Culp (By Request); and Parmon:

H.B. 1128, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN EXPANSION OF RIGHTS UNDER EXISTING LAWS RELATING TO GRANDPARENT VISITATION, is referred to the Committee on Judiciary II.

By Representatives Fox and West (Primary Sponsors):

H.B. 1129, A BILL TO BE ENTITLED AN ACT TO REVISE SERVICE REQUIREMENTS TO CONFORM WITH RULE 4 OF THE NORTH CAROLINA RULES OF CIVIL PROCEDURE, AND TO MAKE TECHNICAL AND OTHER CHANGES TO THE WAGE AND HOUR ACT AND THE PRIVATE PROTECTIVE SERVICES ACT, is referred to the Committee on Occupational Safety and Health.

By Representatives Wood and Gorman:

H.B. 1130, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO RENAME THE SUPERINTENDENT OF PUBLIC INSTRUCTION AS THE SECRETARY OF EDUCATION, is referred to the Committee on Education.

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By Representatives Munford and Cole:

H.B. 1131, A BILL TO BE ENTITLED AN ACT TO RESTORE INTEGRITY TO THE WORKERS' COMPENSATION ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Preston:

H.B. 1132, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE FISHERIES DIRECTOR TO ISSUE PROCLAMATIONS THAT BECOME EFFECTIVE IMMEDIATELY UPON ISSUANCE AND TO MAKE OTHER TECHNICAL, CLARIFYING, AND CONFORMING CHANGES, is referred to the Committee on Environment and Natural Resources.

By Representative Preston:

H.B. 1133, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES GOVERNING THE CULTIVATION OF SHELLFISH, TO ELIMINATE THE PERSONAL USE EXEMPTION FROM SHELLFISH LICENSE REQUIREMENTS, TO AUTHORIZE THE MARINE FISHERIES COMMISSION TO ADOPT TEMPORARY RULES RELATED TO THE CULTIVATION OF SHELLFISH, AND TO AUTHORIZE THE MARINE FISHERIES COMMISSION TO STUDY ISSUES RELATED TO THE CULTIVATION OF SHELLFISH, is referred to the Committee on Environment and Natural Resources.

By Representative Preston:

H.B. 1134, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE BY WHICH COASTAL HABITAT PROTECTION PLANS MUST BE ADOPTED, is referred to the Committee on Environment and Natural Resources.

By Representatives Preston, L. Johnson, Parmon, and Nesbitt (Primary Sponsors); Bowie, Insko, Luebke, Ross, Womble, and Yongue:

H.B. 1135, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT STUDENTS RECOMMENDED FOR LONG-TERM SUSPENSION RECEIVE A FREE AND APPROPRIATE EDUCATION, is referred to the Committee on Education.

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By Representatives Bordsen and McLawhorn (Primary Sponsors); Glazier and Insko:

H.B. 1136, A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY MEDIA COORDINATORS IN THE PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representatives Rapp and Glazier:

H.J.R. 1137, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATED TO DATA COLLECTION BY THE DEPARTMENT OF PUBLIC INSTRUCTION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Ellis:

H.B. 1138, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROGRAM FOR PAWNBROKERS TO AID IN THE RECOVERY OF STOLEN PROPERTY, is referred to the Committee on Ways and Means.

By Representative Ellis:

H.B. 1139, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT WHO COMMITS A SEX OFFENSE THAT RESULTS IN THE VICTIM BECOMING PREGNANT SHALL NOT EXPLOIT HIS PARENTAL RIGHTS TO INTIMIDATE THE CRIME VICTIM OR NEGOTIATE A MORE FAVORABLE PLEA ARRANGEMENT, is referred to the Committee on Judiciary II.

By Representatives Allred and Coates (Primary Sponsors):

H.B. 1140, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE QUICK REMOVAL OF VEHICLES, SPILLED CARGO, OR OTHER PERSONAL PROPERTY FROM CONTROLLED-ACCESS HIGHWAYS, is referred to the Committee on Transportation.

By Representatives Pate and Starnes (Primary Sponsors); Barnhart, Blust, Bowie, Capps, Clary, Daughtridge, Daughtry, Ellis, Frye, Gillespie, Gulley, Holmes, L. Johnson, LaRoque, McCombs, McHenry, Mitchell, Moore, Sauls, Stam, Walker, West, K. Williams, and Wood:

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H.B. 1141, A BILL TO BE ENTITLED AN ACT TO VERIFY RESIDENCY FOR DRIVERS LICENSES, is referred to the Committee on Transportation.

By Representatives Hill and Luebke:

H.B. 1142, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA NATUROPATHIC PHYSICIANS LICENSING ACT, is referred to the Committee on Finance.

By Representatives Hill, Coates, Mitchell, and Rapp:

H.B. 1143, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY METHODS OF PROVIDING ASSISTANCE TO DAIRY FARMERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hill and Coates:

H.B. 1144, A BILL TO BE ENTITLED AN ACT TO STUDY THE USE OF GENERAL PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS FOR SMALL AND MEDIUM DAIRY, POULTRY, AND ANIMAL OPERATIONS AND RECOMMEND ANY ADDITIONAL PERMIT REQUIREMENTS THAT ARE NEEDED TO PROTECT WATER QUALITY, is referred to the Committee on Environment and Natural Resources.

By Representatives Nesbitt and Hunter (Primary Sponsors):

H.B. 1145, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT TEMPORARY AND PERMANENT RULES GOVERNING CLOSURE OF INDUSTRIAL LAGOONS, is referred to the Committee on Environment and Natural Resources.

By Representative Nesbitt:

H.B. 1146, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF THE DEPARTMENT OF ADMINISTRATION TO ADOPT RULES AND GUIDELINES FOR RETAINAGE FROM PAYMENT ON PUBLIC CONSTRUCTION CONTRACTS, is referred to the Committee on State Government.

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By Representatives Nesbitt and Alexander:

H.B. 1147, A BILL TO BE ENTITLED AN ACT TO REMOVE RECENTLY ENACTED RESTRICTIONS ON REQUESTING ABSENTEE BALLOTS, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representative Nesbitt:

H.B. 1148, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONFIDENTIAL SETTLEMENTS OF MEDICAL MALPRACTICE ACTIONS ARE VOID, is referred to the Committee on Judiciary II.

By Representatives Nesbitt and Luebke:

H.B. 1149, A BILL TO BE ENTITLED AN ACT TO EXEMPT FREE CIRCULATION PUBLICATIONS FROM THE SALES TAX, is referred to the Committee on Finance.

By Representative Nesbitt:

H.B. 1150, A BILL TO BE ENTITLED AN ACT TO DIRECT THE UTILITIES COMMISSION TO ESTABLISH ENERGY EFFICIENCY STANDARDS FOR CERTAIN PRODUCTS SOLD IN THE STATE, is referred to the Committee on Public Utilities.

By Representatives Nesbitt, C. Wilson, and Culpepper (Primary Sponsors):

H.B. 1151, A BILL TO BE ENTITLED AN ACT TO AMEND THE ADMINISTRATIVE PROCEDURE ACT TO REVISE THE PROCEDURE FOR ADOPTING PERMANENT AND TEMPORARY RULES, TO CREATE A PROCEDURE FOR THE ADOPTION OF EMERGENCY RULES, AND TO CLARIFY THE ROLE OF THE RULES REVIEW COMMISSION, is referred to the Committee on Judiciary II.

By Representative Cole:

H.B. 1152, A BILL TO BE ENTITLED AN ACT PROHIBITING AN INSURER FROM AUTHORIZING OR REQUIRING THE USE OF NONORIGINAL CRASH REPAIR PARTS FOR MOTOR VEHICLE REPAIRS WITHOUT CONSENT FROM THE INSURED OR CLAIMANT

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AND PROHIBITING THE NONREPLACEMENT OF AIR BAGS, is referred to the Committee on Insurance.

By Representatives Cole and Goodwin:

H.B. 1153, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MOTOR VEHICLE DEALER FRANCHISE LAWS, is referred to the Committee on Judiciary III.

By Representatives Insko, Alexander, and Luebke:

H.B. 1154, A BILL TO BE ENTITLED AN ACT TO PLACE SCHOOL COUNSELORS ON THE SAME SALARY SCHEDULE AS SCHOOL PSYCHOLOGISTS, is referred to the Committee on Appropriations.

By Representative Insko:

H.B. 1155, A BILL TO BE ENTITLED AN ACT ALLOWING PAYROLL DEDUCTION FOR STATE EMPLOYEES CONTRIBUTING TO THE PARENTAL SAVINGS TRUST FUND, is referred to the Committee on State Government.

By Representative Warren:

H.B. 1156, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERSONS CONVICTED OF CERTAIN OFFENSES SHALL NOT BE EMPLOYED BY FIRE DEPARTMENTS OR RESCUE SQUADS FOR SPECIFIED PERIODS AFTER THE CONVICTIONS, TO ESTABLISH A CRIMINAL OFFENSE FOR MAKING APPLICATION FOR EMPLOYMENT WITH FIRE DEPARTMENTS OR RESCUE SQUADS WITHIN THOSE SPECIFIED PERIODS, AND TO ESTABLISH A CRIMINAL OFFENSE FOR COMMITTING CERTAIN ACTS WHILE A MEMBER OF A FIRE DEPARTMENT OR RESCUE SQUAD, is referred to the Committee on Judiciary IV.

By Representatives Daughtridge, Glazier, Gorman, and Pate:

H.J.R. 1157, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FEASIBILITY OF DEVELOPING AND IMPLEMENTING A PLAN TO SHARE FLOODPLAIN MAPPING INFORMATION WITH APPROPRIATE STATE AND LOCAL AGENCIES THAT WILL ASSIST IN PREDICTING HIGH FLOWS

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OF WATER AND AID FLOOD CONTROL EFFORTS THROUGH CONTROLLED DAM RELEASES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Daughtridge, A. Williams, and K. Williams:

H.B. 1158, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW SPECIFYING THE TYPE OF PISTOLS THAT MAY BE USED FOR HUNTING, is referred to the Committee on Wildlife Resources.

By Representatives Dickson, K. Williams, and Glazier (Primary Sponsors); Gorman and Moore:

H.B. 1159, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MILITARY DRIVERS LICENSE EXPIRATION PROCEDURE WITHIN THE DIVISION OF MOTOR VEHICLES, is referred to the Committee on Judiciary III.

By Representatives Goodwin, L. Johnson, and Ray (Primary Sponsors); Coates, Lucas, Moore, Sauls, Setzer, Wainwright, and K. Williams:

H.B. 1160, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE STOCK CAR RACING THEME SPECIAL PLATES, is referred to the Committee on Finance.

By Representatives Goodwin, McMahan, L. Johnson, and Barnhart (Primary Sponsors); Creech, Luebke, Moore, Ray, and K. Williams:

H.J.R. 1161, A JOINT RESOLUTION ENCOURAGING NASCAR TO RETAIN THE CURRENT FIVE WINSTON CUP RACES IN THIS STATE, TWO AT NORTH CAROLINA SPEEDWAY AND THREE AT LOWE'S MOTOR SPEEDWAY, AND COMMEMORATING NASCAR AND ITS PIONEERS AS NORTH CAROLINA IS THE STOCK CAR RACING CAPITAL OF THE WORLD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gorman and Parmon (Primary Sponsors); and Moore:

H.B. 1162, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PERTAINING TO THE CHARTER SCHOOL ADVISORY COMMITTEE, is referred to the Committee on Education.

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By Representative Gorman:

H.B. 1163, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF COMMUNITY COLLEGES, THE STATE BOARD OF EDUCATION, PAMLICO COMMUNITY COLLEGE, AND THE PAMLICO COUNTY SCHOOLS TO ESTABLISH A TASK FORCE TO DEVELOP A PLAN FOR A TECHNICAL HIGH SCHOOL, is referred to the Committee on Education.

By Representatives Gorman and Pate:

H.B. 1164, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A LATER PRIMARY WITH NO SECOND PRIMARY, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representative Stiller:

H.B. 1165, A BILL TO BE ENTITLED AN ACT TO ACKNOWLEDGE STATE POLICY THAT BEACH PRESERVATION AND RESTORATION ARE IN THE PUBLIC INTEREST AND THAT WHERE ECONOMICALLY AND ENVIRONMENTALLY JUSTIFIED BEACH PRESERVATION AND RESTORATION CONSTITUTE A PUBLIC PURPOSE, TO ESTABLISH THE NORTH CAROLINA BEACH PRESERVATION AND RESTORATION COMMISSION, TO ESTABLISH THE BEACH PRESERVATION AND RESTORATION FUND, AND TO APPROPRIATE FUNDS TO THE BEACH PRESERVATION AND RESTORATION FUND, is referred to the Committee on Economic Growth and Community Development and, if favorable, to the Committee on Appropriations.

By Representatives Bordsen and Nesbitt (Primary Sponsors); and Insko:

H.B. 1166, A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL EMPLOYEES, is referred to the Committee on Education.

By Representatives McComas and Brubaker (Primary Sponsors):

H.B. 1167, A BILL TO BE ENTITLED AN ACT TO LIMIT SESSION LENGTH BY LIMITING THE NUMBER OF DAYS OF PER DIEM PAID TO MEMBERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Miner:

H.B. 1168, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FUNDING FORMULA FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY, is referred to the Committee on Education.

By Representative Bell:

H.B. 1169, A BILL TO BE ENTITLED AN ACT TO CHANGE THE COMPOSITION OF THE BOARDS OF TRUSTEES FOR THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representative Bell:

H.B. 1170, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE BENEFITS OF MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representative Dickson:

H.B. 1171, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING HAZING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nesbitt and Goodwin:

H.B. 1172, A BILL TO BE ENTITLED AN ACT TO REDUCE THE COSTS OF MEDICAL MALPRACTICE ACTIONS BY LIMITING THE NUMBER OF EXPERT MEDICAL WITNESSES AND BY LIMITING DISCOVERY, is referred to the Committee on Judiciary II.

By Representative Creech:

H.B. 1173, A BILL TO BE ENTITLED AN ACT TO PROVIDE ECONOMIC DEVELOPMENT AND TRAINING DISTRICTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Creech:

H.B. 1174, A BILL TO BE ENTITLED AN ACT TO ENSURE THE SAFEST TRANSPORTATION POSSIBLE FOR NORTH CAROLINA

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PUBLIC SCHOOL STUDENTS INVOLVED IN SCHOOL-SPONSORED TRAVEL, is referred to the Committee on Transportation.

By Representative Michaux:

H.B. 1175, A BILL TO BE ENTITLED AN ACT ALLOWING FAIR HOUSING ORGANIZATIONS TO FILE COMPLAINTS WITH THE STATE HUMAN RELATIONS COMMISSION, is referred to the Committee on Ways and Means.

By Representative Miller:

H.B. 1176, A BILL TO BE ENTITLED AN ACT AMENDING THE EXECUTIVE BUDGET ACT TO PROVIDE FLEXIBILITY IN BUDGETING FOR THE STATE'S INFORMATION TECHNOLOGY NEEDS, is referred to the Committee on Science and Technology.

By Representative Brubaker:

H.B. 1177, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PHYSICIANS IN GOOD STANDING TO PRACTICE MEDICINE IN ANOTHER STATE MAY PRACTICE MEDICINE OR SURGERY AT A CAMP FOR THERAPEUTIC RECREATION FOR INDIVIDUALS WITH CHRONIC ILLNESSES UNDER CERTAIN RESTRICTED CONDITIONS, is referred to the Committee on Health.

By Representatives Wright, Alexander, and Glazier:

H.B. 1178, A BILL TO BE ENTITLED AN ACT TO RAISE THE ELIGIBILITY CAP FOR PARTICIPATION IN THE AIDS DRUG ASSISTANCE PROGRAM TO TWO HUNDRED FIFTY PERCENT OF THE FEDERAL POVERTY LEVEL, is referred to the Committee on Health.

By Representative McComas:

H.B. 1179, A BILL TO BE ENTITLED AN ACT TO PROTECT GROUNDWATER AS A CURRENT AND FUTURE WATER RESOURCE AND TO ENCOURAGE REDEVELOPMENT OF BROWNFIELDS SITES, is referred to the Committee on Environment and Natural Resources.

By Representative McComas:

H.B. 1180, A BILL TO BE ENTITLED AN ACT TO PROTECT GROUNDWATER AS A CURRENT AND FUTURE WATER RESOURCE

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AND TO ENCOURAGE REDEVELOPMENT OF BROWNFIELDS SITES, is referred to the Committee on Environment and Natural Resources.

By Representative Goodwin:

H.B. 1181, A BILL TO BE ENTITLED AN ACT AMENDING THE LABOR LAWS OF NORTH CAROLINA TO PROVIDE FOR VERIFICATION OF FULL COMPLIANCE WITH MANDATED CORRECTIVE MEASURES WHEN THERE ARE TEN OR MORE SERIOUS WORK-PLACE SAFETY VIOLATIONS DURING AN INSPECTION AT A SINGLE SITE, is referred to the Committee on Occupational Safety and Health.

By Representative Goodwin:

H.B. 1182, A BILL TO BE ENTITLED AN ACT AMENDING THE LABOR LAWS OF NORTH CAROLINA TO INCREASE THE RANGE OF CIVIL PENALTIES THAT MAY BE IMPOSED WHEN A WORK-PLACE DEATH OCCURS DUE TO EMPLOYER NEGLIGENCE, is referred to the Committee on Occupational Safety and Health.

By Representative Wood:

H.B. 1183, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE BOARD OF COMMUNITY COLLEGES TO APPROVE THE ESTABLISHMENT OF BACHELORS DEGREE PROGRAMS AT COMMUNITY COLLEGES, is referred to the Committee on Education.

By Representative Wood:

H.B. 1184, A BILL TO BE ENTITLED AN ACT DIRECTING THE DEPARTMENT OF PUBLIC INSTRUCTION TO ESTABLISH A VIRTUAL ACADEMY PROGRAM, is referred to the Committee on Education.

By Representative Barnhart:

H.B. 1185, A BILL TO BE ENTITLED AN ACT REGARDING CONSUMER PROTECTIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Luebke and Farmer-Butterfield:

H.B. 1186, A BILL TO BE ENTITLED AN ACT REGULATING SPEEDING BY LAW ENFORCEMENT OFFICERS, is referred to the Committee on Judiciary I.

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By Representative Luebke:

H.B. 1187, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FELONY MURDER IS PUNISHABLE BY LIFE IMPRISONMENT WITHOUT PAROLE ONLY, is referred to the Committee on Judiciary IV.

By Representatives Luebke, Bordsen, Insko, Jones, Parmon, Weiss, and Womble:

H.B. 1188, A BILL TO BE ENTITLED AN ACT TO CODIFY AND MAKE PERMANENT THE SWINE FARM ANIMAL WASTE MANAGEMENT SYSTEM PERFORMANCE STANDARDS THAT THE GENERAL ASSEMBLY ENACTED IN 1998 AND TO PHASE OUT THE USE OF THE LAGOON AND SPRAYFIELD ANIMAL WASTE MANAGEMENT SYSTEM FOR SWINE FARMS, is referred to the Committee on Environment and Natural Resources.

By Representative Gorman:

H.B. 1189, A BILL TO BE ENTITLED AN ACT AMENDING THE EXECUTIVE BUDGET ACT TO PROVIDE THAT LAPSED SALARIES SHALL REVERT TO THE GENERAL FUND AT THE END OF EACH FISCAL YEAR, is referred to the Committee on Appropriations.

By Representative Wright:

H.B. 1190, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON CONVICTED OF A FELONY OR A MISDEMEANOR MAY HAVE HIS OR HER RECORD EXPUNGED IN CERTAIN CIRCUMSTANCES AFTER A PERIOD OF TEN YEARS FROM THE DATE OF CONVICTION AND TO ESTABLISH A FEE FOR THE ADMINISTRATIVE COST OF THE EXPUNCTION, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Finance.

By Representative Wright:

H.B. 1191, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN TO THE DEPARTMENT OF STATE TREASURER, is referred to the Committee on Health.

By Representatives Owens, Clary, and Baker (Primary Sponsors); and Pate:

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H.B. 1192, A BILL TO BE ENTITLED AN ACT TO REQUIRE ENVIRONMENTAL SERVICE FIRMS TO SECURE PERFORMANCE BONDS FOR LEAKING PETROLEUM UNDERGROUND STORAGE TANKS CLEANUPS, is referred to the Committee on Environment and Natural Resources.

By Representatives Goodwin, Coates, Fox, and Rapp:

H.B. 1193, A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 95 OF THE GENERAL STATUTES TO PROVIDE THAT RESCUE AND PUBLIC SAFETY PERSONNEL SHALL NOT BE TERMINATED FOR BEING ABSENT FROM EMPLOYMENT DUE TO AN EMERGENCY, is referred to the Committee on Occupational Safety and Health.

By Representative Tolson:

H.B. 1194, A BILL TO BE ENTITLED AN ACT TO CREATE THE "E-NC" AUTHORITY TO CONTINUE THE WORK OF THE RURAL INTERNET ACCESS AUTHORITY, is referred to the Committee on Science and Technology.

By Representatives Gorman and Barnhart:

H.B. 1195, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY MUST BE INFORMED OF ANY REQUEST FOR A CAMPUS INITIATED INCREASE IN TUITION OR FEES THAT IS APPROVED BY THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND TO PROVIDE THAT THE CAMPUS INITIATED INCREASE IN TUITION OR FEES SHALL NOT BECOME EFFECTIVE UNLESS SPECIFICALLY AUTHORIZED BY THE GENERAL ASSEMBLY, is referred to the Committee on Education.

By Representatives Lewis, Dickson, Frye, Goforth, Gorman, Lucas, McGee, Moore, and Pate:

H.B. 1196, A BILL TO BE ENTITLED AN ACT TO REGULATE AUTOMOBILE GLASS REPLACEMENT AND THE INSURANCE COVERING IT, is referred to the Committee on Judiciary III.

By Representative Lewis:

H.B. 1197, A BILL TO BE ENTITLED AN ACT TO SUBTRACT ANY TRADE-IN ALLOWANCE WHEN COMPUTING SALES TAX ON LIGHT UTILITY EQUIPMENT, is referred to the Committee on Finance.

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By Representatives Alexander and Insko:

H.B. 1198, A BILL TO BE ENTITLED AN ACT TO DIRECT THE GENERAL STATUTES COMMISSION TO RECOMMEND LEGISLATION TO CHANGE STATUTORY REFERENCES TO HANDICAP AND HANDICAPPED TO APPROPRIATE REFERENCES TO PERSONS WITH DISABILITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Luebke, Hackney, Miner, and Alexander (Primary Sponsors); Bordsen, Carney, Cunningham, Farmer-Butterfield, Glazier, Insko, Jeffus, Jones, Miller, Rayfield, Ross, Weiss, G. Wilson, and Womble:

H.B. 1199, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TWO YEAR MORATORIUM ON EXECUTIONS, is referred to the Committee on Judiciary I.

By Representative Allred:

H.B. 1200, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AS TO PROPERTY OWNERS OVER THE AGE OF SIXTY-FIVE, WATER AND SEWER ASSESSMENTS ARE HELD IN ABEYANCE UNTIL THE EARLIER OF THE TIME THE PROPERTY IS CONNECTED TO THE IMPROVEMENTS OR THE PROPERTY IS SOLD, is referred to the Committee on Local Government II.

By Representative Allred:

H.B. 1201, A BILL TO BE ENTITLED AN ACT TO PROMOTE WATER CONSERVATION BY EXPANDING THE DEFINITION OF CONTIGUOUS PREMISES TO INCLUDE MANUFACTURED HOMES AND MANUFACTURED HOME PARKS, is referred to the Committee on Public Utilities.

By Representative Allred:

H.B. 1202, A BILL TO BE ENTITLED AN ACT TO LIMIT PROGRAMMING BY THE UNIVERSITY OF NORTH CAROLINA PUBLIC TELEVISION FOR INTERNAL FUND-RAISING FOR PUBLIC TELEVISION, is referred to the Committee on Ways and Means.

By Representatives Gibson and Brubaker (Primary Sponsors); Cole, Culpepper, Hill, Kiser, McComas, McHenry, Miner, and Sauls:

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H.B. 1203, A BILL TO BE ENTITLED AN ACT TO PROHIBIT LIMITING THE QUANTITY OF MOTOR FUEL SOLD OR OFFERED FOR SALE UNDER THE MOTOR FUEL MARKETING ACT, is referred to the Committee on Agriculture.

By Representative Gibson:

H.B. 1204, A BILL TO BE ENTITLED AN ACT TO PROMOTE WATER CONSERVATION BY AMENDING CHAPTERS 62 AND 130A OF THE GENERAL STATUTES AND OTHER LAWS PERTAINING TO DRINKING WATER AND PUBLIC UTILITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McComas, Gibson, Sherrill, and Haire (Primary Sponsors); Brubaker, Goforth, and Saunders:

H.B. 1205, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE IMPLEMENTATION OF THE "CLEAN SMOKESTACKS ACT" BY EXEMPTING SANITARY LANDFILLS USED FOR THE DISPOSAL OF WASTE GENERATED BY INVESTOR-OWNED PUBLIC UTILITY COAL-FIRED GENERATING UNITS THAT ARE SUBJECT TO THE "CLEAN SMOKESTACKS ACT" FROM THE REQUIREMENT THAT FRANCHISES BE OBTAINED FOR THE OPERATION OF THOSE LANDFILLS, is referred to the Committee on Environment and Natural Resources.

By Representative Gibson:

H.B. 1206, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE EXISTING ENVIRONMENTAL MANAGEMENT COMMISSION AND REPLACE IT WITH A NEW, FULL-TIME ENVIRONMENTAL MANAGEMENT COMMISSION MODELED ON THE UTILITIES COMMISSION; TO IMPROVE EFFICIENCY, COMMUNICATION, AND COORDINATION WITHIN STATE GOVERNMENT IN THE DEVELOPMENT AND IMPLEMENTATION OF ENVIRONMENTAL AND NATURAL RESOURCES POLICY AND TO REDUCE COSTS BY ELIMINATING THE FOLLOWING AGENCIES AND CONSOLIDATING THEIR POWERS, DUTIES, AND FUNCTIONS IN THE NEW ENVIRONMENTAL MANAGEMENT COMMISSION: (1) THE COASTAL RESOURCES COMMISSION, (2) THE EXISTING ENVIRONMENTAL MANAGEMENT COMMISSION, (3) THE MARINE FISHERIES COMMISSION, (4) THE MINING COMMISSION, (5) THE RADIATION PROTECTION COMMISSION, (6) THE SEDIMENTATION CONTROL COMMISSION, (7) THE SOIL AND WATER

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CONSERVATION COMMISSION, (8) THE WATER POLLUTION CONTROL SYSTEM OPERATORS CERTIFICATION COMMISSION, (9) THE WATER TREATMENT FACILITY OPERATORS BOARD OF CERTIFICATION, AND (10) THE WELL CONTRACTORS CERTIFICATION COMMISSION; TO TRANSFER RULE-MAKING RESPONSIBILITY UNDER THE FOLLOWING ARTICLES OF CHAPTER 130A OF THE GENERAL STATUTES FROM THE COMMISSION FOR HEALTH SERVICES TO THE NEW ENVIRONMENTAL MANAGEMENT COMMISSION: ARTICLE 9 (SOLID WASTE MANAGEMENT), ARTICLE 10 (DRINKING WATER ACT), AND ARTICLE 11 (WASTE-WATER SYSTEMS); AND TO MAKE CONFORMING STATUTORY AND BUDGET CHANGES, is referred to the Committee on Environment and Natural Resources.

By Representative Gibson:

H.B. 1207, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PREPARATION, COMPILATION, AND PRESENTATION TO THE GENERAL ASSEMBLY OF SUMMARIES OF EACH RULE SUBJECT TO LEGISLATIVE DISAPPROVAL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hunter:

H.B. 1208, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, is referred to the Committee on Environment and Natural Resources.

By Representative K. Williams:

H.B. 1209, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR ENDANGERING THE LIFE OF A CHILD WHEN DRIVING WHILE IMPAIRED, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Yongue:

H.B. 1210, A BILL TO BE ENTITLED AN ACT MODIFYING THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF THE NORTH CAROLINA SCHOOL OF THE ARTS, is referred to the Committee on Education.

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By Representative Yongue:

H.B. 1211, A BILL TO BE ENTITLED AN ACT MODIFYING THE MEMBERSHIP OF THE BOARD OF THE NORTH CAROLINA ARBORETUM, is referred to the Committee on Education.

By Representatives Yongue, L. Johnson, Preston, and Tolson (Primary Sponsors):

H.B. 1212, A BILL TO BE ENTITLED AN ACT TO GIVE LOCAL SCHOOL ADMINISTRATIVE UNITS ADDITIONAL FLEXIBILITY WITH REGARD TO THE USE OF FUNDS FOR MENTORS, is referred to the Committee on Education.

By Representatives Culpepper and Grady (Primary Sponsors):

H.B. 1213, A BILL TO BE ENTITLED AN ACT TO REGULATE DEFERRED DEPOSIT TRANSACTIONS AND TO PROVIDE ADDITIONAL CONSUMER DISCLOSURES AND PROTECTIONS, is referred to the Committee on Financial Institutions.

By Representatives Cunningham, Alexander, G. Allen, Bell, Earle, Farmer-Butterfield, Hall, Hunter, Jones, Luebke, McAllister, Miller, Parmon, Wainwright, Womble, and Wright:

H.B. 1214, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO DISCRIMINATE IN COMMERCIAL CONTRACTS AND TO CLARIFY THE POLICY OF THE STATE ON DOING BUSINESS WITH PERSONS FOUND TO DISCRIMINATE, is referred to the Committee on State Government.

By Representatives Rayfield, Frye, McGee, and Moore:

H.B. 1215, A BILL TO BE ENTITLED AN ACT TO ESTABLISH LICENSING REQUIREMENTS FOR CERTAIN MOTOR VEHICLE REPAIR SHOPS, is referred to the Committee on Judiciary III.

By Representatives Sexton, Bell, Frye, McGee, Moore, and Walend:

H.B. 1216, A BILL TO BE ENTITLED AN ACT TO PROHIBIT COUPONING OR WAIVING OF DEDUCTIBLES IN MOTOR VEHICLE GLASS REPAIRS AND AUTOMOTIVE COLLISION REPAIR, is referred to the Committee on Judiciary III.

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By Representatives Jones, Frye, McGee, Miller, and Moore:

H.B. 1217, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE AUTOMOBILE INSURANCE COMPREHENSIVE DEDUCTIBLE ON MOTOR VEHICLE WINDSHIELD GLASS, is referred to the Committee on Judiciary III.

By Representatives Culpepper and Kiser (Primary Sponsors):

H.B. 1218, A BILL TO BE ENTITLED AN ACT TO REINFORCE THE INDEPENDENCE OF THE JUDICIAL BRANCH AS A SEPARATE AND COORDINATE BRANCH OF STATE GOVERNMENT AND TO ENSURE THE FISCAL INTEGRITY AND ACCOUNTABILITY OF THE JUDICIAL BRANCH, AS RECOMMENDED BY THE STATE JUDICIAL COUNCIL, is referred to the Appropriations Subcommittee on Justice and Public Safety.

By Representative Hackney:

H.B. 1219, A BILL TO BE ENTITLED AN ACT TO FURTHER CLARIFY THE DEFINITION OF DIVISIBLE PROPERTY UNDER THE LAWS RELATING TO EQUITABLE DISTRIBUTION, is referred to the Committee on Judiciary I.

ENROLLED BILLS

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

H.J.R. 681, A JOINT RESOLUTION HONORING THE 250TH ANNIVERSARY OF ROWAN COUNTY AND THE MEMORY OF MATTHEW ROWAN. (RESOLUTION 2003-8)

The House stands adjourned at 12:24 p.m.

FORTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, April 14, 2003

April 14, 2003

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

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

"God of majesty:

"We gather tonight with hearts of thanksgiving - for the springtime beauty of our State, for weekend rest and recreation, for Prisoners of War safely returned, for our freedom and that of the Iraqi people, for what appears to be an end in sight of war in Iraq, for security of life in our beloved Nation, for our President and Governor, and the Speakers of this Body.

"As we begin a new week, God, bless the efforts of these men and women. As they continue to consider a budget for our State, make them dollar-wise and fiscally prudent. May the legislation they enact be just and peaceable. Give them an appreciation for their colleagues, an openness to seek the good, a respect for differences of opinion, and a spirit of compromise. And may this week bring them a sense of accomplishment for work well done and a State better for it.

"In Your holy name we pray. Amen."

Speaker Black leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives Ellis, England, and Nesbitt for today.

ENROLLED BILLS

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

S.B. 338, AN ACT TO REMOVE THE SUNSET ON THE LAW PROVIDING THAT CERTAIN SECONDARY SUPPLIERS OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, ALLOWING THE MEMBERS OF AN ELECTRIC MEMBERSHIP

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CORPORATION TO VOTE BY PROXY ON DECISIONS TO ENCUMBER CORPORATE PROPERTY OR TO DISSOLVE THE CORPORATION, AND MAKING TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE.

CHAPTERED BILLS

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

H.B. 432, AN ACT PROVIDING THAT STATE EMPLOYEES, PUBLIC SCHOOL EMPLOYEES, AND COMMUNITY COLLEGE EMPLOYEES MAY SHARE LEAVE VOLUNTARILY. (S.L. 2003-9)

H.B. 482, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE AN ALPHA KAPPA ALPHA SORORITY SPECIAL REGISTRATION PLATE. (S.L. 2003-10)

H.B. 237, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO SUPPORT NURSING SCHOLARSHIPS IN NORTH CAROLINA. (S.L. 2003-11)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Insko and Justus, Chairs, for the Committee on Health:

H.B. 155, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A LONG-TERM CARE WORKFORCE IMPROVEMENT PROGRAM FOR DIRECT CARE WORKERS EMPLOYED BY ADULT CARE HOMES AND HOME CARE AGENCIES IN AN EFFORT TO INCREASE SKILL LEVELS, JOB SATISFACTION, AND RETENTION RATES, 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. 551, A BILL TO BE ENTITLED AN ACT TO UPDATE THE LAWS RELATING TO THE ATTENDANCE AGES AND ELIGIBILITY

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OF STUDENTS FOR NORTH CAROLINA SCHOOLS FOR THE DEAF, 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 Miller, Chair, for the Committee on Science and Technology:

H.B. 665, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DUTIES OF THE BOARD OF SCIENCE AND TECHNOLOGY, with a favorable report.

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

By Representatives Holliman and Setzer, Chairs, for the Committee on Insurance:

H.B. 276, A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE AND TECHNICAL AMENDMENTS IN THE LAWS CONCERNING INSURANCE COMPANY SOLVENCY, 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 C. Wilson, Chair, for the Committee on Economic Growth and Community Development:

H.B. 740, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE EFFECTIVENESS AND EFFICIENCY OF THE ECONOMIC DEVELOPMENT BOARD IN THE FORMULATION OF THE STATE'S ECONOMIC DEVELOPMENT POLICIES AND TO PROVIDE FOR GREATER TRANSPARENCY AND ACCOUNTABILITY IN THE STATE'S EFFORTS TO CREATE JOBS FOR NORTH CAROLINA CITIZENS, 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 Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

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By Representatives Michaux and Stam, Chairs, for the Committee on Election Law and Campaign Finance Reform:

H.B. 201, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE BOARD OF ELECTIONS TO NOTIFY EACH CANDIDATE BEFORE THE BALLOT IS PRINTED HOW THAT CANDIDATE'S NAME WILL APPEAR ON THE BALLOT, 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 Munford, Chair, for the Committee on Judiciary IV:

H.B. 244, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR SECOND DEGREE ARSON AND TO REQUIRE THAT PHYSICIANS AND HOSPITALS REPORT CERTAIN TYPES OF BURN CASES, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY 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 Appropriations.

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

By Representatives Bowie and McAllister, Chairs, for the Education Subcommittee on Universities.

H.B. 51, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MEMBER OF THE MILITARY WHO ATTENDS A CONSTITUENT INSTITUTION OR A COMMUNITY COLLEGE SHALL BE CHARGED ONLY THE IN-STATE TUITION RATE, reported to the Standing Committee on Education, with a favorable recommendation as to proposed committee substitute bill, which changes the title, unfavorable as to the original bill, with recommendation that the proposed committee substitute be re-referred to Appropriations.

H.B. 150, A BILL TO BE ENTITLED AN ACT TO PROVIDE ALTERNATE CRITERIA FOR AWARDED LEGISLATIVE TUITION GRANTS TO STUDENTS ATTENDING ACCREDITED INSTITUTIONS OF HIGHER EDUCATION, reported to the Standing Committee on Education,

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with a favorable recommendation as to proposed committee substitute bill, which changes the title, unfavorable as to the original bill, with recommendation that the proposed committee substitute be re-referred to Appropriations.

MESSAGES FROM THE SENATE

The following is received from the Senate:

S.B. 627, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE BY WHICH COASTAL HABITAT PROTECTION PLANS MUST BE ADOPTED, is read the first time and referred to the Committee on Environment and Natural Resources.

WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), **H.B. 470**, A BILL TO BE ENTITLED AN ACT ESTABLISHING LIBERTY DAY IN THE STATE OF NORTH CAROLINA, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Weiss, Clary, McAllister and L. Johnson (Primary Sponsors); Adams, Alexander, B. Allen, L. Allen, Bordsen, Bowie, Carney, Coates, Dickson, Earle, England, Farmer-Butterfield, Fox, Glazier, Holliman, Howard, Insko, Jeffus, Justice, Justus, Luebke, McLawhorn, McMahan, Michaux, Parmon, Preston, Rapp, Ross, Walend, Warren, C. Wilson, Wright, and Yongue:

H.B. 1220, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR OSTEOPOROSIS AWARENESS AND EDUCATION ACTIVITIES, is referred to the Committee on Appropriations.

By Representatives Decker, G. Allen, L. Allen, Capps, Church, England, Gibson, Goforth, Hall, Harrell, Hill, Holliman, Parmon, Rapp, Rayfield, Saunders, Sutton, Tolson, Warner, and Wood:

H.B. 1221, A BILL TO BE ENTITLED AN ACT REQUIRING THE RETURN OF OVERPAYMENTS OF STATE FUNDS BY PERSONS IN

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STATE-SUPPORTED POSITIONS, is referred to the Committee on State Government.

By Representatives Hill, Church, A. Williams, and C. Wilson:

H.B. 1222, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM FOR THE PURPOSE OF COORDINATING AND PROMOTING AGRIBUSINESS JOB TRAINING AND PROMOTION PROGRAMS AND TOURISM JOB TRAINING PROGRAMS, is referred to the Committee on Appropriations.

By Representatives Bell, Luebke, and Nye:

H.B. 1223, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A CREDIT UNION FOR THE MINORITY COMMUNITIES IN SAMPSON AND DUPLIN COUNTIES, is referred to the Committee on Appropriations.

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2, **H.B. 593**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAKE, 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 G. Allen, that the House adjourn, subject to the receipt of Committee Reports, to reconvene April 15 at 4:00 p.m.

The motion carries.

No committee report having been submitted, the House stands adjourned at 7:23 p.m.

FORTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 15, 2003

April 15, 2003

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

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

"God of all nations and people and government:

"We lift to You our prayers for a torn world. We know that is not Your will for Your creation. Bless our President and all those in leadership that they might find peaceful solutions to those things that divide. And God, continue to bless those who stand in danger's way. May they be shielded from harm and returned safely to their families and homes.

"God of human hearts, come walk alongside us in this place today. Guide voices and votes; give compassionate hearts and creative governance; grant wills for justice and stamina to stand for it. As these leaders deal with programs and budgets and shortfalls and cuts, may they catch sight of the faces of those whom their decisions affect. May their actions make our great State a better place to live and work and play; and may they each gain a sense of accomplishment for jobs well done and a public rightly served.

"In Your guiding name we pray. Amen."

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

A leave of absence is granted Representative Nesbitt for today. Representatives McLawhorn, Miller, and Warren are excused for a portion of the session.

ENROLLED BILLS

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

H.B. 549, AN ACT TO ESTABLISH THE ELECTION FUND REQUIRED BY THE HELP AMERICA VOTE ACT OF 2002 (HAVA) AS A CONDITION FOR RECEIVING FEDERAL FUNDS UNDER THAT ACT.

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Baker, Clary, Crawford, Earle, Grady, Owens, Sherrill, and Wright, Chairs, for the Committee on Appropriations:

H.B. 397, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b)(2), Speaker Morgan refers the committee substitute bill to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representative Gibson, Chair, for the Committee on Environment and Natural Resources:

H.B. 996, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSION FOR HEALTH SERVICES TO ADOPT RULES REGARDING MONITORING OF COASTAL RECREATION WATERS IN ORDER TO IMPLEMENT THE FEDERAL BEACHES ENVIRONMENTAL ASSESSMENT AND COASTAL HEALTH ACT OF 2000, with a favorable report.

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

H.B. 1025, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF HAW RIVER STATE PARK TO THE STATE PARKS SYSTEM, with a favorable report.

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

H.B. 1082, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, with a favorable report.

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

H.B. 1083, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO

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VARIOUS LAWS RELATED TO THE ENVIRONMENT, ENVIRONMENTAL HEALTH, AND NATURAL RESOURCES, with a favorable report.

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

H.B. 1134, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE BY WHICH COASTAL HABITAT PROTECTION PLANS MUST BE ADOPTED, with a favorable report.

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

H.B. 1205, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE IMPLEMENTATION OF THE "CLEAN SMOKESTACKS ACT" BY EXEMPTING SANITARY LANDFILLS USED FOR THE DISPOSAL OF WASTE GENERATED BY INVESTOR-OWNED PUBLIC UTILITY COAL-FIRED GENERATING UNITS THAT ARE SUBJECT TO THE "CLEAN SMOKESTACKS ACT" FROM THE REQUIREMENT THAT FRANCHISES BE OBTAINED FOR THE OPERATION OF THOSE LANDFILLS, with a favorable report.

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

By Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 517 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF HOLLY SPRINGS, with a favorable report.

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

H.B. 542, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF CASWELL BEACH, OAK ISLAND, AND OCEAN ISLE BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE PURPOSES OF ENGAGING IN BEACH EROSION CONTROL, FLOOD AND HURRICANE PROTECTION WORKS, AND PUBLIC BEACH ACCESS, with a favorable report.

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

By Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

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H.B. 678, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE HIGH SCHOOL EXIT EXAM AND RESTRICT THE STATE BOARD OF EDUCATION FROM DEVELOPING ANY FURTHER STANDARDIZED TESTS THAT ARE NOT REQUIRED TO FULFILL THE NO CHILD LEFT BEHIND ACT OF 2001 OR OTHER FEDERAL LAW, 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. 1161, A JOINT RESOLUTION ENCOURAGING NASCAR TO RETAIN THE CURRENT FIVE WINSTON CUP RACES IN THIS STATE, TWO AT NORTH CAROLINA SPEEDWAY AND THREE AT LOWE'S MOTOR SPEEDWAY, AND COMMEMORATING NASCAR AND ITS PIONEERS AS NORTH CAROLINA IS THE STOCK CAR RACING CAPITAL OF THE WORLD, with a favorable report.

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

By Representative Sutton, Chair, for the Committee on Judiciary III:

H.B. 732, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA STREET GANG TERRORISM AND PREVENTION ACT OF 2003, 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 Appropriations.

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

By Representative Goodwin, Vice Chair, for the Committee on Judiciary II:

H.B. 26 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT DEVICES DESIGNED TO COVER REGISTRATION PLATES TO PREVENT THE TAKING OF A CLEAR PHOTOGRAPH BY TRAFFIC CONTROL SYSTEMS USING CAMERAS ARE UNLAWFUL, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

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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. 357, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ANY PERSON ENGAGED IN COMMERCE, IN CONNECTION WITH ANY SALE OF GOODS OR SERVICES TO A CONSUMER PAID BY CREDIT CARD, FROM PRINTING THE ENTIRE NUMBER OF THE CREDIT CARD ON ANY RECEIPT FOR THE 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. 798, A BILL TO BE ENTITLED AN ACT TO ENACT THE UNIFORM TRANSFER ON DEATH (TOD) SECURITY REGISTRATION ACT, with a favorable report.

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

By Representative Hall, Chair, for the Committee on Alcoholic Beverage Control:

H.B. 187, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DISTRIBUTION OF THE PROCEEDS FROM THE TOWN OF NORWOOD AND CITY OF ALBEMARLE ABC SYSTEMS SHALL BE IN ACCORDANCE WITH GENERAL LAW, with a favorable report.

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

H.B. 900, A BILL TO BE ENTITLED AN ACT MODIFYING THE DEFINITION OF "RESTAURANT" FOR ABC PERMITS, with a favorable report.

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

S.B. 294, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CRAVEN COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD TO PROVIDE ITS OWN LAW ENFORCEMENT PERSONNEL AND TO CONTRACT FOR ADDITIONAL LAW ENFORCEMENT SERVICES, with a favorable report.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives G. Allen, Hackney, Howard, Insko, McComas, Miner, Sutton, Tolson, and Wainwright:

H.B. 1224, 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 Baker (By Request):

H.B. 1225, 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.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 161 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTRICT COURT-ORDERED NONBINDING ARBITRATION TO DISTRICT COURT ACTIONS, is read the first time and referred to the Committee on Judiciary IV.

S.B. 226 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ADMINISTRATION OF MEDICATION TO A CHILD IN A LICENSED OR UNLICENSED CHILD CARE FACILITY WITHOUT PROPER AUTHORIZATION FROM THE CHILD'S PARENT OR GUARDIAN, is read the first time and referred to the Committee on Judiciary II.

S.B. 390, A BILL TO BE ENTITLED AN ACT TO GIVE EFFECT TO ELECTRONIC JUDGMENT DOCKETS BY MODERNIZING LAWS REGARDING JUDGMENTS AND CHANGING THE EFFECTIVE DATE OF CIVIL JUDGMENT LIENS AND THE DATE FROM WHICH INTEREST

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ACCRUES ON JUDGMENTS, is read the first time and referred to the Committee on Judiciary I.

S.B. 422, A BILL TO BE ENTITLED AN ACT TO AMEND THE ADVANCE HEALTH CARE DIRECTIVE REGISTRY LAW TO EXEMPT FROM NOTARY REQUIREMENTS ANATOMICAL GIFT INSTRUMENTS, is read the first time and referred to the Committee on Judiciary III.

S.B. 444, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PILOT PROGRAMS ON TEACHING PERSONAL FINANCIAL LITERACY IN THE PUBLIC SCHOOLS, is read the first time and referred to the Committee on Education.

S.B. 478, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF DURHAM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE, is read the first time and referred to the Committee on Local Government II.

S.B. 490, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO ALLOW THE CITY MANAGER TO SETTLE CLAIMS AGAINST THE CITY WHEN THE AMOUNT OF THE CLAIMS DO NOT EXCEED THE CITY'S INSURANCE DEDUCTIBLE, is read the first time and referred to the Committee on Local Government I.

S.B. 498, A BILL TO BE ENTITLED AN ACT TO ALLOW ELECTROFISHING FOR CATFISH IN COLUMBUS COUNTY, is read the first time and referred to the Committee on Wildlife Resources.

S.B. 517, A BILL TO BE ENTITLED AN ACT TO REDUCE THE MINIMUM MEMBERSHIP OF THE GLOBAL TRANSPARK DEVELOPMENT COMMISSION, ALSO CALLED THE EASTERN REGION COMMISSION, is read the first time and referred to the Committee on Economic Growth and Community Development.

S.B. 537, 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 Judiciary II.

S.B. 561 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT THAT NOTICES OF LEGISLATIVE MEETINGS BE POSTED ON THE PRESS ROOM DOOR AND

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REPLACING IT WITH A REQUIREMENT OF ELECTRONIC POSTING, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

INTRODUCTION OF PAGES

Pages for the week of April 14 are introduced to the membership. They are: Melinda Bowman of Lee; Elizabeth Coughenour of Cumberland; Clarke Edwards of Guilford; Natalie Green of Mecklenburg; Andrew Harris of Wake; Street Jones, IV, of Wake; Justin Kelly of Wake; Ross Martin of Guilford; Donovan Ragsdale of Wake; Faith Smith of Wilson; Joel Smith of Wilson; Stephie Streater of Durham, Gregory Thompson of Moore; Wells Vance of Iredell; and Hannah Wright of Cabarrus.

CALENDAR

Action is taken on the following:

H.B. 89, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT APPLYING TO FORSYTH COUNTY CONCERNING FIRE AND RESCUE DISTRICTS, SO THE GENERAL LAW WILL APPLY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 119.

Voting in the negative: None.

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Excused absence: Representative Nesbitt.

H.B. 142, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF SUNSET BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 119.

Voting in the negative: None.

Excused absence: Representative Nesbitt.

H.B. 351, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SALISBURY TO ADOPT AND ENFORCE ORDINANCES RELATING TO PARKING, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser,

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LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 119.

Voting in the negative: None.

Excused absence: Representative Nesbitt.

H.B. 597, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM 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: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 119.

Voting in the negative: None.

Excused absence: Representative Nesbitt.

H.B. 598, 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.

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Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 119.

Voting in the negative: None.

Excused absence: Representative Nesbitt.

H.B. 626, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF GREENSBORO AND THE PIEDMONT TRIAD INTERNATIONAL AIRPORT ADMINISTRATION TO AMEND THE BOUNDARIES OF CERTAIN TERRITORY THAT CANNOT BE ANNEXED BY THE CITY UNDER GENERAL LAW, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner,

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Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 119.

Voting in the negative: None.

Excused absence: Representative Nesbitt.

H.B. 581, A BILL TO BE ENTITLED AN ACT TO ALLOW ELECTROFISHING FOR CATFISH IN COLUMBUS COUNTY, passes its third reading, by electronic vote (108-11), and is ordered sent to the Senate.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Goodwin and without objection, **H.B. 230** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ASSIST RICHMOND COUNTY WITH EXPEDITING THE CONSTRUCTION OF PUBLIC SCHOOL FACILITIES, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

H.B. 703 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO AND THE GENERAL STATUTES TO INCREASE THE MEMBERSHIP OF THE CITY OF GREENSBORO BOARD OF ALCOHOLIC CONTROL FROM THREE TO FIVE MEMBERS, passes its second reading, by electronic vote (119-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 734 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY COUNCIL TO AUTHORIZE THE CITY'S HOUSING APPEALS BOARD TO HEAR PUBLIC HEALTH NUISANCES CASES, passes its second reading, by electronic vote (119-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

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S.B. 396, A BILL TO BE ENTITLED AN ACT TO ANNEX THE RIGHT-OF-WAY OF MCMILLAN STREET TO THE CORPORATE LIMITS OF THE CITY OF RAEFORD, 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, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 118.

Voting in the negative: None.

Excused absence: Representative Nesbitt.

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

S.B. 419, A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CHADBOURN, 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, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye,

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Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 118.

Voting in the negative: None.

Excused absence: Representative Nesbitt.

On motion of Speaker Morgan, the House recesses at 4:38 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by Speaker Morgan.

SUBCOMMITTEE REFERRALS

Representatives Bonner, Hilton, Warner and Wood, Chairs, for the Standing Committee on Education, refer the following bills to the Education Subcommittee on Universities:

H.B. 51, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MEMBER OF THE MILITARY WHO ATTENDS A CONSTITUENT INSTITUTION OR A COMMUNITY COLLEGE SHALL BE CHARGED ONLY THE IN-STATE TUITION RATE.

H.B. 150, A BILL TO BE ENTITLED AN ACT TO PROVIDE ALTERNATE CRITERIA FOR AWARDING LEGISLATIVE TUITION GRANTS TO STUDENTS ATTENDING ACCREDITED INSTITUTIONS OF HIGHER EDUCATION.

H.B. 506, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STUDENT MEMBER OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA SHALL HAVE THE SAME RIGHT TO VOTE AS ALL OTHER MEMBERS.

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RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government I.

H.B. 214, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MADISON.

H.B. 445, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CASWELL.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 222**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SURRY, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 593, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAKE, 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)(2), Speaker Morgan refers the committee substitute bill to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

The committee substitute changes the bill from local to public.

Representative Culpepper moves, seconded by Representative Church, that the House adjourn, subject to the receipt of Committee Reports, to reconvene April 16 at 1:00 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 Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 397 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, 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, which is ruled to be material, is placed on the Calendar of April 16 as Special Order of Business No. 2. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.R. 699, A HOUSE RESOLUTION EXPRESSING GRATITUDE TO THE NUCOR CORPORATION FOR ITS CONTRIBUTIONS TO THE STATE'S ECONOMY AND ENVIRONMENT, 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 April 16 as Special Order of Business No. 1. The original resolution is placed on the Unfavorable Calendar.

Without objection, the House stands adjourned at 9:34 p.m.

FORTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 16, 2003

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

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

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"It is better to take refuge in the Lord than to put confidence in mortals. It is better to take refuge in the Lord than to put confidence in princes.' (Psalm 118:8, 9)

"God we pray for leaders everywhere, our President, Congress, Governor, General Assembly, leaders of other nations, and these good women and men - that in all they do their trust and confidence will lie in You. How easy it is to take refuge, to rely on things of this world. How easy it is to let money control us than to make it our, and Your, servant. God, the important work of developing a budget for our State continues, and as other pieces of legislation come before this House, bless these leaders with a sure sense of Your presence and guide them in the wise use of all Your blessings. May their trust be in You rather than mortals and princes of this world.

"In Your all-giving name we pray. Amen."

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

A leave of absence is granted Representative Nesbitt for today. Representative Ellis is excused for a portion of the session.

ENROLLED BILLS

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

H.B. 320, AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

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

H.B. 571, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF ROCKY MOUNT TO GIVE ANNUAL NOTICE TO CHRONIC

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VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE, with a favorable report.

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

H.B. 695, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF TROY TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS, with a favorable report.

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

H.B. 696, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WADESBORO TO EXTEND THE MAYOR'S TERM OF OFFICE FROM TWO TO FOUR YEARS AND TO AMEND THE CHARTER OF THE TOWN OF ANSONVILLE TO EXTEND THE MAYOR'S AND COUNCIL MEMBERS' TERMS OF OFFICE FROM TWO TO FOUR YEARS, with a favorable report.

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

S.B. 288, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE POLK COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS BOARD OF EDUCATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representatives Bell and G. Wilson, Chairs, for the Committee on Pensions and Retirement:

H.B. 812, A BILL TO BE ENTITLED AN ACT TO AMEND THE EARNINGS RESTRICTION ON RETIREES UNDER THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM BY ELIMINATING THE APPLICATION OF THE RESTRICTION TO THE TWELVE-MONTH PERIOD IMMEDIATELY FOLLOWING THE DATE OF RETIREMENT, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

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

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H.J.R. 69, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THOMAS BELL HUNTER, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

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

H.J.R. 231, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES BENNETT "C.B." DEANE, FORMER NORTH CAROLINA MEMBER OF CONGRESS, with a favorable report.

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

H.J.R. 606, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CLARENCE LIGHTNER, PROMINENT CIVIC LEADER, POLITICIAN, AND BUSINESSMAN, with a favorable report as to the committee substitute resolution, unfavorable as to the original resolution.

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

H.J.R. 813, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BONNIE E. CONE, FOUNDER OF THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE, with a favorable report as to the committee substitute resolution, unfavorable as to the original resolution.

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

By Representative Munford, Chair, for the Committee on Judiciary IV:

H.B. 243, A BILL TO BE ENTITLED AN ACT TO RECLASSIFY STATUTORY RAPE OR SEXUAL OFFENSE OF A PERSON WHO IS THIRTEEN, FOURTEEN, OR FIFTEEN YEARS OLD BY A DEFENDANT WHO IS MORE THAN FOUR YEARS BUT LESS THAN SIX YEARS OLDER, with a favorable report.

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

H.B. 689, A BILL TO BE ENTITLED AN ACT CONFORMING RULE 103 OF THE NORTH CAROLINA RULES OF EVIDENCE TO THE CORRESPONDING FEDERAL RULE, with a favorable report.

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

H.B. 880, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A BLOOD ANALYSIS REPORT SENT DIRECTLY TO THE CLERK OF SUPERIOR COURT MAY BE USED AS THE BASIS FOR THE CIVIL REVOCATION OF A DRIVERS LICENSE, 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 Womble, Chair, for the Committee on State Government:

H.B. 859, A BILL TO BE ENTITLED AN ACT TO ELIMINATE STATE-WIDE VOTING TO ELECT MEMBERS OF THE BOARD OF MORTUARY SCIENCE AND TO ESTABLISH A NEW PROCESS WHEREBY MEMBERS ARE APPOINTED TO SERVE ON THE BOARD, with a favorable report.

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

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 450, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RELEASE OR REFUND OF CERTAIN PROPERTY TAXES, is read the first time and referred to the Committee on Ways and Means.

S.B. 529, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WATER AND SEWER AUTHORITIES TO USE THE SETOFF DEBT COLLECTION ACT, is read the first time and referred to the Committee on Finance.

S.B. 630, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF A PROTECTIVE ORDER UNDER THE LAWS RELATING TO DOMESTIC VIOLENCE, is read the first time and referred to the Committee on Judiciary I.

S.B. 786, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN THE PROPERTY OF A RESIDENT OF A STATE INSTITUTION UNDER THE DEPARTMENT OF HEALTH AND HUMAN SERVICES

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IS LOST, DESTROYED, OR OTHERWISE DAMAGED THROUGH NEGLIGENT HANDLING BY THE INSTITUTION, THE INSTITUTION MAY MAKE DIRECT PAYMENT OR PROVIDE REPLACEMENT OF THE ITEM TO THE RESIDENT WITHOUT RECOURSE TO THE TORT CLAIMS PROCESS IF THE AMOUNT OF DAMAGES IS LESS THAN FIVE HUNDRED DOLLARS, is read the first time and referred to the Committee on Judiciary II.

S.B. 959, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSION FOR HEALTH SERVICES TO ADOPT RULES REGARDING MONITORING OF COASTAL RECREATION WATERS IN ORDER TO IMPLEMENT THE FEDERAL BEACHES ENVIRONMENTAL ASSESSMENT AND COASTAL HEALTH ACT OF 2000, is read the first time and referred to the Committee on Environment and Natural Resources.

S.B. 966, A BILL TO BE ENTITLED AN ACT TO REQUIRE INSURERS TO IMPLEMENT SAFEGUARDS FOR THE PROTECTION OF PERSONAL INFORMATION, PURSUANT TO THE PROVISIONS OF THE GRAMM-LEACH-BLILEY ACT, is read the first time and referred to the Committee on Insurance.

CALENDAR

Action is taken on the following:

H.R. 699 (Committee Substitute), A HOUSE RESOLUTION EXPRESSING GRATITUDE TO THE NUCOR CORPORATION FOR ITS CONTRIBUTIONS TO THE STATE'S ECONOMY AND ENVIRONMENT.

The resolution is adopted, by electronic vote (117-0), and ordered printed.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee and permanent subcommittee are presented:

By Representatives Bowie and McAllister, Chairs, for the Education Subcommittee on Universities, with approval of standing committee Chairs for report to be made directly to the floor of the House:

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H.B. 506, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STUDENT MEMBER OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA SHALL HAVE THE SAME RIGHT TO VOTE AS ALL OTHER MEMBERS, with a favorable report.

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

By Representative Adams, Chair, for the Committee on Local Government II:

H.B. 765, A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN CHOWAN COUNTY, with a favorable report.

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

S.B. 30, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF DALLAS TO AUTHORIZE THE BOARD OF ALDERMEN TO DELEGATE THE AUTHORITY TO SUSPEND OR REMOVE EMPLOYEES, with a favorable report.

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

S.B. 465, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF GOLDSBORO AND HIGH POINT 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.

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

CALENDAR (continued)

H.B. 397 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, AND TO IMPLEMENT A STATE BUDGET THAT ENABLES THE STATE TO PROVIDE TAX RELIEF FOR WORKING FAMILIES AND PROTECTS THE STATE'S TRIPLE-A BOND RATING.

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Representative Blust inquires of the Chair if the title is germane to the bill pursuant to Rule 31(d). Speaker Black rules that it is.

Speaker Black 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 Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

H.B. 317, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO IDENTIFY AND PROVIDE ASSISTANCE TO LOW-PERFORMING SCHOOL ADMINISTRATIVE UNITS, 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 Womble, Chair, for the Committee on State Government:

H.B. 796, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF STATE-OWNED REAL PROPERTY ENCOMPASSING THE DOROTHEA DIX HOSPITAL CAMPUS WITHOUT THE APPROVAL OF THE GENERAL ASSEMBLY, 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 Barbee, Chair, for the Committee on Wildlife Resources:

H.B. 13, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN TRANSYLVANIA COUNTY AND TO REQUIRE WRITTEN PERMISSION BEFORE HUNTING ON THE LAND OF ANOTHER IN TRANSYLVANIA COUNTY, with a favorable report.

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

H.B. 550, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF CERTAIN ROADS IN CRAVEN COUNTY, with a favorable report.

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

H.B. 1100, A BILL TO BE ENTITLED AN ACT TO AMEND THE AUTHORITY OF THE WILDLIFE RESOURCES COMMISSION TO ENABLE PROTECTION OF CERTAIN REPTILES AND AMPHIBIANS REQUIRING CONSERVATION MEASURES, with a favorable report.

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

H.B. 1158, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW SPECIFYING THE TYPE OF PISTOLS THAT MAY BE USED FOR HUNTING, with a favorable report.

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

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

H.B. 469, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LENOIR COUNTY TO USE THE SAME ATTACHMENT AND GARNISHMENT PROCEEDINGS TO COLLECT UNPAID WATER, SEWER, OR OTHER COUNTY FEES THAT ARE AVAILABLE TO COLLECT UNPAID TAXES, 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. 697, A BILL TO BE ENTITLED AN ACT TO ALLOW MONTGOMERY COUNTY TO ACQUIRE PROPERTY FOR AIRPORT PURPOSES BY USING THE "QUICK TAKE" PROCEDURE, 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 38(b), Speaker Black refers the committee substitute bill to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Adams, Chair, for the Committee on Local Government II:

H.B. 582, A BILL TO BE ENTITLED AN ACT AUTHORIZING CLAY COUNTY TO ENGAGE IN JOINT DEVELOPMENT ACTIVITIES WITH A CONTIGUOUS COUNTY IN AN ADJOINING STATE, 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. 735, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF DURHAM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S REFUSE AND DEBRIS ORDINANCE WITHOUT FURTHER NOTICE THAT CALENDAR YEAR AND AUTHORIZING THE CITY OF DURHAM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE WITHOUT FURTHER NOTICE THAT CALENDAR YEAR, 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. 397 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, AND TO IMPLEMENT A STATE BUDGET THAT ENABLES THE STATE TO PROVIDE TAX RELIEF FOR WORKING FAMILIES AND PROTECTS THE STATE'S TRIPLE-A BOND RATING, which was temporarily displaced, is before the Body.

Representative Wright offers Amendment No. 1 which is adopted by electronic vote (114-0).

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Representative Nye offers Amendment No. 2 which is adopted by electronic vote (116-0).

Representative Crawford offers Amendment No. 3 which is adopted by electronic vote (114-0).

Representative Bell offers Amendment No. 4.

On motion of Speaker Black and without objection, the amendment is temporarily displaced.

Representative Daughtry offers Amendment No. 5 which fails of adoption by electronic vote (44-72).

Representative Daughtry offers Amendment No. 6 which fails of adoption by electronic vote (45-73).

Amendment No. 4, which was temporarily displaced, is before the Body.

Amendment No. 4 is adopted by electronic vote (115-0).

Representative Mitchell offers Amendment No. 7.

Representative Mitchell withdraws his amendment.

Representative Clary offers Amendment No. 8.

On motion of Representative Clary, Amendment No. 8 is temporarily displaced.

Representative Blust offers Amendment No. 9.

On motion of Representative Blust, Amendment No. 9 is temporarily displaced.

Representative Blust offers Amendment No. 10.

On motion of Representative Blust, Amendment No. 10 is temporarily displaced.

Representative Blust offers Amendment No. 11.

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On motion of Speaker Black, Amendment No. 11 is temporarily displaced.

Representative Michaux offers Amendment No. 12 which fails of adoption by electronic vote (54-61).

Representative Cole offers Amendment No. 13 which is adopted by electronic vote (115-0).

Representative Michaux offers Amendment No. 14 which fails of adoption by electronic vote (38-78).

Representative Kiser offers Amendment No. 15 which is adopted by electronic vote (111-1).

Representative Pate 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 (112-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Baker, Bell, Bonner, Bordsen, Brubaker, Carney, Church, Coates, Cole, Crawford, Culpepper, Cunningham, Daughtridge, Decker, Dickson, Earle, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth, Goodwin, Gorman, Grady, Hackney, Haire, Hall, Harrell, Hill, Holliman, Howard, Hunter, Insko, Jeffus, C. Johnson, Jones, Justice, Kiser, LaRoque, Lucas, Luebke, McAllister, McComas, McGee, McLawhorn, Miller, Miner, Nye, Owens, Parmon, Rapp, Ross, Sauls, Saunders, Sherrill, Stiller, Sutton, Tolson, Wainwright, Warner, Warren, Weiss, A. Williams, K. Williams, Womble, Wright, and Yongue - 75.

Voting in the negative: Representatives Allred, Barbee, Barnhart, Blackwood, Blust, Bowie, Capps, Clary, Creech, Culp, Daughtry, Dockham, Eddins, Frye, Gillespie, Gulley, Hilton, Holmes, L. Johnson, Justus, Lewis, McCombs, McHenry, McMahan, Michaux, Mitchell, Moore, Munford, Pate, Preston, Ray, Rayfield, Rhodes, Setzer, Sexton, Stam, Starnes, Walend, Walker, West, C. Wilson, G. Wilson, and Wood - 43.

Excused absences: Representatives Ellis and Nesbitt - 2.

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Allred and Coates, Chairs, for the Committee on Transportation:

H.B. 344, A BILL TO BE ENTITLED AN ACT REQUIRING THE MOTOR FLEET MANAGEMENT DIVISION TO USE A FORMULA TO DETERMINE THE MOST COST-EFFECTIVE REPLACEMENT OF VEHICLES, 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 Bowie and McAllister, Chairs, for the Education Subcommittee on Universities, with approval of standing committee Chairs for report to be made directly to the floor of the House:

H.B. 51, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MEMBER OF THE MILITARY WHO ATTENDS A CONSTITUENT INSTITUTION OR A COMMUNITY COLLEGE SHALL BE CHARGED ONLY THE IN-STATE TUITION RATE, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be referred to the Committee on Appropriations.

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

H.B. 150, A BILL TO BE ENTITLED AN ACT TO PROVIDE ALTERNATE CRITERIA FOR AWARDED LEGISLATIVE TUITION GRANTS TO STUDENTS ATTENDING ACCREDITED INSTITUTIONS OF HIGHER EDUCATION, 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.

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

By Representatives Decker and Pate, Chairs, for the Committee on Ways and Means:

H.B. 402, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE AUTHORITY OF A SOCIAL WORKER TO ENTER A PRIVATE RESIDENCE FOR INVESTIGATION PURPOSES, 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 Representatives Bell and G. Wilson, Chairs, for the Committee on Pensions and Retirement:

H.B. 474, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMERGENCY PENSION FUND FOR LAW ENFORCEMENT OFFICERS IN MECKLENBURG 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. 570, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE CITY OF LUMBERTON FIREMEN'S RELIEF FUND AND SUPPLEMENTARY PENSION 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. The original bill is placed on the Unfavorable Calendar.

By Representative Goodwin, Chair, for the Committee on Occupational Safety and Health:

H.B. 919, A BILL TO BE ENTITLED AN ACT TO ALLOW INCOME TAX CREDITS FOR VOLUNTARY WORKPLACE SAFETY EFFORTS BY EMPLOYERS, with a favorable report.

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Pursuant to Rule 32(a), the bill is re-referred to the Committee on Finance.

H.B. 978, A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA VETERINARY BOARD TO ENTER INTO AGREEMENTS WITH ORGANIZATIONS THAT HAVE DEVELOPED PROGRAMS FOR IMPAIRED VETERINARY PERSONNEL, 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.

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 197**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BLADEN, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government I.

On motion of Representative Culpepper, seconded by Representative Brubaker, the House adjourns at 7:00 p.m. to reconvene April 17 at 9:00 a.m.

FORTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, April 17, 2003

The House meets at 9:00 a.m. pursuant to adjournment and is called to order by Speaker Morgan.

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

"God of the human mind:

"You create us each with our own will and mind and opinions, and we usually think we are the only one who fully understands reality. Remind us each that there is a greater good - Your good, which is above even our best conception of truth. We give You thanks for a place like this House where

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many attempt to debate, discuss and reach some consensus of what is best for our State. Remind each of these servants that no one has a corner on absolute right or wrong, but in their struggles for compromise often the best is found. Bless their efforts for our State.

"And God, as we near holy days for two of our world's great religions, Easter and Passover, we pray for us all a renewed sense of Your love for humankind and Your desire that all may know You. May holy days be opportunities for renewal and refreshment for the days ahead.

"In Your saving name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 16 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Ellis and Nesbitt for today. Representatives Luebke and Walend 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. 549, AN ACT TO ESTABLISH THE ELECTION FUND REQUIRED BY THE HELP AMERICA VOTE ACT OF 2002 (HAVA) AS A CONDITION FOR RECEIVING FEDERAL FUNDS UNDER THAT ACT. (S.L. 2003-12)

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative Wright:

H.B. 1226, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADOLESCENT PARENTING, ADOLESCENT PREGNANCY PREVENTION, AND OUT-OF-WEDLOCK BIRTH PROGRAMS, is referred to the Committee on Appropriations.

By Representatives G. Allen, Alexander, B. Allen, L. Allen, Bell, Bonner, Bordsen, Bowie, Carney, Coates, Crawford, Culpepper, Cunningham, Earle,

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England, Gibson, Goforth, Hackney, Haire, Hill, Holliman, Insko, Lucas, Luebke, McGee, McLawhorn, Miller, Miner, Parmon, Rapp, Tolson, and Warren:

H.B. 1227, A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATUTORY FRAMEWORK FOR THE FINANCING OF CAPITAL FACILITIES BY THE STATE AND TO AUTHORIZE THE ISSUANCE OF SPECIAL INDEBTEDNESS FOR CAPITAL IMPROVEMENTS AND LAND ACQUISITION FOR PARKS, RECREATION, AND THE PRESERVATION OF NATURAL HERITAGE, is referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 357, A BILL TO BE ENTITLED AN ACT TO ALLOW FRANKLIN COUNTY TO ACQUIRE PROPERTY FOR AIRPORT PURPOSES BY USING THE "QUICK TAKE" PROCEDURE, is read the first time and referred to the Committee on Local Government II.

S.B. 394 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING A CLAIM FOR EQUITABLE DISTRIBUTION TO SURVIVE THE DEATH OF A SPOUSE WHEN THE PARTIES ARE LIVING SEPARATE AND APART AT THE TIME OF DEATH AND THE CLAIM IS TIMELY FILED, is read the first time and referred to the Committee on Judiciary I.

S.B. 421 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND MAKE TECHNICAL CORRECTIONS TO THE CHILD WELFARE LAWS AND TO ENHANCE THE STATE'S ABILITY TO PROTECT CHILDREN, is read the first time and referred to the Committee on Judiciary IV.

S.B. 437, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LICENSING BOARD OF GENERAL CONTRACTORS TO ESTABLISH TEMPORARY RULES THAT ALLOW A LICENSEE TO BID AND CONTRACT DIRECTLY WITH THE OWNER OF A PUBLIC BUILDING PROJECT IN CERTAIN CIRCUMSTANCES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 445 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING CLAY COUNTY TO ENGAGE IN JOINT DEVELOPMENT ACTIVITIES WITH A CONTIGUOUS COUNTY IN AN ADJOINING

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STATE, is read the first time and referred to the Committee on Local Government I.

S.B. 460, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE AUTHORIZATION FOR CERTAIN PRIVATE CORRECTIONAL OFFICERS TO USE FORCE AND MAKE ARRESTS CONSISTENT WITH NORTH CAROLINA LAW, is read the first time and referred to the Committee on Judiciary III.

S.B. 470 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE LAW AFFECTING THE COMPENSATION OF TRUSTEES AND OTHER FIDUCIARIES, is read the first time and referred to the Committee on Judiciary IV.

S.B. 476 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY MANAGER TO MAKE DECISIONS REGARDING ROUTINE TRAFFIC CONTROL MEASURES, is read the first time and referred to the Committee on Local Government II.

S.B. 477 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY COUNCIL TO AUTHORIZE THE CITY'S HOUSING APPEALS BOARD TO HEAR PUBLIC HEALTH NUISANCES CASES, is read the first time and referred to the Committee on Local Government II.

S.B. 482, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO ANNEX ROADS THAT ARE ADJACENT ON BOTH SIDES TO PROPERTY ALREADY WITHIN THE CITY LIMITS, is read the first time and referred to the Committee on Finance.

S.B. 486 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE NORTH CAROLINA CHILD ALERT NOTIFICATION (NC CAN) SYSTEM AND TO RENAME THAT SYSTEM THE AMBER ALERT SYSTEM, is read the first time and referred to the Committee on Ways and Means.

S.B. 522 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD BY WHICH CERTAIN MEMBERS ON THE NORTH CAROLINA BOARD OF NURSING ARE ELECTED OR APPOINTED, TO MAKE TECHNICAL CHANGES TO THE NURSING PRACTICE ACT, AND TO REQUIRE THAT HEALTH CARE FACILITIES

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VERIFY THE LICENSURE STATUS OF APPLICANTS SEEKING EMPLOYMENT AS NURSES, is read the first time and referred to the Committee on Health.

S.B. 555 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT IT IS A FELONY FOR A SCHOOL SAFETY OFFICER TO HAVE SEXUAL CONTACT OR TAKE INDECENT LIBERTIES WITH A STUDENT, is read the first time and referred to the Committee on Judiciary III.

S.B. 592 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA STATE BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS TO ACQUIRE REAL PROPERTY, AND TO INCREASE THE CIVIL PENALTY ON ENGINEERS FROM TWO THOUSAND DOLLARS TO FIVE THOUSAND DOLLARS FOR VIOLATIONS OF THE NORTH CAROLINA ENGINEERING AND LAND SURVEYING ACT AND CLARIFYING THE REINSTATEMENT REQUIREMENTS UNDER THE ACT, is read the first time and referred to the Committee on Finance.

S.B. 647 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE STATEWIDE AN ACT CURRENTLY APPLICABLE TO MECKLENBURG AND CATAWBA COUNTIES AND CHARLOTTE AND RALEIGH THAT DEEMS 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 Judiciary II.

S.B. 657 (Committee Substitute), A BILL TO BE ENTITLED AN ACT IMPOSING RESTRICTIONS ON THE USE AND OPERATION OF TANNING FACILITIES AND EQUIPMENT, is read the first time and referred to the Committee on Health.

S.B. 658 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESOLVE CONFLICTING STATUTES; TO AMEND THE APPELLATE PROCEDURE BEFORE THE STATE BANKING COMMISSION; AND TO AUTHORIZE THE COMMISSIONER OF BANKS TO APPOINT A HEARING OFFICER, is read the first time and referred to the Committee on Financial Institutions.

S.B. 731, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SIZE OF PACKAGES OF FERTILIZER THAT MAY BE SOLD WITH NUTRIENT GUARANTEES STATED IN FRACTIONAL PERCENTAGES

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AND TO AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT TEMPORARY RULES IN ORDER TO ESTABLISH RENTAL RATES FOR THE USE OF FACILITIES OPERATED BY THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, is read the first time and referred to the Committee on Agriculture.

S.B. 773 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COMMUNITY COLLEGES TO ENTER INTO PUBLIC/PRIVATE PARTNERSHIPS FOR CONSTRUCTION PROJECTS, is read the first time and referred to the Education Subcommittee on Community Colleges.

S.B. 775 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONDITIONALLY REQUIRE INSURERS TO PROVIDE INFORMATION REGARDING POLICY PROVISIONS AND POLICY LIMITS PRIOR TO LITIGATION WHEN REQUESTED IN WRITING BY THE PERSONS WHO HAVE CLAIMS, OTHER THAN MEDICAL MALPRACTICE CLAIMS, SUBJECT TO INSURANCE POLICIES AND TO GIVE THESE INSURERS THE OPTION OF INITIATING PRELITIGATION MEDIATION OF THE CLAIMS, is read the first time and referred to the Committee on Insurance.

CALENDAR

Action is taken on the following:

H.B. 397 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, AND TO IMPLEMENT A STATE BUDGET THAT ENABLES THE STATE TO PROVIDE TAX RELIEF FOR WORKING FAMILIES AND PROTECTS THE STATE'S TRIPLE-A BOND RATING.

Representative Moore offers Amendment No. 16 which fails of adoption by electronic vote (56-59).

Representative Crawford offers Amendment No. 17 which is adopted by electronic vote (116-0).

Representative LaRoque offers Amendment No. 18 which fails of adoption by electronic vote (49-67).

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Representative Weiss offers Amendment No. 19 which is adopted by electronic vote (86-24).

Representatives Brubaker and McComas request and are granted permission to change their vote from "no" to "aye". The adjusted vote total is (88-22).

Having voted on the prevailing side, Representative Allred moves that the vote by which Amendment No. 19 was adopted be reconsidered. The motion fails by electronic vote (42-72).

Representative Gulley offers Amendment No. 20 which fails of adoption by electronic vote (43-70).

Representative McHenry offers Amendment No. 21.

Representative Hackney inquires of the Chair if the amendment is in violation of the rules. Speaker Morgan rules that the amendment is in order.

Amendment No. 21 fails of adoption by electronic vote (51-67).

Representative Stam offers Amendment No. 22 which fails of adoption by electronic vote (46-69).

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

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, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Baker, Bell, Bonner, Bordsen, Brubaker, Carney, Church, Coates, Cole, Crawford, Culpepper, Cunningham, Daughtridg, Decker, Dickson, Earle, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth, Goodwin, Gorman, Grady, Hackney, Haire, Hall, Harrell, Hill, Holliman, Howard, Hunter, Insko, Jeffus, C. Johnson, Jones, Justice, Kiser, LaRoque, Lucas, Luebke, McAllister, McComas, McGee, McLawhorn, Miller, Miner, Nye, Owens, Parmon, Rapp, Ross, Sauls, Saunders, Sherrill, Stiller, Sutton, Tolson, Wainwright, Warner, Warren, Weiss, A. Williams, K. Williams, Womble, Wright, and Yongue - 75.

Voting in the negative: Representatives Allred, Barbee, Barnhart, Blackwood, Blust, Bowie, Capps, Clary, Creech, Culp, Daughtry,

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Dockham, Eddins, Frye, Gillespie, Gulley, Hilton, Holmes, L. Johnson, Justus, Lewis, McCombs, McHenry, McMahan, Mitchell, Moore, Munford, Pate, Preston, Ray, Rayfield, Rhodes, Setzer, Sexton, Stam, Starnes, Walend, Walker, West, C. Wilson, G. Wilson, and Wood - 42.

Excused absences: Representatives Ellis and Nesbitt - 2.

Excused vote: Representative Michaux.

RULES SUSPENDED

On motion of Speaker Morgan and without objection, Rule 31.1(d) is temporarily suspended through May 1, 2003.

RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 940**, A BILL TO BE ENTITLED AN ACT REQUIRING TEXTBOOK PUBLISHERS TO MAKE ELECTRONIC COPIES OF TEXTBOOKS AVAILABLE TO PUBLIC SCHOOL STUDENTS, is withdrawn from the Committee on Education and re-referred to the Committee on Science and Technology and, if favorable, to the Committee on Education.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1062**, A BILL TO BE ENTITLED AN ACT TO REQUIRE PUBLIC WATER SYSTEMS TO PREPARE LOCAL WATER SUPPLY PLANS AND TO AUTHORIZE THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO MAKE DROUGHT DESIGNATIONS, is withdrawn from the Committee on Public Utilities and re-referred to the Committee on Environment and Natural Resources.

Representative Culpepper moves, seconded by Representative Howard, that the House adjourn, subject to the receipt of Committee Reports, to reconvene Monday, April 21, 2003, at 7:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

April 17, 2003

By Representatives Holliman and Setzer, Chairs, for the Committee on Insurance:

H.B. 283, A BILL TO BE ENTITLED AN ACT TO REQUIRE REAL PROPERTY WARRANTY COMPANIES TO CARRY CONTRACTUAL LIABILITY POLICIES; REQUIRE MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES TO USE A SPECIFIC FORMAT ON ALL WRITTEN MATERIALS SUBMITTED; MANDATE ALL REQUIRED SUBMISSIONS TO THE DEPARTMENT OF INSURANCE TO BE IN A SPECIFIC FORMAT IF IN WRITING; REQUIRE WARRANTY COMPANIES TO COMPLY WITH ARTICLE 1 OF CHAPTER 58 OF THE GENERAL STATUTES; DEFINE MECHANICAL BREAKDOWN SERVICE AGREEMENTS AND REQUIRE ALL MECHANICAL BREAKDOWN SERVICE AGREEMENT COMPANIES TO COMPLY WITH ARTICLE 1 OF CHAPTER 58 OF THE GENERAL STATUTES AND WITH THE RULES REGARDING MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES; AND PROVIDE THAT A BAD CHECK CONSTITUTES NONPAYMENT OF PREMIUM OF A MOTOR VEHICLE LIABILITY INSURANCE POLICY, 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. 560, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE ADMINISTRATIVE RULES GOVERNING LIFE INSURANCE REPLACEMENT, 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 Michaux and Stam, Chairs, for the Committee on Election Law and Campaign Finance Reform:

H.B. 819, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE REQUIREMENT THAT THE COUNTY BOARDS OF ELECTIONS MUST PROVIDE BEYOND THE BUFFER ZONE AROUND THE VOTING PLACE A SPACE WHERE CAMPAIGNING AND OTHER ELECTION-RELATED ACTIVITY CAN BE CONDUCTED, with a favorable report.

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

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H.B. 867, A BILL TO BE ENTITLED AN ACT TO REDUCE THE NUMBER OF SIGNATURES REQUIRED OF A NEW PARTY TO ACHIEVE BALLOT ELIGIBILITY; TO REDUCE THE NUMBER OF VOTES A NEW PARTY MUST GAIN FOR A NOMINEE IN ORDER TO MAINTAIN BALLOT ELIGIBILITY; AND TO ALLOW THAT NOMINEE TO BE ANY STATEWIDE NOMINEE, NOT JUST ITS NOMINEE FOR PRESIDENTIAL ELECTOR OR GOVERNOR, 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 Goodwin, Chair, for the Committee on Occupational Safety and Health:

H.B. 1129, A BILL TO BE ENTITLED AN ACT TO REVISE SERVICE REQUIREMENTS TO CONFORM WITH RULE 4 OF THE NORTH CAROLINA RULES OF CIVIL PROCEDURE, AND TO MAKE TECHNICAL AND OTHER CHANGES TO THE WAGE AND HOUR ACT AND THE PRIVATE PROTECTIVE SERVICES 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.

The House stands adjourned at 4:20 p.m.

FORTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, April 21, 2003

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

The following prayer is offered by Rabbi Susan Friedman, Beth Shalom, Raleigh, North Carolina.

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"This week, in Jewish tradition, we are celebrating the festival of Passover. It is a time when we note the renewal of the earth, its awakening from the dormancy of winter. So too, Christians around the world have completed the celebration of Easter, the resurrection of Jesus after having died on the cross. Muslims have recently marked the A'ashura, the 10th of Muharram, commemorating the safe landing of Noah's Ark, after the devastating flood.

"We see in all these events a metaphor for the possibility of reinvigorating human life even as we pass through the darkest of moments.

"These are hard times for the world. Oppressors and oppressed abound. Those who would be heroes abound too. But even the most sincere and well meant acts cause some pain and suffering. We pray for wisdom and compassion to minimize the harm we do as we strive for the greatest good.

"We need faith and trust in order to survive the difficult moments when our resources seem sparse and the need is very great. Tradition has provided us with stories - in Second Kings, the prophet Elisha is confronted with a famine and the gift of twenty loaves of barley bread. 'Give it to the people and let them eat,' says the prophet. Elisha's attendants protest - there are a hundred supplicants, twenty loaves will not be enough - 'Give it to the people and let them eat,' repeats Elisha - 'for thus said the Lord: They shall eat and have some left over. So he set it before them and when they had eaten, they had some left over as the Lord said.'

"Does the story sound familiar? It is repeated again in Matthew, Mark, Luke and John, in the parable of the fishes and loaves Jesus repeats the words of Elisha, 'Give it to the people and let them eat.' Few resources are made to last and feed the multitudes. There is a lesson of faith for us to learn here. We pray for the strength to accept it.

"In our Torah reading last Shabbat, Jews around the world read the words of Exodus 34: 'The Lord, the Lord a God who is merciful and gracious, long-suffering and abundant in goodness and constancy. Extending mercy to the thousandth generation, tolerating iniquity and transgression and misguided enterprises, while absolving no one of responsibility. The effects of our actions will abide even to the third and fourth generation.'

"We pray that we might serve as agents for God's work here on earth. We pray:

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"May we not be so overwhelmed by the vastness of the need that we give up our responsibility to address it.
May we not belittle our resources and thereby fail to release them, hanging on to what we have because it is all we know.
May we trust that despite our inadequacy God will help us to live in harmony and with good will caring for each other as we would have others care for us."

Speaker Morgan leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives Clary, Earle, and Sexton for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Holliman and Setzer, Chairs, for the Committee on Insurance:

H.B. 1001, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COMPETITIVE SELECTION OF CERTAIN SUPPLEMENTAL INSURANCE PRODUCTS FOR RETIRED STATE EMPLOYEES, 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 Sutton, Chair, for the Committee on Judiciary III:

H.B. 635, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE POSTING OF SIGNS WHEN AN INVISIBLE FENCE PET CONTAINMENT SYSTEM IS INSTALLED ON PROPERTY, 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 Local Government II.

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

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The committee substitute changes the bill from public to local.

By Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

H.B. 31, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS, 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. 797, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ASSIST LOCAL SCHOOL ADMINISTRATIVE UNITS ON THE IMPLEMENTATION OF THE NO CHILD LEFT BEHIND ACT OF 2001, 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. 1032, A BILL TO BE ENTITLED AN ACT REQUIRING LOCAL BOARDS OF EDUCATION TO GIVE PREFERENCE IN PURCHASING CONTRACTS TO HIGH-CALCIUM FOODS AND 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.

H.B. 1117, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A FULL-TIME TEACHER ASSISTANT BE ASSIGNED TO ANY KINDERGARTEN CLASSROOM WITH MORE THAN FIFTEEN STUDENTS, 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. 1210, A BILL TO BE ENTITLED AN ACT MODIFYING THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF THE NORTH CAROLINA SCHOOL OF THE ARTS, with a favorable report.

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

H.B. 1211, A BILL TO BE ENTITLED AN ACT MODIFYING THE MEMBERSHIP OF THE BOARD OF THE NORTH CAROLINA ARBOR-RETUM, with a favorable report.

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

By Representative Michaux and Stam, Chairs, for the Committee on Election Law and Campaign Finance Reform:

H.B. 787, A BILL TO BE ENTITLED AN ACT TO ESTABLISH EQUITY IN REPORTING REQUIREMENTS BETWEEN FEDERAL POLITICAL COMMITTEES AND NORTH CAROLINA POLITICAL COMMITTEES, with a favorable report.

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

H.B. 869, A BILL TO BE ENTITLED AN ACT TO ADVANCE THE DATE FOR REPORTING MAILED ABSENTEE AND ONE-STOP VOTES BY PRECINCT FROM 2006 TO 2004 FOR THOSE COUNTIES CAPABLE OF DOING SO, 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 Wainwright, Howard, Luebke, and McComas (Primary Sponsors); G. Allen and Miner:

H.B. 1228, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN ADDITIONAL FEE OF SEVENTY-FIVE DOLLARS FOR CERTAIN SPECIAL REGISTRATION PLATES, is referred to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.B. 733 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR EXTENSIONS OF THE EXPIRATION DATES

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OF CERTAIN GENERAL NONDISCHARGE PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS THAT SERVE SWINE, CATTLE, AND POULTRY OPERATIONS AND TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE USE OF GENERAL NONDISCHARGE PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS THAT SERVE SWINE, CATTLE, AND POULTRY OPERATIONS TO PROTECT WATER QUALITY, is read the first time and referred to the Committee on Environment and Natural Resources.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 439 (Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA, is read the first time and referred to the Committee on Judiciary II.

S.B. 519 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE PREVENTION AND CONTROL OF LEAD POISONING IN CHILDREN, is read the first time and referred to the Committee on Health.

S.B. 777, A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW WITH REGARD TO THE MANUFACTURE, SALE, AND DISTRIBUTION OF TRAILERS AND SEMITRAILERS, is read the first time and referred to the Committee on Transportation.

S.B. 823, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, ENVIRONMENTAL HEALTH, AND NATURAL RESOURCES, is read the first time and referred to the Committee on Environment and Natural Resources.

S.B. 824, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, is read the first time and referred to the Committee on Environment and Natural Resources.

INTRODUCTION OF PAGES

Pages for the week of April 21 are introduced to the membership. They are: Casey Best of Wayne; Thomas Brady of Cumberland; Austin Branch of

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Pitt; Elizabeth Brim of Randolph; Sumner Green of Mecklenburg; Joy Hawley of Harnett; Meagan Hawley of Harnett; Brittany Matthews of Harnett; Lindsey McEvoy of Cumberland; Alexander O'Neill of Wake; Hope Peddle of Stokes; Disheeka Powell of Edgecombe; David Welsher of Cumberland; and Teresita Whitley of Wake.

CALENDAR

Action is taken on the following:

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

H.B. 733 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW RETIRED MEMBERS OF THE DURHAM FIREMEN'S SUPPLEMENTAL RETIREMENT SYSTEM TO SERVE ON THE BOARD OF TRUSTEES OF THE SYSTEM AND TO MAKE THE NAME OF THE SYSTEM GENDER-NEUTRAL, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

Representative Blackwood 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 (111-0).

The bill passes its third reading and is ordered sent to the Senate.

ENROLLED BILLS

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

H.B. 646, AN ACT TO CHANGE THE MANNER OF CHOOSING THE MEMBERS OF THE CURRITUCK COUNTY GAME 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. 36, AN ACT TO REPEAL THE LAW THAT AUTHORIZES THE INVOLUNTARY STERILIZATION OF PERSONS WHO ARE MENTALLY ILL OR MENTALLY RETARDED, TO PERMIT THE STERILIZATION OF MENTALLY ILL OR MENTALLY RETARDED WARDS ONLY WHEN

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THERE IS A MEDICAL NECESSITY, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES. (S.L. 2003-13)

S.B. 2, AN ACT TO ALLOW CERTAIN APPLICANTS FOR DRIVERS LICENSES TO SUBMIT MEDICAL CERTIFICATES FROM OUT-OF-STATE PHYSICIANS. (S.L. 2003-14)

S.B. 440, AN ACT TO ALLOW THE COURT TO ISSUE AN ORDER FOR ARREST WHEN A DEFENDANT FAILS TO APPEAR IN COURT AFTER RECEIVING A CITATION FOR A MISDEMEANOR (S.L. 2003-15)

CALENDAR (continued)

S.B. 784 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING BONDING OF CERTAIN JUDGMENTS, passes its second reading, by electronic vote (112-2), 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 by Special Message.

S.B. 51, A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOP-HOLE THAT ALLOWS CORPORATIONS TO CONTINUE AVOIDING FRANCHISE TAXES.

On motion of Representative Luebke and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 24.

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

H.B. 328 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REVISING REAL ESTATE LICENSING EXAMINATION PROCEDURES, CLARIFYING CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE LICENSEES, AND ENABLING THE REAL ESTATE COMMISSION TO PERMIT LIMITED COMMERCIAL PRACTICE BY NON-RESIDENT REAL ESTATE BROKERS.

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 the following vote, and remains on the Calendar.

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Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtride, Daughtry, Decker, Dickson, Dockham, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Clary, Earle, and Sexton - 3.

Excused vote: Representative McComas.

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

H.B. 345, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE BOARD OF EDUCATION TO GRANT OR RENEW SCHOOL CHARTERS FOR A PERIOD OF UP TO TEN YEARS, passes its second reading, by electronic vote (112-3), 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. 743, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NURSE TESTIMONIAL PRIVILEGE.

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (115-0).

The bill, as amended, passes its second reading, by electronic vote (114-0), 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.

H.B. 89, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT APPLYING TO FORSYTH COUNTY CONCERNING FIRE AND RESCUE DISTRICTS, SO THE GENERAL LAW WILL APPLY, 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: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtridg, Daughtry, Decker, Dickson, Dockham, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sherrill, Stam, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Clary, Earle, and Sexton - 3.

H.B. 142, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF SUNSET BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS, is 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: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper,

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Cunningham, Daughtridg, Daughtry, Decker, Dickson, Dockham, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sherrill, Stam, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Clary, Earle, and Sexton - 3.

H.B. 351, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SALISBURY TO ADOPT AND ENFORCE ORDINANCES RELATING TO PARKING, 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: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtridg, Daughtry, Decker, Dickson, Dockham, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sherrill, Stam, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Clary, Earle, and Sexton - 3.

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H.B. 597, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS, 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: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sherrill, Stam, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Clary, Earle, and Sexton - 3.

H.B. 598, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS, 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: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn,

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McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sherrill, Stam, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Clary, Earle, and Sexton - 3.

H.B. 626, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF GREENSBORO AND THE PIEDMONT TRIAD INTERNATIONAL AIRPORT ADMINISTRATION TO AMEND THE BOUNDARIES OF CERTAIN TERRITORY THAT CANNOT BE ANNEXED BY THE CITY UNDER GENERAL LAW, 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: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sherrill, Stam, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Clary, Earle, and Sexton - 3.

S.B. 396, A BILL TO BE ENTITLED AN ACT TO ANNEX THE RIGHT-OF-WAY OF MCMILLAN STREET TO THE CORPORATE LIMITS OF THE CITY OF RAEFORD, is moved up on today's Calendar.

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The bill passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtrige, Daughtry, Decker, Dickson, Dockham, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sherrill, Stam, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Clary, Earle, and Sexton - 3.

S.B. 419, A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CHADBOURN, is moved up on today's Calendar.

The bill passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtrige, Daughtry, Decker, Dickson, Dockham, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sherrill, Stam, Stiller, Tolson, Wainwright,

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Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Clary, Earle, and Sexton - 3.

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

H.B. 516 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITIES OF ROCKINGHAM AND STATESVILLE AND THE TOWN OF SMITHFIELD TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT, is moved up on today's Calendar.

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.

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

H.B. 668 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE ADMINISTRATIVE PROVISIONS OF THE NEW HANOVER COUNTY OCCUPANCY TAX, is moved up on today's Calendar.

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.

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

H.J.R. 231, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES BENNETT "C.B." DEANE, FORMER NORTH CAROLINA MEMBER OF CONGRESS, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

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

H.J.R. 606 (Committee Substitute), A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CLARENCE LIGHTNER, PROMINENT CIVIC LEADER, POLITICIAN, AND BUSINESSMAN, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

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

H.B. 744, A BILL TO BE ENTITLED AN ACT TO REQUIRE INSURERS TO INFORM COVERED PERSONS ABOUT ASSISTANCE AVAILABLE FROM THE MANAGED CARE PATIENT ASSISTANCE PROGRAM, 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. 842 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SYSTEM FOR ALL NORTH CAROLINA ELECTIONS THAT COMPLIES WITH THE HELP AMERICA VOTE ACT.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (107-0).

Representative Allred offers Amendment No. 2.

On motion of Representative Allred, the bill with Amendment No. 2 pending, is temporarily displaced.

H.B. 273 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT EMPLOYEES WHO RECEIVE VACCINATION AGAINST SMALLPOX INCIDENT TO THE ADMINISTRATION OF SMALLPOX COUNTERMEASURES BY HEALTH PROFESSIONALS UNDER SECTION 304 OF THE FEDERAL HOMELAND SECURITY ACT OF 2002 AND ANY HOUSEHOLD MEMBERS LIVING IN THE HOMES OF THESE VACCINATED EMPLOYEES WILL BE COVERED

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FOR ADVERSE MEDICAL REACTIONS DUE TO THE VACCINATION, passes its third reading, by electronic vote (111-0), and is ordered sent to the Senate.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative McLawhorn and without objection, **S.J.R. 416** (Committee Substitute), A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND THE HOUSE OF REPRESENTATIVES TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, 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. 17 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE PUBLIC SCHOOLS TO PROVIDE CONSUMER EDUCATION IN GRADES NINE THROUGH TWELVE, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 152 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING CHILD CARE FACILITIES TO PLACE CHILDREN IN A SLEEPING POSITION THAT REDUCES THE RISK OF SUDDEN INFANT DEATH SYNDROME (SIDS), PROHIBITING THE ADMINISTRATION OF MEDICATION TO A CHILD IN A LICENSED OR UNLICENSED CHILD CARE FACILITY WITHOUT PROPER AUTHORIZATION FROM THE CHILD'S PARENT OR GUARDIAN, AND REQUIRING CERTAIN AGENCIES AND THE MEDICAL COMMUNITY TO COOPERATE IN INVESTIGATING REPORTS OF CHILD ABUSE AND NEGLECT IN CHILD CARE FACILITIES.

Representative Ellis offers Amendment No. 1 which is adopted by electronic vote (57-55).

The bill, as amended, 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, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 39** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CHARTER SCHOOLS TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN; AND TO ASSESS INTEREST ON PREMIUM PAYMENTS NOT REMITTED BY CHARTER SCHOOL EMPLOYING UNITS IN A TIMELY MANNER, is withdrawn from the Committee on Education and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 986**, A BILL TO BE ENTITLED AN ACT TO REQUIRE A MOTOR VEHICLE INSURER TO DISCLOSE ANY FINANCIAL INTEREST IN A RECOMMENDED REPAIR FACILITY OR SERVICE, is withdrawn from the Committee on Insurance and re-referred to the Committee on Judiciary III.

On motion of Representative Culpepper, seconded by Representative B. Allen, the House adjourns at 9:46 p.m. to reconvene April 22 at 2:00 p.m.

FORTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 22, 2003

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

The following prayer is offered by the Dr. Dumas A. Harshaw, Jr., First Baptist Church, Raleigh, North Carolina.

IF

"If you can keep your head when all about you
Are losing theirs and blaming it on you;

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If you can trust yourself when all men doubt you,
But make allowance for their doubting too;
If you can wait and not be tired by waiting,
Or being lied about, don't deal in lies,
Or being hated don't give way to hating,
And yet don't look too good, nor talk too wise;

"If you can dream - and not make dreams your master;
If you can think - and not make thoughts your aim;
If you can meet with Triumph and Disaster
And treat those two impostors just the same;
If you can bear to hear the truth you've spoken
Twisted by knaves to make a trap for fools,
Or watch the things you gave your life to, broken,
And stoop and build 'em up with worn-out tools;

"If you can make one heap of all your winnings
And risk it on one turn of pitch-and-toss,
And lose, and start again at your beginnings
And never breathe a word about your loss;
If you can force your heart and nerve and sinew
To serve your turn long after they are gone,
And so hold on when there is nothing in you
Except the Will which says to them: 'Hold on!'"

"If you can talk with crowds and keep your virtue,
Or walk with Kings--nor lose the common touch;
If neither foes nor loving friends can hurt you;
If all men count with you, but none too much;
If you can fill the unforgiving minute
With sixty seconds' worth of distance run--
Yours is the Earth and everything that's in it,
And - which is more - you'll be a Man, my son!"

Rudyard Kipling

"Dear Lord, in the Spirit of Kipling and humility, give us courage and character for the living of these days, grant that our loves, labors, and legacies may bring Your name honor and glory. In Christ's name. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 21 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 Clary, Wainwright, Warner, and Womble for today. Representative Earle is excused for a portion of the session.

ENROLLED BILLS

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

S.B. 784, AN ACT CONCERNING BONDING OF CERTAIN JUDGMENTS.

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

S.B. 396, AN ACT TO ANNEX THE RIGHT-OF-WAY OF MCMILLAN STREET TO THE CORPORATE LIMITS OF THE CITY OF RAEFORD.

S.B. 419, AN ACT TO ADD CERTAIN PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CHADBOURN.

CHAPTERED BILLS

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

H.B. 646, AN ACT TO CHANGE THE MANNER OF CHOOSING THE MEMBERS OF THE CURRITUCK COUNTY GAME COMMISSION. (S.L. 2003-16)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Gibson, Chair, for the Committee on Environment and Natural Resources:

H.B. 1062, A BILL TO BE ENTITLED AN ACT TO REQUIRE PUBLIC WATER SYSTEMS TO PREPARE LOCAL WATER SUPPLY PLANS AND TO AUTHORIZE THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO MAKE DROUGHT DESIGNATIONS, 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.

S.B. 733 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR EXTENSIONS OF THE EXPIRATION DATES OF CERTAIN GENERAL NONDISCHARGE PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS THAT SERVE SWINE, CATTLE, AND POULTRY OPERATIONS AND TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE USE OF GENERAL NONDISCHARGE PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS THAT SERVE SWINE, CATTLE, AND POULTRY OPERATIONS TO PROTECT WATER QUALITY, 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 G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 680, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF GRANITE QUARRY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

S.B. 482, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO ANNEX ROADS THAT ARE ADJACENT ON BOTH SIDES TO PROPERTY ALREADY WITHIN THE CITY LIMITS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

By Representatives Michaux and Stam, Chairs, for the Committee on Election Law and Campaign Finance Reform:

H.B. 1147, A BILL TO BE ENTITLED AN ACT TO REMOVE RECENTLY ENACTED RESTRICTIONS ON REQUESTING ABSENTEE BALLOTS, 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.

By Representative Hackney, Chair, for the Committee on Judiciary I:

H.B. 826, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONFIDENTIALITY PROVISIONS OF CHAPTER 122C OF THE GENERAL STATUTES TO PERMIT IMPLEMENTATION OF MENTAL HEALTH SYSTEM REFORM, with a favorable report.

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

H.B. 952, A BILL TO BE ENTITLED AN ACT TO MAKE A CLARIFYING CHANGE TO THE LAWS RELATING TO THE CONFIRMATION OF AN ARBITRATION AWARD UNDER THE FAMILY LAW ARBITRATION ACT, with a favorable report.

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

By Representative Sutton, Chair, for the Committee on Judiciary III:

H.B. 473, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF ALL-TERRAIN VEHICLES, 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 Holliman and Setzer, Chairs, for the Committee on Insurance:

H.B. 829, A BILL TO BE ENTITLED AN ACT TO ADOPT THE NAIC MODEL STANDARD NONFORFEITURE LAW FOR INDIVIDUAL DEFERRED ANNUITIES, with a favorable report.

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

By Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

H.B. 1163, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF COMMUNITY COLLEGES, THE STATE BOARD OF EDUCATION, PAMLICO COMMUNITY COLLEGE, AND THE

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PAMLICO COUNTY SCHOOLS TO ESTABLISH A TASK FORCE TO DEVELOP A PLAN FOR A TECHNICAL HIGH SCHOOL, with a favorable report.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Womble, Baker, Decker, Holmes, McGee, and Parmon:

H.J.R. 1229, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF GEORGE HENRY BLACK, FORMER WINSTON-SALEM RESIDENT AND WELL-KNOWN AFRICAN-AMERICAN BRICKMAKER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Luebke:

H.B. 1230, A BILL TO BE ENTITLED AN ACT TO ALLOW RAIL CORRIDORS HELD BY THE DEPARTMENT OF TRANSPORTATION TO BE USED AS LINEAR PARKS, TRAILS, OR RECREATIONAL CORRIDORS, is referred to the Committee on Transportation and, if favorable, to the Committee on Appropriations.

By Representative Luebke:

H.B. 1231, 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, AND TO AUTHORIZE EXPENDITURE OF FUNDS FROM THE HEALTH AND WELLNESS TRUST FUND AND THE GENERAL FUND TO FUND THE WAIVER, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

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S.B. 35 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE THE PORTION OF CONTRACT MAINTENANCE RESURFACING FUNDS ALLOCATED TO WIDENING EXISTING NARROW PAVEMENTS SCHEDULED FOR RESURFACING TO BE USED TO WIDEN ANY EXISTING NARROW PAVEMENTS AND TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE HIGHWAY TRUST FUND SECONDARY ROAD PAVING FUNDS ALLOCATED TO EACH COUNTY FOR THE ADDITIONAL PURPOSE OF SAFETY IMPROVEMENTS ON PAVED AND UNPAVED ROADS IN THE SAME COUNTY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is read the first time and referred to the Committee on Transportation.

S.B. 61, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE PROCEDURE FOR CALCULATING TUITION FOR MILITARY PERSONNEL AND THEIR DEPENDENTS, is read the first time and referred to the Committee on Education.

S.B. 181 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF APEX TO USE THE PROCEDURE AND AUTHORITY OF CHAPTER 136 OF THE NORTH CAROLINA GENERAL STATUTES IN CONDEMNATION PROCEEDINGS CONCERNING PUBLIC STREETS AND ROADS, AND TO ADOPT ORDINANCES REGULATING DEMOLITION OF HISTORIC STRUCTURES IN THE APEX HISTORIC DISTRICT, is read the first time and referred to the Committee on Local Government I.

S.B. 315, A BILL TO BE ENTITLED AN ACT RELATING TO CONTRACTS OF MINORS FOR ARTISTIC OR CREATIVE SERVICES, is read the first time and referred to the Committee on Judiciary II.

S.B. 424 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN A 1997 LAW CONCERNING TUITION WAIVERS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Education.

S.B. 492 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND AND MODERNIZE THE CHARTER OF THE CITY OF EDEN, is read the first time and referred to the Committee on Local Government II.

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S.B. 495, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF CARY TO ALLOW THE TOWN TO ACQUIRE PROPERTY FOR THE PRESENT OR FUTURE LOCATION OR RELOCATION OF TELEPHONE, TELEGRAPH, ELECTRIC, OR OTHER LINES TO BE OPERATED BY PUBLIC UTILITIES, is read the first time and referred to the Committee on Local Government II.

S.B. 502, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A DEPUTY TO GAIN ACCESS TO THE CONTENTS OF A DECEDENT'S SAFE-DEPOSIT BOX, is read the first time and referred to the Committee on Financial Institutions.

S.B. 510 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BANKING COMMISSION AND THE ADMINISTRATOR OF CREDIT UNIONS TO ADOPT RULES CONCERNING CUSTOMER SAFETY MEASURES WITH RESPECT TO AUTOMATED TELLER MACHINES LOCATED IN AREAS WHERE THERE IS VEHICULAR TRAFFIC, is read the first time and referred to the Committee on Financial Institutions.

S.B. 557, A BILL TO BE ENTITLED AN ACT REQUIRING A TAXICAB DRIVER TO PASS A CONTROLLED SUBSTANCE EXAMINATION BEFORE BEING LICENSED AS A TAXICAB DRIVER IN THIS STATE, is read the first time and referred to the Committee on Judiciary III.

S.B. 593 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, is read the first time and referred to the Committee on Environment and Natural Resources.

S.B. 619 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A BLOOD ANALYSIS REPORT SENT DIRECTLY TO THE CLERK OF SUPERIOR COURT MAY BE USED AS THE BASIS FOR THE CIVIL REVOCATION OF A DRIVERS LICENSE, is read the first time and referred to the Committee on Judiciary I.

S.B. 622 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FURTHER PROMOTE E-COMMERCE AND E-GOVERNMENT, is read the first time and referred to the Committee on Science and Technology.

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S.B. 656 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE INNOVATIVE EDUCATION INITIATIVES ACT, is read the first time and referred to the Committee on Education.

S.B. 706 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW UNC-WILMINGTON TO ADD BLEACHERS TO AN EXISTING ATHLETIC STADIUM WITHOUT HAVING TO CONSTRUCT ADDITIONAL PLUMBING FACILITIES, is read the first time and referred to the Education Subcommittee on Universities.

S.B. 774, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DUTIES OF OPERATORS OF SKATEBOARD PARKS, TO ESTABLISH THE DUTIES OF PERSONS WHO ENGAGE IN CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES, AND TO LIMIT THE LIABILITY OF GOVERNMENTAL ENTITIES FOR DAMAGE OR INJURIES THAT ARISE OUT OF A PERSON'S PARTICIPATION IN CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES AND THAT OCCUR IN AN AREA DESIGNATED FOR CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES, is read the first time and referred to the Committee on Judiciary II.

S.B. 799 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE TELEPHONE SOLICITORS, WHEN THE TELEPHONE SOLICITOR HAS PREVIOUSLY OBTAINED AN ACCOUNT NUMBER, TO OBTAIN WRITTEN OR VERBAL CONSENT BEFORE CAUSING A NEW CHARGE TO THE ACCOUNT, is read the first time and referred to the Committee on Public Utilities.

S.B. 851, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON MAY BE REAPPOINTED TO THE BOARD OF DIRECTORS OF THE ARBORETUM AFTER ONE YEAR'S ABSENCE FROM THE BOARD, is read the first time and referred to the Committee on State Government.

S.B. 962, A BILL TO BE ENTITLED AN ACT TO REQUIRE BAIL BONDSMEN TO SUBMIT AFFIDAVITS STATING THAT THERE ARE NO PREMIUMS OWED TO FORMER INSURERS AND THAT ALL FORFEITURES OR JUDGMENTS ARE SATISFIED OR DISCHARGED, is read the first time and referred to the Committee on Insurance.

S.B. 979 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS BY WHICH A MEMBER OF THE GENERAL ASSEMBLY IS APPOINTED TO THE ATLANTIC STATES MARINE FISHERIES COMMISSION AND TO MAKE TECHNICAL,

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CLARIFYING, AND CONFORMING CHANGES, is read the first time and referred to the Committee on Environment and Natural Resources.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Miller, Chair, for the Committee on Science and Technology:

H.B. 1003, A BILL TO BE ENTITLED AN ACT RELATING TO STATE GOVERNMENT INFORMATION TECHNOLOGY SECURITY, 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:

H.B. 842 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SYSTEM FOR ALL NORTH CAROLINA ELECTIONS THAT COMPLIES WITH THE HELP AMERICA VOTE ACT, is before the Body, with Amendment No. 2 pending.

Representative Allred withdraws Amendment No. 2.

Representative Allred offers Amendment No. 3.

On motion of Representative Allred, the bill with Amendment No. 3 pending, is temporarily displaced.

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

H.B. 303 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE HEALTHY, ACTIVE CHILDREN IN KINDERGARTEN THROUGH EIGHTH GRADE.

Pursuant to Rule 36.1, Representative Grady, Chair of the Committee on Appropriations, requests a fiscal note on the bill.

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The bill is removed from the Calendar.

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

H.B. 352, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING DRUG SCREENING AND ASSESSMENT OF A CRIMINAL DEFENDANT FOR CHEMICAL DEPENDENCY, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY 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.B. 354 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE PREVENTION AND CONTROL OF LEAD POISONING IN CHILDREN, passes its second reading, by electronic vote (106-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 669 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF A "PRIMARY CARE HOSPITAL" TO REFLECT FEDERAL REQUIREMENTS, passes its second reading, by electronic vote (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.

ELECTRONIC VOTING TIME CHANGED

Pursuant to Rule 20(c), Speaker Black directs the time for voting changed from 15 seconds to 10 seconds.

CALENDAR (continued)

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

H.B. 745, A BILL TO BE ENTITLED AN ACT TO REVISE THE MEMBERSHIP OF THE NORTH CAROLINA INDIAN CULTURAL CENTER BOARD, 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.

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

H.B. 746, A BILL TO BE ENTITLED AN ACT TO AMEND AND MODERNIZE THE LAW NAMING THE INDIAN TRIBES IN THIS STATE BY ADDING CLARIFYING INFORMATION ABOUT REFERENCES TO THE LUMBEE TRIBE AND BY ADDING SECTIONS RECOGNIZING THE MEHERRIN TRIBE AND THE OCCANEECHI BAND OF THE SAPONI NATION, passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 821, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE PROCESS OF FILLING A VACANCY ON A PARTY TICKET, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

S.B. 244 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING TO RECOGNIZE RETIRED NURSES BY SPECIAL LICENSURE STATUS AND TO ESTABLISH A FEE FOR THIS STATUS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtride, Daughtry, Decker, Dickson, Dockham, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Mitchell, Moore, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Walend, Walker,

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Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Wood, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Clary, Earle, Wainwright, Warner, and Womble - 5.

Representative Miner requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (111-0).

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

H.B. 824 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT ENCROACHMENT ON ITS RIGHTS-OF-WAY FOR THE CONSTRUCTION OF PRIVATE BRIDGES, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 842 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SYSTEM FOR ALL NORTH CAROLINA ELECTIONS THAT COMPLIES WITH THE HELP AMERICA VOTE ACT, which was temporarily displaced with Amendment No. 3 pending, is before the Body.

Representative Allred withdraws Amendment No. 3.

Representative Allred offers Amendment No. 4 which is adopted by electronic vote (104-2).

Representative Gibson offers Amendment No. 5.

Representative Gibson withdraws his amendment.

The bill, as amended, passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 674, A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF THE DURHAM

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NORTHERN LOOP, passes its third reading, by electronic vote (109-0), and is ordered sent to the Senate.

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

H.B. 710 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD A MEMBER REPRESENTING THE OCCANEECHI BAND OF THE SAPONI NATION TO THE BOARD OF THE NORTH CAROLINA INDIAN CULTURAL CENTER, 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 resolution appears on today's Calendar.

H.J.R. 1161, A JOINT RESOLUTION ENCOURAGING NASCAR TO RETAIN THE CURRENT FIVE WINSTON CUP RACES IN THIS STATE, TWO AT NORTH CAROLINA SPEEDWAY AND THREE AT LOWE'S MOTOR SPEEDWAY, AND COMMEMORATING NASCAR AND ITS PIONEERS AS NORTH CAROLINA IS THE STOCK CAR RACING CAPITAL OF THE WORLD, 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.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Goodwin, **H.J.R. 69**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THOMAS BELL HUNTER, FORMER MEMBER OF THE GENERAL ASSEMBLY, is withdrawn from the Calendar and placed on the Calendar of April 28.

CALENDAR (continued)

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

H.B. 1205, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE IMPLEMENTATION OF THE "CLEAN SMOKESTACKS ACT" BY EXEMPTING SANITARY LANDFILLS USED FOR THE DISPOSAL OF WASTE GENERATED BY INVESTOR-OWNED PUBLIC UTILITY COAL-FIRED GENERATING UNITS THAT ARE SUBJECT TO THE "CLEAN SMOKESTACKS ACT" FROM THE REQUIREMENT THAT FRANCHISES BE OBTAINED FOR THE OPERATION OF THOSE

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LANDFILLS, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 201 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE BOARD OF ELECTIONS TO NOTIFY EACH CANDIDATE BEFORE THE BALLOT IS PRINTED HOW THAT CANDIDATE'S NAME WILL APPEAR ON THE BALLOT, 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.

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

H.B. 276 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE AND TECHNICAL AMENDMENTS IN THE LAWS CONCERNING INSURANCE COMPANY SOLVENCY, 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. 551 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE LAWS RELATING TO THE ATTENDANCE AGES AND ELIGIBILITY OF STUDENTS FOR NORTH CAROLINA SCHOOLS FOR THE DEAF, passes its second reading, by electronic vote (114-0).

Representative LaRoque 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. 665, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DUTIES OF THE BOARD OF SCIENCE AND TECHNOLOGY, passes

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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.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Decker and Pate, Chairs, for the Committee on Ways and Means:

H.B. 403, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA RELIGIOUS FREEDOM RESTORATION ACT, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary II.

The bill is re-referred to the Committee on Judiciary II.

H.B. 895, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LICENSING BOARD OF GENERAL CONTRACTORS TO ESTABLISH TEMPORARY RULES THAT ALLOW A LICENSEE TO BID AND CONTRACT DIRECTLY WITH THE OWNER OF A PUBLIC BUILDING PROJECT IN CERTAIN CIRCUMSTANCES, with a favorable report.

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

By Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 774, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF BEAUFORT, 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 April 23. The original bill is placed on the Unfavorable Calendar.

S.B. 122 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATION BY THE CITIES OF GASTONIA AND LOCUST AND THE TOWNS OF BLADENBORO, PINE LEVEL, AND RANLO, with a favorable report as

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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 April 23. The Senate committee substitute bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

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

H.B. 517 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF HOLLY SPRINGS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Clary, Wainwright, Warner, and Womble - 4.

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

H.B. 542, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF CASWELL BEACH, OAK ISLAND, AND OCEAN ISLE BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE PURPOSES OF ENGAGING IN BEACH EROSION CONTROL, FLOOD AND HURRICANE PROTECTION WORKS, AND PUBLIC

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BEACH ACCESS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Clary, Wainwright, Warner, and Womble - 4.

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

H.B. 187, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DISTRIBUTION OF THE PROCEEDS FROM THE TOWN OF NORWOOD AND CITY OF ALBEMARLE ABC SYSTEMS SHALL BE IN ACCORDANCE WITH 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.

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

H.B. 571, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF ROCKY MOUNT TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

S.B. 294, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CRAVEN COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD TO PROVIDE ITS OWN LAW ENFORCEMENT PERSONNEL AND TO CONTRACT FOR ADDITIONAL LAW ENFORCEMENT SERVICES, 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. 328 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REVISING REAL ESTATE LICENSING EXAMINATION PROCEDURES, CLARIFYING CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE LICENSEES, AND ENABLING THE REAL ESTATE COMMISSION TO PERMIT LIMITED COMMERCIAL PRACTICE BY NONRESIDENT REAL ESTATE BROKERS.

Pursuant to Rule 24.1A(c), the request that Representative McComas be excused from voting on April 21 is continued.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtride, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Clary, Wainwright, Warner, and Womble - 4.

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Excused vote: Representative McComas.

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

H.B. 26 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT DEVICES DESIGNED TO COVER REGISTRATION PLATES TO PREVENT THE TAKING OF A CLEAR PHOTOGRAPH BY TRAFFIC CONTROL SYSTEMS USING CAMERAS ARE UNLAWFUL, passes its second reading, by electronic vote (99-13), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 357 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON THAT ACCEPTS CREDIT, CHARGE, OR DEBIT CARDS FOR THE TRANSACTION OF BUSINESS FROM PRINTING MORE THAN FIVE DIGITS OF A CREDIT, CHARGE, OR DEBIT CARD ACCOUNT NUMBER OR AN EXPIRATION DATE ON A SALES RECEIPT AND TO PROHIBIT A PERSON FROM SELLING A CASH REGISTER OR OTHER MACHINE OR DEVICE THAT ELECTRONICALLY PRINTS RECEIPTS OF CREDIT, CHARGE, OR DEBIT CARD TRANSACTIONS THAT CANNOT BE PROGRAMMED OR OPERATED TO PRODUCE A RECEIPT WITH FIVE OR FEWER DIGITS OF THE CREDIT, CHARGE, OR DEBIT CARD ACCOUNT NUMBER AND NO EXPIRATION DATE PRINTED ON THE RECEIPT, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 506, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STUDENT MEMBER OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA SHALL HAVE THE SAME RIGHT TO VOTE AS ALL OTHER MEMBERS.

Representative Luebke requests that he be excused from voting on this bill, because of a conflict, under Rule 24.1A and this request is granted.

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The bill passes its second reading, by electronic vote (96-17), 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. 798, A BILL TO BE ENTITLED AN ACT TO ENACT THE UNIFORM TRANSFER ON DEATH (TOD) SECURITY REGISTRATION ACT, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Michaux and Stam, Chairs, for the Committee on Election Law and Campaign Finance Reform:

H.B. 1119, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE ELECTION 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.

CALENDAR (continued)

H.B. 900, A BILL TO BE ENTITLED AN ACT MODIFYING THE DEFINITION OF "RESTAURANT" FOR ABC PERMITS.

The bill fails to pass its second reading by electronic vote (56-57)

Representative Decker requests and is granted permission to be recorded as voting "no". Representative Rhodes requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (55-59).

RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1178**, A BILL TO BE ENTITLED AN ACT TO

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RAISE THE ELIGIBILITY CAP FOR PARTICIPATION IN THE AIDS DRUG ASSISTANCE PROGRAM TO TWO HUNDRED FIFTY PERCENT OF THE FEDERAL POVERTY LEVEL, is withdrawn from the Committee on Health and re-referred to the Committee on Appropriations.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 892**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COMMON LAW DETERMINES WHETHER A DRIVER OF A TRUCK OR TRACTOR TRAILER OF AN INTERSTATE MOTOR CARRIER IS AN EMPLOYEE SUBJECT TO THE WORKERS' COMPENSATION ACT, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Insurance.

On motion of Representative Culpepper, seconded by Representative Cunningham, the House adjourns at 4:57 p.m. to reconvene April 23 at 3:00 p.m.

FORTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 23, 2003

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by Speaker Morgan.

The following prayer is offered by the Reverend William Allen, Fuquay-Varina First United Methodist Church, Fuquay-Varina, North Carolina:

"Almighty God our heavenly Father:

"We pause in these moments before beginning this Legislative Session to seek Your guidance, Your insight, Your mercy on us gathered here.

"As these men and women in this Chamber attempt to do work on behalf of people all across the State of North Carolina, may you give them direction and discernment, wisdom and patience and Your peace.

"For those in our communities that are hungry, give them food, naked...clothing, for those who are strangers...make them feel welcome, those who are sick...touch them and heal their bodies. For those who have little...show them the abundance that only You possess.

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"We also ask for Your continued presence in the lives of those who are serving our country in Iraq and other nations across the world. For those men and women, and their families here at home we ask Your divine protection and encouragement. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 22 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Clary, Holliman, Sutton, and Warner for today.

ENROLLED BILLS

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

S.B. 294, AN ACT TO ALLOW THE CRAVEN COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD TO PROVIDE ITS OWN LAW ENFORCEMENT PERSONNEL AND TO CONTRACT FOR ADDITIONAL LAW ENFORCEMENT SERVICES.

H.B. 581, AN ACT TO ALLOW ELECTROFISHING FOR CATFISH IN COLUMBUS 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. 396, AN ACT TO ANNEX THE RIGHT-OF-WAY OF MCMILLAN STREET TO THE CORPORATE LIMITS OF THE CITY OF RAEFORD. (S.L. 2003-17)

S.B. 419, AN ACT TO ADD CERTAIN PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CHADBOURN. (S.L. 2003-18)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

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By Representative Hunter, Chair, for the Committee on Children, Youth and Families:

H.B. 932, A BILL TO BE ENTITLED AN ACT ESTABLISHING REGIONAL INTERAGENCY COORDINATING COUNCILS UNDER THE LAWS RELATING TO EARLY INTERVENTION SERVICES FOR CHILDREN FROM BIRTH TO FIVE YEARS OF AGE WITH DISABILITIES, with a favorable report and recommendation that the bill be re-referred to the Appropriations Subcommittee on Health and Human Services.

The bill is re-referred to the Appropriations Subcommittee on Health and Human Services.

By Representative Womble, Chair, for the Committee on State Government:

H.B. 727, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT MEMBERS OF THE SOIL AND WATER CONSERVATION COMMISSION ARE AUTHORIZED TO HOLD OFFICE CONCURRENTLY WITH OTHER ELECTIVE OR APPOINTIVE OFFICES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 24.

By Representative Sutton, Chair, for the Committee on Judiciary III:

H.B. 786, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PRIMA FACIE RULE FOR PARKING APPLIES TO CIVIL PARKING AND RED LIGHT CAMERA ENFORCEMENT ACTIONS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 24.

H.B. 817, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PISTOL MAY BE PURCHASED BY A PERSON WHO HAS A CONCEALED HANDGUN PERMIT WITHOUT OBTAINING AN ADDITIONAL PERMIT TO PURCHASE A HANDGUN, with a favorable report.

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

H.B. 818, A BILL TO BE ENTITLED AN ACT TO MODIFY THE EFFECTIVE DATE OF THE ACT PROVIDING FOR THE REMOVAL

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OF DD FORMS 214 AND OTHER MILITARY RECORDS FROM CERTAIN PUBLIC RECORDS, 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 April 24. The original bill is placed on the Unfavorable Calendar.

H.B. 876, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROTECTION AGAINST TERRORISM, IDENTITY THEFT, AND VOTER FRAUD, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

On motion of Speaker Morgan, pursuant to Rule 36(b)(2), the committee substitute bill is re-referred the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

H.B. 1159, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MILITARY DRIVERS LICENSE EXPIRATION PROCEDURE WITHIN THE DIVISION OF MOTOR VEHICLES, 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 Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

H.B. 694, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE ASHEBORO MUNICIPAL AIRPORT AS THE OFFICIAL LOCATION OF THE NORTH CAROLINA AVIATION HALL OF FAME AND THE NORTH CAROLINA AVIATION MUSEUM, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 24.

H.B. 758, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO TAKE SHRIMP WITH A TRAWL NET IN CERTAIN INLAND WATERS IN BRUNSWICK AND NEW HANOVER COUNTIES, 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 of April 24. The original bill is placed on the Unfavorable Calendar.

S.B. 39 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CHARTER SCHOOLS TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN; AND TO ASSESS INTEREST ON PREMIUM PAYMENTS NOT REMITTED BY CHARTER SCHOOL EMPLOYING UNITS IN A TIMELY MANNER, 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.

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

H.B. 1102, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE PUBLIC'S RIGHT TO KNOW DETAILS OF CLOSED MEETINGS AFTER THE JUSTIFICATION FOR WITHHOLDING DETAILS HAS PASSED BY ADDING TO THE OPEN MEETINGS LAW A REQUIREMENT TO MAKE AND KEEP RECORDINGS OF ALL CLOSED MEETINGS, 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 Hill, Chair, for the Committee on Agriculture:

H.B. 1089, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING NOTICE OF TERMINATION OF FARM MACHINERY AGREEMENTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 24.

By Representative Adams, Chair, for the Committee on Local Government II:

H.B. 686, A BILL TO BE ENTITLED AN ACT TO EXEMPT DARE COUNTY FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS, with a favorable report.

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Pursuant to Rule 36(b), the bill is placed on the Calendar of April 24.

By Representatives Insko and Justus, Chairs, for the Committee on Health:

H.B. 170, A BILL TO BE ENTITLED AN ACT TO EXPAND THE STATE/COUNTY SPECIAL ASSISTANCE IN-HOME DEMONSTRATION PROJECT BY PERMITTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO INCREASE THE NUMBER OF INDIVIDUALS WHO MAY BE ENROLLED IN THE PROJECT, 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 Hackney, Chair, for the Committee on Judiciary I:

H.B. 992, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC AND NONPROFIT HOSPITALS TO USE THE SET-OFF DEBT COLLECTION ACT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 24.

H.B. 999, A BILL TO BE ENTITLED AN ACT MAKING VOID AND UNENFORCEABLE AS A MATTER OF PUBLIC POLICY ANY PROVISION IN ANY AGREEMENT OR CONTRACT THAT PROHIBITS THE REUSING, REMANUFACTURING, OR REFILLING OF A TONER OR INKJET CARTRIDGE, with a favorable report.

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

H.B. 1046, A BILL TO BE ENTITLED AN ACT TO DEFINE THE OFFENSE OF AGGRESSIVE DRIVING, 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. 1126, A BILL TO BE ENTITLED AN ACT ESTABLISHING COLLABORATIVE LAW PROCEDURES UNDER CHAPTER 50 OF THE GENERAL STATUTES WHEREBY PARTIES SEEKING A DIVORCE AND THEIR ATTORNEYS MAY SETTLE THEIR DISPUTES BY

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WRITTEN AGREEMENT WITH LIMITED JUDICIAL INTERVENTION, 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 Bonner, Hilton, and Wood, Chairs, for the Committee on Education:

H.B. 319, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING CHARTER SCHOOLS, 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 Pensions and Retirement.

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

By Representatives Bell and G. Wilson, Chairs, for the Committee on Pensions and Retirement:

H.B. 151, A BILL TO BE ENTITLED AN ACT TO ALLOW LAW ENFORCEMENT OFFICERS WHO ARE MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OR THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO RETIRE WITH UNREDUCED BENEFITS AFTER COMPLETING TWENTY-FIVE YEARS OF SERVICE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representative Munford, Chair, for the Committee on Judiciary IV:

H.B. 754, A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PERSONS NOMINATED AS MAGISTRATES, 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 April 24. The original bill is placed on the Unfavorable Calendar.

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H.B. 807, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE LAW ESTABLISHING THE ELECTIVE SHARE OF A DECEDENT'S SURVIVING SPOUSE AND TO REPEAL THE RIGHT OF A SURVIVING SPOUSE TO ELECT A LIFE INTEREST IN LIEU OF AN INTESTATE SHARE, 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 Allred and Coates, Chairs, for the Committee on Transportation:

H.B. 48, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT NORTH CAROLINA: MOVING AHEAD! BY ALLOWING CASH BALANCES IN THE HIGHWAY TRUST FUND TO BE USED TO MEET CRUCIAL TRANSPORTATION NEEDS, 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 Appropriations Subcommittee on Transportation.

The committee substitute bill is re-referred to the Appropriations Subcommittee on Transportation. The original bill is placed on the Unfavorable Calendar.

H.B. 729, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DEPARTMENT OF TRANSPORTATION FROM INSTALLING ANY ADDITIONAL STOPLIGHTS ON A CERTAIN PORTION OF U.S. HIGHWAY 70, 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 Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

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By Representatives Hill and LaRoque:

H.B. 1232, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO IMPROVE FOOD SAFETY AND SECURITY, is referred 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. 678, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE HIGH SCHOOL EXIT EXAM AND RESTRICT THE STATE BOARD OF EDUCATION FROM DEVELOPING ANY FURTHER STANDARDIZED TESTS THAT ARE NOT REQUIRED TO FULFILL THE NO CHILD LEFT BEHIND ACT OF 2001 OR OTHER FEDERAL LAW.

On motion of Representative Glazier and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 24.

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

H.B. 996, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSION FOR HEALTH SERVICES TO ADOPT RULES REGARDING MONITORING OF COASTAL RECREATION WATERS IN ORDER TO IMPLEMENT THE FEDERAL BEACHES ENVIRONMENTAL ASSESSMENT AND COASTAL HEALTH ACT OF 2000, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

Representative K. Williams requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (114-0).

The bill passes its third reading and is ordered sent to the Senate.

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

H.J.R. 813 (Committee Substitute), A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BONNIE E. CONE, FOUNDER OF THE

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UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

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

H.B. 1025, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF HAW RIVER STATE PARK TO THE STATE PARKS SYSTEM.

On motion of Representative Jeffus and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 29.

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

H.B. 1082, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 1083, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, ENVIRONMENTAL HEALTH, AND NATURAL RESOURCES, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 1134, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE BY WHICH COASTAL HABITAT PROTECTION PLANS

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MUST BE ADOPTED, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

On motion of Representative Stiller and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 24.

H.B. 517 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF HOLLY SPRINGS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, England, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Clary, Holliman, and Warner - 3.

H.B. 542, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF CASWELL BEACH, OAK ISLAND, AND OCEAN ISLE BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE PURPOSES OF ENGAGING IN BEACH EROSION CONTROL, FLOOD AND HURRICANE PROTECTION WORKS, AND PUBLIC BEACH ACCESS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson,

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Dockham, Earle, Eddins, England, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Clary, Holliman, and Warner - 3.

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

H.B. 680, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF GRANITE QUARRY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtride, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Clary, Holliman, and Warner - 3.

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

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H.B. 774 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF BEAUFORT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Clary, Holliman, and Warner - 3.

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

S.B. 122 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATION BY THE CITIES OF GASTONIA AND LOCUST AND THE TOWNS OF BLADENBORO, PINE LEVEL, AND RANLO, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate,

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Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Clary, Holliman, and Warner - 3.

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

S.B. 482, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO ANNEX ROADS THAT ARE ADJACENT ON BOTH SIDES TO PROPERTY ALREADY WITHIN THE CITY LIMITS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Clary, Holliman, and Warner - 3.

VOTE RECONSIDERED

Having voted with the prevailing side, Representative Crawford moves that the vote by which **H.B. 900**, A BILL TO BE ENTITLED AN ACT MODIFYING THE DEFINITION OF "RESTAURANT" FOR ABC PERMITS, failed to pass its second reading be reconsidered.

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The motion carries by electronic vote (61-53).

The bill passes its second reading by electronic vote (60-53).

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

CALENDAR (continued)

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

H.B. 13, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN TRANSYLVANIA COUNTY AND TO REQUIRE WRITTEN PERMISSION BEFORE HUNTING ON THE LAND OF ANOTHER IN TRANSYLVANIA COUNTY, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 474 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE EMERGENCY PENSION FUND FOR LAW ENFORCEMENT OFFICERS IN MECKLENBURG COUNTY, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 550, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF CERTAIN ROADS IN CRAVEN COUNTY, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 570 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE CITY OF LUMBERTON

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FIREMEN'S RELIEF FUND AND SUPPLEMENTARY PENSION FUND, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 582 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING CLAY COUNTY TO ENGAGE IN JOINT DEVELOPMENT ACTIVITIES WITH A CONTIGUOUS COUNTY IN AN ADJOINING STATE, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 696, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WADESBORO TO EXTEND THE MAYOR'S TERM OF OFFICE FROM TWO TO FOUR YEARS AND TO AMEND THE CHARTER OF THE TOWN OF ANSONVILLE TO EXTEND THE MAYOR'S AND COUNCIL MEMBERS' TERMS OF OFFICE FROM TWO TO FOUR YEARS, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 735 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF DURHAM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S REFUSE AND DEBRIS ORDINANCE WITHOUT FURTHER NOTICE THAT CALENDAR YEAR AND AUTHORIZING THE CITY OF DURHAM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE WITHOUT FURTHER NOTICE THAT CALENDAR YEAR, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

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H.B. 765, A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN CHOWAN COUNTY, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

S.B. 30, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF DALLAS TO AUTHORIZE THE BOARD OF ALDERMEN TO DELEGATE THE AUTHORITY TO SUSPEND OR REMOVE EMPLOYEES, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

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

S.B. 465, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF GOLDSBORO AND HIGH POINT TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND HAVE THE OPTION OF DEMOLISHING THOSE BUILDINGS PURSUANT TO G.S. 160A-432, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

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

H.B. 695, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF TROY TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS.

A division having been called, the bill passes its second reading by electronic vote (63-49), and there being no objection is read a third time.

On motion of Representative Gibson, the bill is withdrawn from the Calendar and placed on the Calendar of April 24.

H.B. 551 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE LAWS RELATING TO THE ATTENDANCE

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AGES AND ELIGIBILITY OF STUDENTS FOR NORTH CAROLINA SCHOOLS FOR THE DEAF, passes its third reading, by electronic vote (111-0), and is ordered sent to the Senate.

Representative Gibson requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (112-0).

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

H.B. 243, A BILL TO BE ENTITLED AN ACT TO RECLASSIFY STATUTORY RAPE OR SEXUAL OFFENSE OF A PERSON WHO IS THIRTEEN, FOURTEEN, OR FIFTEEN YEARS OLD BY A DEFENDANT WHO IS MORE THAN FOUR YEARS BUT LESS THAN SIX YEARS OLDER.

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

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

H.B. 317 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO IDENTIFY AND PROVIDE ASSISTANCE TO LOW-PERFORMING SCHOOL ADMINISTRATIVE UNITS, passes its second reading, by electronic vote (112-0).

Representative Grady 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. 344 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING THE MOTOR FLEET MANAGEMENT DIVISION TO USE BEST MANAGEMENT PRACTICES IN OPERATING THE CENTRAL MOTOR POOL, TO USE A FORMULA TO DETERMINE THE MOST COST-EFFECTIVE REPLACEMENT OF VEHICLES, AND TO REPORT SEMIANNUALLY TO THE GENERAL ASSEMBLY ON THE COST SAVINGS RESULTING FROM USE OF THE FORMULA, 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.

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

H.B. 689, A BILL TO BE ENTITLED AN ACT CONFORMING RULE 103 OF THE NORTH CAROLINA RULES OF EVIDENCE TO THE CORRESPONDING FEDERAL RULE, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 796 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF STATE-OWNED REAL PROPERTY ENCOMPASSING THE DOROTHEA DIX HOSPITAL CAMPUS WITHOUT THE APPROVAL OF THE GENERAL ASSEMBLY.

On motion of Representative B. Allen and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 24.

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

H.B. 859, A BILL TO BE ENTITLED AN ACT TO ELIMINATE STATE-WIDE VOTING TO ELECT MEMBERS OF THE BOARD OF MORTUARY SCIENCE AND TO ESTABLISH A NEW PROCESS WHEREBY MEMBERS ARE APPOINTED TO SERVE ON THE BOARD.

Representative Adams offers Amendment No. 1 which is adopted by electronic vote (67-40).

The bill, as amended, fails to pass its second reading by electronic vote (46-65).

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

S.B. 244 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING TO RECOGNIZE RETIRED NURSES BY SPECIAL LICENSURE STATUS AND TO ESTABLISH A FEE FOR THIS STATUS, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee,

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Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 111.

Voting in the negative: Representative Daughtridge.

Excused absences: Representatives Clary, Holliman, and Warner - 3.

Representative Daughtridge requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (112-0).

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Decker and Pate, Chairs, for the Committee on Ways and Means:

H.B. 864, A BILL TO BE ENTITLED AN ACT INCREASING THE EFFICIENCY OF GUARANTEED ENERGY SAVINGS CONTRACTS FOR STATE GOVERNMENTAL UNITS, 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. 994, A BILL TO BE ENTITLED AN ACT ALLOWING THE STATE, COUNTIES, AND CITIES TO REPAIR OR CONSTRUCT CERTAIN STRUCTURES WITHOUT HAVING THE PLANS AND

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SPECIFICATIONS FOR THE STRUCTURES PREPARED BY A REGISTERED ARCHITECT OR ENGINEER, 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. 1175, A BILL TO BE ENTITLED AN ACT ALLOWING FAIR HOUSING ORGANIZATIONS TO FILE COMPLAINTS WITH THE STATE HUMAN RELATIONS COMMISSION, with a favorable report.

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

By Representatives Allred and Coates, Chairs, for the Committee on Transportation:

H.B. 425, A BILL TO BE ENTITLED AN ACT TO DEFINE A HORSE TRAILER DESIGNED TO CARRY FOUR OR FEWER HORSES AS A RECREATIONAL VEHICLE, 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. 970, A BILL TO BE ENTITLED AN ACT TO REQUIRE SCHOOL BUS DRIVERS TO MEET THE SAME MEDICAL EVALUATION REQUIREMENTS AS HOLDERS OF COMMERCIAL DRIVERS LICENSES, 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 Education.

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

H.B. 1140, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE QUICK REMOVAL OF VEHICLES, SPILLED CARGO, OR OTHER PERSONAL PROPERTY FROM CONTROLLED-ACCESS HIGHWAYS, 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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H.B. 1141, A BILL TO BE ENTITLED AN ACT TO VERIFY RESIDENCY FOR DRIVERS LICENSES, with a favorable report.

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

By Representatives Church and Starnes, Chairs, for the Committee on Financial Institutions:

H.B. 917, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAWS RELATED TO PERMISSIBLE INTEREST RATES FOR HOME LOANS SECURED BY SECOND AND SUBSEQUENT MORTGAGES TO THE LAWS GOVERNING PERMISSIBLE INTEREST RATES FOR HOME LOANS SECURED BY FIRST MORTGAGES, 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 Bowie and McAllister, Chairs, for the Education Subcommittee on Universities, with approval of standing committee Chairs for report to be made directly to the floor of the House:

H.B. 928, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE APPALACHIAN STATE UNIVERSITY TO REGULATE PARKING ON CERTAIN STREETS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 24.

H.B. 1070, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXPENDITURE BENCHMARK FOR A SPECIAL RESPONSIBILITY CONSTITUENT INSTITUTION FOR CERTAIN PURCHASING 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. 281, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL

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STATUTES 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 April 24. The original bill is placed on the Unfavorable Calendar.

H.B. 1074, A BILL TO BE ENTITLED AN ACT TO REVISE A STATUTE TO CREATE A BUTNER ADVISORY COUNCIL SO AS TO ELECT ALL MEMBERS AT LARGE IN ONE MULTISEAT RACE AND ELIMINATE STAGGERED TERMS; TO DEFINE THE ELECTORAL JURISDICTION OF THE COUNCIL; AND TO AMEND THE LEGISLATION IN OTHER NEEDED WAYS, 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)

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

H.B. 880 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A BLOOD ANALYSIS REPORT SENT DIRECTLY TO THE CLERK OF SUPERIOR COURT MAY BE USED AS THE BASIS FOR THE CIVIL REVOCATION OF A DRIVERS LICENSE.

On motion of Representative Justus, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

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

H.B. 978 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA VETERINARY BOARD TO ENTER INTO AGREEMENTS WITH ORGANIZATIONS THAT HAVE DEVELOPED PROGRAMS FOR IMPAIRED VETERINARY PERSONNEL, 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.

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H.B. 1100, A BILL TO BE ENTITLED AN ACT TO AMEND THE AUTHORITY OF THE WILDLIFE RESOURCES COMMISSION TO ENABLE PROTECTION OF CERTAIN REPTILES AND AMPHIBIANS REQUIRING CONSERVATION MEASURES.

Representative Gibson offers Amendment No. 1 which is adopted by electronic vote (110-1).

The bill, as amended, passes its second reading, by electronic vote (105-7), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

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

H.B. 1158, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW SPECIFYING THE TYPE OF PISTOLS THAT MAY BE USED FOR HUNTING, passes its second reading, by electronic vote (112-2), 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. 733 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR EXTENSIONS OF THE EXPIRATION DATES OF CERTAIN GENERAL NONDISCHARGE PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS THAT SERVE SWINE, CATTLE, AND POULTRY OPERATIONS AND TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE USE OF GENERAL NONDISCHARGE PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS THAT SERVE SWINE, CATTLE, AND POULTRY OPERATIONS TO PROTECT WATER QUALITY, passes its second reading, by electronic vote (107-4), 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.

RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 163**, A BILL TO BE ENTITLED AN ACT

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RELATING TO THE 111TH 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, **H.B. 625**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BUNCOMBE, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government II.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 802**, A BILL TO BE ENTITLED AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ADDITIONAL PURCHASING FLEXIBILITY, is withdrawn from the Education Subcommittee on Pre-School, Elementary and Secondary Education and re-referred to the Committee on Education.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1028**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A GENERAL PERMIT FOR THE CONSTRUCTION OF RIPRAP SILLS FOR WETLAND ENHANCEMENT AND SHORELINE PROTECTION IN ESTUARINE AND PUBLIC TRUST WATERS, is withdrawn from the Committee on Finance and re-referred to the Committee on Environment and Natural Resources.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1168**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FUNDING FORMULA FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY, is withdrawn from the Committee on Education and re-referred to the Committee on Appropriations.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1031**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CREDITABLE SERVICE FOR LAW ENFORCEMENT OFFICERS IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM SHALL INCLUDE PERIODS OF EMPLOYER-APPROVED LEAVES OF ABSENCE WHEN IN RECEIPT OF WORKERS' COMPENSATION BENEFITS AS A RESULT OF INJURY INCURRED IN THE LINE OF DUTY, is withdrawn from the Committee on Occupational Safety and Health and re-referred to the Committee on Pensions and Retirement.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 248**, A BILL TO BE ENTITLED AN ACT

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RELATING TO THE 18TH HOUSE DISTRICT, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government II.

On motion of Representative Culpepper, seconded by Representative Warren, the House adjourns at 5:55 p.m. to reconvene April 24 at 2:00 p.m.

FIFTIETH DAY

HOUSE OF REPRESENTATIVES
Thursday, April 24, 2003

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

The following prayer is offered by the Reverend Timothy Patrick McRee, St. Patrick's Episcopal Church, Canton, North Carolina.

"Most gracious and loving God:

"We thank You for all the blessings and benefits which You pour so richly upon the land and people of North Carolina. We stand awe-struck at the natural beauty and productive potential of the lands and waterways of this our precious homeland. We are truly blessed to live in such a lovely and fruitful land, and we honor You as the source of all that we have and all that we are. We know that such blessings and privileges as we have received from You bring with them great responsibilities and duties. Help us always to be wise and faithful stewards of the resources that You have given us that Your people may receive all that they need to prosper and flourish. Help us to pass this land on as a blessed heritage to those who come after us.

"We especially lift before You today the women and men of this General Assembly who have offered themselves in public and sacrificial service for the well-being and welfare of the people of our State. You have taught us in Your holy word that true leadership lies in service, and we pray Your blessings upon the Members of this House and all others in positions of authority and trust in our State Government. Give them inquiring and discerning minds, the wisdom to enact only those laws that are in accordance with Your law, and the strength and courage to persevere through the awesome trials and responsibilities of their office. Help them to

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remember that all authority is derived from You, but that it is rooted and grounded in the trust and consent of the people.

"Father God, in this time of conflict we commend to Your gracious care the men and women of our Armed Forces at home and abroad. Surround them and their loved ones with the arms of Your protection - especially those who make their homes in our State. Be with them in a powerful way and bring them safely home to us. In Your good time make wars to cease in all the world and teach us to turn our swords into ploughshares and our spears into pruning hooks.

"Gracious God, bless us in our wonderful diversity and in our fruitful unity. Give to us sound government, honorable industry, and strong institutions of justice and learning. Help us to live fully into the meaning of our great State motto, that we might be - rather than seem to be - a people worthy of Your grace and protection.

"All these things we ask in Your most holy name. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 23 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Clary, Goodwin, Holmes, Luebke, Pate, and Sutton for today. Representatives Adams, Bell, Carney, Culp, Earle, England, Harrell, Justice, Lucas, Parmon, and West are excused for a portion of the session.

ENROLLED BILLS

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

S.B. 244, AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING TO RECOGNIZE RETIRED NURSES BY SPECIAL LICENSURE STATUS AND TO ESTABLISH A FEE FOR THIS STATUS.

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

S.B. 30, AN ACT AMENDING THE CHARTER OF THE TOWN OF DALLAS TO AUTHORIZE THE BOARD OF ALDERMEN TO DELEGATE THE AUTHORITY TO SUSPEND OR REMOVE EMPLOYEES.

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S.B. 465, AN ACT TO ALLOW THE CITIES OF GOLDSBORO AND HIGH POINT TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND HAVE THE OPTION OF DEMOLISHING THOSE BUILDINGS PURSUANT TO G.S. 160A-432.

CHAPTERED BILLS

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

S.B. 784, AN ACT CONCERNING BONDING OF CERTAIN JUDGMENTS. (S.L. 2003-19)

S.B. 294, AN ACT TO ALLOW THE CRAVEN COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD TO PROVIDE ITS OWN LAW ENFORCEMENT PERSONNEL AND TO CONTRACT FOR ADDITIONAL LAW ENFORCEMENT SERVICES. (S.L. 2003-20)

H.B. 581, AN ACT TO ALLOW ELECTROFISHING FOR CATFISH IN COLUMBUS COUNTY. (S.L. 2003-21)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Miller, Chair, for the Committee on Science and Technology:

H.B. 972, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INTERNET-BASED ALTERNATIVE TO PROPERTY TAX CERTIFICATION PROCEDURES, 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. 1194, A BILL TO BE ENTITLED AN ACT TO CREATE THE "E-NC" AUTHORITY TO CONTINUE THE WORK OF THE RURAL INTERNET ACCESS AUTHORITY, 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.

By Representative Gibson, Chair, for the Committee on Environment and Natural Resources:

H.B. 1112, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATED TO SANITATION OF FOOD AND LODGING FACILITIES, with a favorable report.

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

By Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 742, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A PROPOSED ANNEXATION OF THE TOWN OF CAROLINA SHORES, 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 April 28. The original bill is placed on the Unfavorable Calendar.

H.B. 855, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A BREAST CANCER AWARENESS SPECIAL REGISTRATION PLATE, 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 April 28. The original bill is placed on the Unfavorable Calendar.

H.B. 959, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REVENUE LAWS STUDY COMMITTEE TO CONDUCT A REVIEW OF ALL TAX EXPENDITURES AT LEAST ONCE EVERY TEN YEARS, 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. 295 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES FOR PARAMEDICS, THE NORTH CAROLINA COASTAL FEDERATION, AND THE ALPHA KAPPA ALPHA SORORITY, 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 Michaux and Stam, Chairs, for the Committee on Election Law and Campaign Finance Reform:

H.B. 737, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RECALL ELECTIONS FOR THE DURHAM BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 28.

By Representatives Bell and G. Wilson, Chairs, for the Committee on Pensions and Retirement:

H.B. 271 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF TEACHER IN A JOB-SHARING POSITION, TO FACILITATE JOB SHARING BY PUBLIC SCHOOL GUIDANCE COUNSELORS, AND TO AUTHORIZE THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY ISSUES RELATED TO JOB SHARING BY OTHER PUBLIC SCHOOL EMPLOYEES, with a favorable report.

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

H.B. 331, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE DISABILITY INCOME PLAN OF NORTH CAROLINA, 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 Hunter, Chair, for the Committee on Children, Youth and Families:

H.B. 1063, A BILL TO BE ENTITLED AN ACT REQUIRING THE DIVISION OF CHILD DEVELOPMENT TO INCLUDE IN ITS SUMMARY OF THE LAWS RELATING TO CHILD CARE FACILITIES A STATEMENT ON HOW PARENTS MAY OBTAIN INFORMATION ON INDIVIDUAL CHILD CARE FACILITIES, 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 Walker, Chair, for the Committee on Local Government I:

H.B. 214, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MADISON, 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 April 28. The original bill is placed on the Unfavorable Calendar.

H.B. 445, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CASWELL, 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. 750, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF PINEBLUFF TO CONVEY TO ADJACENT PROPERTY OWNERS INTERNAL CENTER COURTS AND ALLEYS AT PRIVATE NEGOTIATED SALE, 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 April 28. The original bill is placed on the Unfavorable Calendar.

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H.B. 755, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF CARY AND GARNER TO ACQUIRE PROPERTY FOR THE PRESENT OR FUTURE LOCATION OR RELOCATION OF TELEPHONE, TELEGRAPH, ELECTRIC, OR OTHER LINES TO BE OPERATED BY PUBLIC UTILITIES, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

On motion of Speaker Black, pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S.B. 355, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WAKE FOREST TO USE TOWN LABOR FOR PHASED CONSTRUCTION OF ELECTRICAL DISTRIBUTION FEEDER CIRCUITS AND FOR CONSTRUCTION OF AN ELECTRIC SUBSTATION WITHOUT REGARD TO THE DOLLAR VALUE OF THE LABOR, with a favorable report.

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

By Representative Adams, Chair, for the Committee on Local Government II:

H.B. 1050, A BILL TO BE ENTITLED AN ACT TO IMPROVE FIRE SAFETY IN LOCAL CONFINEMENT FACILITIES, 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 Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representatives Holliman and Setzer, Chairs, for the Committee on Insurance:

H.B. 339, A BILL TO BE ENTITLED AN ACT TO CONFORM NORTH CAROLINA'S THIRD PARTY ADMINISTRATOR ARTICLE TO REVISIONS TO THE NAIC MODEL THIRD PARTY ADMINISTRATOR STATUTE; REQUIRE GROUP ANNUITY INSURERS TO ISSUE INDIVIDUAL CERTIFICATES OF COVERAGE TO EACH ANNUITANT; REORGANIZE ARTICLE 60 OF CHAPTER 58 OF THE GENERAL

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STATUTES AND AMEND CURRENT DISCLOSURE REQUIREMENTS FOR SOLICITATION OF LIFE INSURANCE PRODUCTS AND ANNUITIES; REQUIRE INSURERS TO NOTIFY EMPLOYEES OF THE EXISTENCE OF EMPLOYER-OWNED LIFE INSURANCE POLICIES WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF COVERAGE; REQUIRE THAT ASSOCIATION PREMIUM RATES FOR ACCIDENT AND HEALTH INSURANCE BE ACTUARIALLY SOUND AND THAT ASSOCIATIONS BE RATED AS A SINGLE GROUP WHEN THE COVERAGE PROVIDED IS NOT EMPLOYER-BASED; LIMIT AN INDIVIDUAL ACCIDENT AND HEALTH INSURER'S USE OF AN INDIVIDUAL'S OWN CLAIMS' EXPERIENCE TO DEVELOP THE INDIVIDUAL'S RENEWAL RATE; EXEMPT A SOLE PROPRIETOR FROM THE FULL-TIME BASIS OR THIRTY-HOUR WORKWEEK REQUIREMENTS TO BE ELIGIBLE FOR LARGE GROUP HEALTH COVERAGE LIKE THE PROPRIETOR'S FULL-TIME EMPLOYEES; CORRECT AN INADVERTENT CROSS-REFERENCE IN ORDER TO REAPPLY NEWBORN COVERAGE TO A MORE COMPREHENSIVE GROUP OF INSURERS; TECHNICALLY CORRECT AN OMISSION REGARDING PROVISIONS GOVERNING PREEXISTING CONDITIONS FOR LIMITED HEALTH, SUPPLEMENTAL HEALTH, AND SPECIFIED DISEASE POLICIES; REQUIRE A GROUP HEALTH INSURER FOR AN EMPLOYER TO PROVIDE, UPON THE GROUP POLICYHOLDERS' REQUEST, THE GROUP'S EXPERIENCE INFORMATION; ALLOW PERSONS RETROACTIVELY ENROLLED IN MEDICARE PART B THE SAME SIX-MONTH OPEN ENROLLMENT PERIOD FOR MEDICARE SUPPLEMENT PLANS AS PERSONS WHO ENROLLED IN MEDICARE PART B WITHOUT A RETROACTIVE EFFECTIVE DATE OF COVERAGE; TECHNICALLY CORRECT THE REVOCATION AND SUSPENSION LAW TO INCLUDE A BENEFICIARY OF A LIFE OR ANNUITY CONTRACT AS A CLAIMANT; MANDATE HEALTH BENEFIT COVERAGE FOR DESIGNATED TRAVEL EXPENSES WHEN THE REQUIRED DISTANCE TRAVELED THRESHOLD IS MET; AND MAKE TECHNICAL CORRECTIONS TO THE CREDIT INSURANCE LAWS, 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 Bowie and McAllister, Chairs, for the Education Subcommittee on Universities, with approval of standing committee Chairs for report to be made directly to the floor of the House:

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H.B. 825, A BILL TO BE ENTITLED AN ACT TO REQUIRE ANY PRIVATE OR PUBLIC INSTITUTION THAT OFFERS A POST-SECONDARY DEGREE TO PROVIDE MENINGOCOCCAL AND HEPATITIS B IMMUNIZATION INFORMATION TO NEWLY ENROLLED STUDENTS IF THE INSTITUTION HAS A RESIDENTIAL CAMPUS, with a favorable report as to the committee substitute bill, unfavorable as to original bill.

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

H.B. 1016, A BILL TO BE ENTITLED AN ACT TO ADD PARTICULAR UNIVERSITY FACILITIES AS NONSMOKING AREAS, 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 Michaux and Stam, Chairs, for the Committee on Election Law and Campaign Finance Reform:

H.B. 1057, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ALLOW RECALL ELECTIONS FOR ANY OFFICE ESTABLISHED BY THE CONSTITUTION, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

By Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

H.B. 888, A BILL TO BE ENTITLED AN ACT TO INCREASE PURCHASING FLEXIBILITY FOR PUBLIC SCHOOLS, with a favorable report.

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

H.B. 943, A BILL TO BE ENTITLED AN ACT PROHIBITING SCHOOL PERSONNEL FROM RECOMMENDING OR REQUIRING THE USE OF CERTAIN MEDICATIONS BY ANY CHILD, 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.

H.B. 1012, A BILL TO BE ENTITLED AN ACT ELIMINATING THE PORTFOLIO REQUIREMENT FOR TEACHER CERTIFICATION, with a favorable report.

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

H.B. 1114, A BILL TO BE ENTITLED AN ACT TO MAKE VOLUNTEER FILES MAINTAINED BY LOCAL BOARDS OF EDUCATION PRIVATE, with a favorable report.

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

H.B. 1136, A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY MEDIA COORDINATORS IN THE PUBLIC SCHOOLS, 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. 1162, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PERTAINING TO THE CHARTER SCHOOL ADVISORY COMMITTEE, with a favorable report.

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

By Representative C. Wilson, Chair, for the Committee on Economic Growth and Community Development:

H.B. 1065, A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY AND PROCEDURE FOR A REDEVELOPMENT COMMISSION TO CONVEY CERTAIN PROPERTY IN A DESIGNATED REDEVELOPMENT AREA, 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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SUBCOMMITTEE REFERRALS

Representatives Bonner, Hilton, Warner, and Wood, Chairs for the Standing Committee on Education, refer **H.B. 1166**, A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL EMPLOYEES, to the Education Subcommittee on Pre-School, Elementary and Secondary Education.

Representatives Baker, Clary, Crawford, Earle, Grady, Owens, Sherrill, and Wright, Chairs, for the Standing Committee on Appropriations refer the following bills to the Appropriations Subcommittee on Education:

H.B. 991, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SALARY OF TEACHER ASSISTANTS TO THE FEDERAL POVERTY LEVEL AND TO PAY TUITION FOR THE COURSES TEACHER ASSISTANTS MUST TAKE TO COMPLY WITH THE NO CHILD LEFT BEHIND ACT OF 2001.

H.B. 1168, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FUNDING FORMULA FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY.

Representatives Baker, Clary, Crawford, Earle, Grady, Owens, Sherrill, and Wright, Chairs, for the Standing Committee on Appropriations, refer **H.B. 244** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR SECOND DEGREE ARSON AND TO REQUIRE THAT PHYSICIANS AND HOSPITALS REPORT CERTAIN TYPES OF BURN CASES, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, to the Appropriations Subcommittee on Justice and Public Safety.

Representatives Baker, Clary, Crawford, Earle, Grady, Owens, Sherrill, and Wright, Chairs, for the Standing Committee on Appropriations, refer the following bills to the Appropriations Subcommittee on Health and Human Services:

H.B. 310, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE AUDITOR TO PERFORM AN AUDIT OF THE COMMUNITY ALTERNATIVES PROGRAM FOR DISABLED ADULTS (CAP/DA) AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO CONTINUE ITS EXAMINATION OF CAP/DA AND REPORT TO THE NORTH CAROLINA STUDY COMMISSION ON AGING.

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H.B. 405, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE FOLIC ACID CAMPAIGN.

H.B. 631, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE SCHOOL BREAKFAST PROGRAM.

H.B. 634, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LOCAL CORE AND ESSENTIAL PUBLIC HEALTH SERVICES, INCLUDING A DEMONSTRATION PROJECT IN PRE-DOMINANTLY TIER ONE COUNTIES.

H.B. 640, A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE COUNTY SHARE OF THE NONFEDERAL SHARE OF MEDICAL ASSISTANCE PROGRAM COSTS.

H.B. 641, A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE COUNTY SHARE OF THE COSTS OF THE STATE-COUNTY SPECIAL ASSISTANCE PROGRAM.

H.B. 659, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE RATE PAID TO ADULT CARE HOMES UNDER THE STATE-COUNTY SPECIAL ASSISTANCE PROGRAM.

H.B. 660, 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. 1220, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR OSTEOPOROSIS AWARENESS AND EDUCATION ACTIVITIES.

CALENDAR

Action is taken on the following:

H.B. 680, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF GRANITE QUARRY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Bonner, Bordsen, Bowie, Brubaker, Capps,

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Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtride, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Starnes, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Clary, Goodwin, Holmes, Luebke, Pate, and Sutton - 6.

Representative Blust requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (111-0).

H.B. 774 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF BEAUFORT, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtride, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Starnes, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: None.

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Excused absences: Representatives Clary, Goodwin, Holmes, Luebke, Pate, and Sutton - 6.

Representative Blust requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (111-0).

S.B. 122 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATION BY THE CITIES OF GASTONIA AND LOCUST AND THE TOWNS OF BLADENBORO, PINE LEVEL, AND RANLO, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Starnes, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Clary, Goodwin, Holmes, Luebke, Pate, and Sutton - 6.

Representative Blust requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (111-0).

S.B. 482, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO ANNEX ROADS THAT ARE ADJACENT ON BOTH SIDES TO PROPERTY ALREADY WITHIN THE CITY LIMITS, passes its third reading, by the following vote, and is ordered enrolled.

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Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Starnes, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Clary, Goodwin, Holmes, Luebke, Pate, and Sutton - 6.

Representative Blust requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (111-0).

H.B. 695, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF TROY TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS.

Representative Gibson offers Amendment No. 1 which is adopted by electronic vote (107-4).

Representative Goforth requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (106-5).

The bill, as amended, passes its third reading, by electronic vote (79-32), and is ordered engrossed and sent to the Senate.

Representative Nesbitt requests and is granted permission to change his vote from "aye" to "no". Representative Goforth requests and is granted permission to vote "no". The adjusted vote total is (78-34).

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H.B. 686, A BILL TO BE ENTITLED AN ACT TO EXEMPT 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 sent to the Senate.

H.B. 758 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO TAKE SHRIMP WITH A TRAWL NET IN CERTAIN INLAND WATERS IN BRUNSWICK AND NEW HANOVER COUNTIES, passes its second reading.

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

S.B. 51, A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOP-HOLE THAT ALLOWS CORPORATIONS TO CONTINUE AVOIDING FRANCHISE TAXES.

On motion of Representative Culpepper and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 29.

H.B. 317 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO IDENTIFY AND PROVIDE ASSISTANCE TO LOW-PERFORMING SCHOOL ADMINISTRATIVE UNITS, passes its third reading, by electronic vote (111-0), and is ordered sent to the Senate.

Representative Sherrill requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (112-0).

H.B. 900, A BILL TO BE ENTITLED AN ACT MODIFYING THE DEFINITION OF "RESTAURANT" FOR ABC PERMITS, passes its third reading, by electronic vote (59-53), and is ordered sent to the Senate.

Speaker Morgan requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (58-54).

H.B. 1134, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE BY WHICH COASTAL HABITAT PROTECTION PLANS MUST BE ADOPTED, passes its third reading, by electronic vote (112-0), and is ordered sent to the Senate.

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VOTE RECONSIDERED

Having voted with the prevailing side, Representative Goforth moves that the vote by which **H.B. 859**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE STATEWIDE VOTING TO ELECT MEMBERS OF THE BOARD OF MORTUARY SCIENCE AND TO ESTABLISH A NEW PROCESS WHEREBY MEMBERS ARE APPOINTED TO SERVE ON THE BOARD, failed to pass its second reading, be reconsidered.

The motion carries by electronic vote (70-43).

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

CALENDAR (continued)

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

H.B. 31 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RAISE THE CAP ON THE NUMBER OF CHARTER SCHOOLS, passes its second reading, by electronic vote (84-22), and there being no objection is read a third time.

Representative Parmon requests and is granted permission to be recorded as voting "no". The adjusted vote total is (84-23).

The bill passes its third reading and is ordered sent to the Senate.

H.B. 281 (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, passes its second reading, by electronic vote (110-0).

Representative Stam 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. 283 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE REAL PROPERTY WARRANTY COMPANIES TO CARRY CONTRACTUAL LIABILITY POLICIES; REQUIRE MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES TO

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USE A SPECIFIC FORMAT ON ALL WRITTEN MATERIALS SUBMITTED; MANDATE ALL REQUIRED SUBMISSIONS TO THE DEPARTMENT OF INSURANCE TO BE IN A SPECIFIC FORMAT IF IN WRITING; REQUIRE WARRANTY COMPANIES TO COMPLY WITH ARTICLE 1 OF CHAPTER 58 OF THE GENERAL STATUTES; DEFINE MECHANICAL BREAKDOWN SERVICE AGREEMENTS AND REQUIRE ALL MECHANICAL BREAKDOWN SERVICE AGREEMENT COMPANIES TO COMPLY WITH ARTICLE 1 OF CHAPTER 58 OF THE GENERAL STATUTES AND WITH THE RULES REGARDING MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES; AND PROVIDE THAT A BAD CHECK CONSTITUTES NONPAYMENT OF PREMIUM OF A MOTOR VEHICLE LIABILITY INSURANCE POLICY, passes its second reading, by electronic vote (106-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 560 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE ADMINISTRATIVE RULES GOVERNING LIFE INSURANCE REPLACEMENT, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 678, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE HIGH SCHOOL EXIT EXAM AND RESTRICT THE STATE BOARD OF EDUCATION FROM DEVELOPING ANY FURTHER STANDARDIZED TESTS THAT ARE NOT REQUIRED TO FULFILL THE NO CHILD LEFT BEHIND ACT OF 2001 OR OTHER FEDERAL LAW.

Representative Glazier offers Amendment No. 1 which is adopted by electronic vote (109-0).

The bill, as amended, passes its second reading, by electronic vote (75-34), and there being no objection is read a third time.

Representative Miner requests and is granted permission to be recorded as voting "no". The adjusted vote total is (75-35).

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The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Yongue and without objection, **H.B. 818** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE EFFECTIVE DATE OF THE ACT PROVIDING FOR THE REMOVAL OF DD FORMS 214 AND OTHER MILITARY RECORDS FROM CERTAIN PUBLIC RECORDS, is withdrawn from the Calendar and placed on the Calendar of April 28.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Stam withdraws his objection to the third reading of **H.B. 281** (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.

The bill passes its third reading and is ordered sent to the Senate.

CALENDAR (continued)

H.B. 694, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE ASHEBORO MUNICIPAL AIRPORT AS THE OFFICIAL LOCATION OF THE NORTH CAROLINA AVIATION HALL OF FAME AND THE NORTH CAROLINA AVIATION MUSEUM.

On motion of Representative Brubaker and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 727, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT MEMBERS OF THE SOIL AND WATER CONSERVATION COMMISSION ARE AUTHORIZED TO HOLD OFFICE CONCURRENTLY WITH OTHER ELECTIVE OR APPOINTIVE OFFICES, passes its second reading, by electronic vote (100-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

WITHDRAWAL OF BILLS FROM CALENDAR

Pursuant to Rule 36(b)(2), the following bills are withdrawn from the Calendar pursuant to Rule 36(b), and re-referred to the Committee on Rules, Calendar, and Operations of the House.

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H.B. 473 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY REGISTRATION AND REGULATION OF THE USE OF ALL-TERRAIN VEHICLES.

H.B. 807 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE LAW ESTABLISHING THE ELECTIVE SHARE OF A DECEDENT'S SURVIVING SPOUSE AND TO REPEAL THE RIGHT OF A SURVIVING SPOUSE TO ELECT A LIFE INTEREST IN LIEU OF AN INTESTATE SHARE.

H.B. 1147 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE RECENTLY ENACTED RESTRICTIONS ON REQUESTING ABSENTEE BALLOTS.

H.B. 1163, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF COMMUNITY COLLEGES, THE STATE BOARD OF EDUCATION, PAMLICO COMMUNITY COLLEGE, AND THE PAMLICO COUNTY SCHOOLS TO ESTABLISH A TASK FORCE TO DEVELOP A PLAN FOR A TECHNICAL HIGH SCHOOL.

Pursuant to Rule 36(b)(2), the following bills are withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Appropriations:

H.B. 1074 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE A STATUTE TO CREATE A BUTNER ADVISORY COUNCIL SO AS TO ELECT ALL MEMBERS AT LARGE IN ONE MULTISEAT RACE AND ELIMINATE STAGGERED TERMS; TO DEFINE THE ELECTORAL JURISDICTION OF THE COUNCIL; AND TO AMEND THE LEGISLATION IN OTHER NEEDED WAYS.

H.B. 1141, A BILL TO BE ENTITLED AN ACT TO VERIFY RESIDENCY FOR DRIVERS LICENSES.

CALENDAR (continued)

H.B. 754 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PERSONS NOMINATED AS MAGISTRATES, passes its second reading, by electronic vote (103-0), 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.

H.B. 786, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PRIMA FACIE RULE FOR PARKING APPLIES TO CIVIL PARKING AND RED LIGHT CAMERA ENFORCEMENT ACTIONS.

On motion of Representative Culpepper, the bill is temporarily displaced.

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

H.B. 787, A BILL TO BE ENTITLED AN ACT TO ESTABLISH EQUITY IN REPORTING REQUIREMENTS BETWEEN FEDERAL POLITICAL COMMITTEES AND NORTH CAROLINA POLITICAL COMMITTEES, 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.

H.B. 796 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF STATE-OWNED REAL PROPERTY ENCOMPASSING THE DOROTHEA DIX HOSPITAL CAMPUS WITHOUT THE APPROVAL OF THE GENERAL ASSEMBLY.

Representative B. Allen offers Amendment No. 1 which is adopted by electronic vote (103-0).

The bill, as amended, passes its second reading, by electronic vote (72-31).

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

H.B. 786, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PRIMA FACIE RULE FOR PARKING APPLIES TO CIVIL PARKING AND RED LIGHT CAMERA ENFORCEMENT ACTIONS, which was temporarily displaced, is before the Body.

Representative Moore offers Amendment No. 1 which is adopted by electronic vote (99-1).

The bill, as amended, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

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Representative Weiss requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (95-0).

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. 797 (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ASSIST LOCAL SCHOOL ADMINISTRATIVE UNITS ON THE IMPLEMENTATION OF THE NO CHILD LEFT BEHIND ACT OF 2001, 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.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Stam withdraws his objection to the third reading of **H.B. 796** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF STATE-OWNED REAL PROPERTY ENCOMPASSING THE DOROTHEA DIX HOSPITAL CAMPUS WITHOUT THE APPROVAL OF THE GENERAL ASSEMBLY.

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

CALENDAR (continued)

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

H.B. 819, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE REQUIREMENT THAT THE COUNTY BOARDS OF ELECTIONS MUST PROVIDE BEYOND THE BUFFER ZONE AROUND THE VOTING PLACE A SPACE WHERE CAMPAIGNING AND OTHER ELECTION-RELATED ACTIVITY CAN BE CONDUCTED, passes its second reading, by electronic vote (91-10), 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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H.B. 829, A BILL TO BE ENTITLED AN ACT TO ADOPT THE NAIC MODEL STANDARD NONFORFEITURE LAW FOR INDIVIDUAL DEFERRED ANNUITIES, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 869, A BILL TO BE ENTITLED AN ACT TO ADVANCE THE DATE FOR REPORTING MAILED ABSENTEE AND ONE-STOP VOTES BY PRECINCT FROM 2006 TO 2004 FOR THOSE COUNTIES CAPABLE OF DOING SO, 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.

H.B. 928, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE APPALACHIAN STATE UNIVERSITY TO REGULATE PARKING ON CERTAIN STREETS, passes its second reading, by electronic vote (93-0), 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. 952, A BILL TO BE ENTITLED AN ACT TO MAKE A CLARIFYING CHANGE TO THE LAWS RELATING TO THE CONFIRMATION OF AN ARBITRATION AWARD UNDER THE FAMILY LAW ARBITRATION ACT, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 992, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC AND NONPROFIT HOSPITALS TO USE THE SET-OFF DEBT COLLECTION ACT.

On motion of Representative Insko, the bill is temporarily displaced.

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

H.B. 1062 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE COMMUNITY WATER SYSTEMS THAT REGULARLY

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SERVE ONE THOUSAND OR MORE SERVICE CONNECTIONS OR THREE THOUSAND OR MORE INDIVIDUALS TO PREPARE LOCAL WATER SUPPLY PLANS AND TO AUTHORIZE THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO MAKE DROUGHT DESIGNATIONS, passes its second reading, by electronic vote (87-5), and there being no objection is read a third time.

Representative Stiller states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". Representative McComas requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (89-4).

The bill passes its third reading and is ordered sent to the Senate.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Culpepper and without objection, **H.B. 1089**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING NOTICE OF TERMINATION OF FARM MACHINERY AGREEMENTS, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 249**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 18TH 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.

Representative Culpepper moves, seconded by Representative G. Allen, that the House adjourn, subject to the first reading and reference of bills to committees, the receipt of Messages from the Senate, and the receipt of Committee Reports, to reconvene Monday, April 28, 2003, at 6:00 p.m.

The motion carries.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

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By Representatives Pate, Sauls, and Insko:

H.B. 1233, A BILL TO BE ENTITLED AN ACT TO PROMOTE EFFICIENCY IN GOVERNMENT BY ALLOWING A SALES AND USE TAX EXEMPTION FOR LOCAL SCHOOL BOARDS INSTEAD OF A SALES AND USE TAX REFUND TO LOCAL SCHOOL BOARDS AND TO MODIFY THE SCHOOL ADMISSION REQUIREMENTS TO ENSURE THAT ALL STUDENTS ARE READY TO ENTER KINDERGARTEN, is referred to the Committee on Finance.

By Representatives Insko, Glazier, and Ross (Primary Sponsors); and Rapp:

H.B. 1234, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CENTRAL PURCHASING ENTITY TO PROVIDE FOR BULK PURCHASING OF PHARMACEUTICALS FOR STATE AGENCIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Alexander, Earle, Goodwin, and Nesbitt (Primary Sponsors); G. Allen, Bell, Bordsen, Church, Farmer-Butterfield, Glazier, Hackney, Insko, Parmon, Rapp, Wainwright, Warner, Weiss, and Womble:

H.B. 1235, A BILL TO BE ENTITLED AN ACT TO PROVIDE CANDIDATES FOR CERTAIN COUNCIL OF STATE OFFICES WITH THE OPTION OF FINANCING THEIR CAMPAIGNS FROM A PUBLICLY SUPPORTED FUND, PROVIDED THAT THEY GAIN AUTHORIZATION TO DO SO FROM REGISTERED VOTERS AND THAT THEY ABIDE BY STRICT FUND-RAISING AND SPENDING LIMITS, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Womble, Insko, Parmon, and Ross:

H.B. 1236, A BILL TO BE ENTITLED AN ACT TO DIRECT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WAYS TO COMPENSATE AND COUNSEL PERSONS WHO WERE STERILIZED THROUGH THE STATE'S EUGENIC STERILIZATION PROGRAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives G. Allen and Miner (Primary Sponsors):

H.B. 1237, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FEES THAT THE NORTH CAROLINA STATE

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BOARD OF DENTAL EXAMINERS MAY ASSESS, is referred to the Committee on Finance.

By Representatives Hackney and Insko (Primary Sponsors); and Glazier:

H.B. 1238, A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATUTORY FRAMEWORK FOR THE FINANCING OF CAPITAL FACILITIES BY THE STATE, TO AUTHORIZE THE ISSUANCE OF SPECIAL INDEBTEDNESS TO FINANCE THE CONSTRUCTION OF THE NORTH CAROLINA CANCER CENTER REPLACEMENT HOSPITAL, AND TO INCREASE THE CIGARETTE TAX TO PROVIDE A SOURCE OF FUNDS FOR THE CANCER CENTER, is referred to the Committee on Finance.

By Representatives Luebke, Holliman, Michaux, Miller, and Womble:

H.B. 1239, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR BETTER EVALUATION, ACCOUNTABILITY, AND EFFECTIVENESS OF ECONOMIC DEVELOPMENT INCENTIVES PAID FOR WITH PUBLIC FUNDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Luebke:

H.B. 1240, A BILL TO BE ENTITLED AN ACT TO PROVIDE GREATER RESOURCES FOR AUDITING THE BILL LEE ACT CREDITS, is referred to the Committee on Finance.

By Representative Luebke:

H.B. 1241, A BILL TO BE ENTITLED AN ACT TO REFORM THE BILL LEE ACT AND RELATED ECONOMIC DEVELOPMENT INCENTIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Luebke:

H.B. 1242, A BILL TO BE ENTITLED AN ACT TO MODIFY INCENTIVE PROGRAMS TO ASSURE THAT ECONOMIC DEVELOPMENT EFFORTS ARE TARGETED TO DISTRESSED AREAS, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Luebke:

H.B. 1243, A BILL TO BE ENTITLED AN ACT TO MODIFY INCENTIVE PROGRAMS TO ASSURE THAT ECONOMIC DEVELOPMENT EFFORTS ARE TARGETED TO TRULY DISTRESSED AREAS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Luebke:

H.B. 1244, A BILL TO BE ENTITLED AN ACT TO TARGET ECONOMIC INCENTIVES IN TIER FIVE TO THE AREAS OF GREATEST NEED, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Fox, Bell, Glazier, McLawhorn, Rapp, Warner, and Warren:

H.B. 1245, A BILL TO BE ENTITLED AN ACT TO MODIFY THE TEACHER SALARY SCHEDULE TO ENSURE THAT ALL TEACHERS RECEIVE AN ANNUAL INCREMENT AND TO APPROPRIATE FUNDS FOR THAT PURPOSE, is referred to the Committee on Appropriations.

By Representatives Nesbitt and C. Wilson (Primary Sponsors); Glazier, Insko, Ross, and Warner:

H.B. 1246, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE LOCAL JUVENILE CRIME PREVENTION COUNCILS, is referred to the Committee on Appropriations.

By Representative McComas:

H.B. 1247, 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 and Gibson (Primary Sponsors):

H.B. 1248, 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

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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 Representative McComas:

H.B. 1249, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY VARIOUS ASPECTS OF THE NORTH CAROLINA STATE PORTS AUTHORITY FACILITIES AND TO APPROPRIATE FUNDS FOR THE STUDY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Glazier and Goodwin:

H.B. 1250, A BILL TO BE ENTITLED AN ACT TO CREATE A NEW, SINGLE FUNDING STREAM TARGETED TO AT-RISK STUDENTS AND TO APPROPRIATE FUNDS FOR THAT PURPOSE, is referred to the Committee on Appropriations.

By Representative Glazier:

H.B. 1251, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ANNUAL BONUS TO HIGH SCHOOL PRINCIPALS IF THE FOUR-YEAR GRADUATION RATE INCREASES BY MORE THAN TEN PERCENT FROM THE PREVIOUS SCHOOL YEAR OR IF THE FOUR-YEAR GRADUATION RATE EXCEEDS EIGHTY PERCENT, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representative McComas:

H.B. 1252, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE FINANCE LAWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McComas:

H.B. 1253, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE FINANCE LAWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representative Miller:

H.B. 1254, A BILL TO BE ENTITLED AN ACT TO CREATE A DNA DATABANK IN THE DEPARTMENT OF COMMERCE FOR SCIENTIFIC RESEARCH AND STUDY USING THE DNA SAMPLES GATHERED FROM THE STATE BUREAU OF INVESTIGATION DNA DATABASE AND DATABANK, PROVIDED THE SAMPLES ARE STRIPPED OF PERSONAL IDENTIFYING INFORMATION, is referred to the Committee on Science and Technology and, if favorable, to the Committee on Finance.

By Representative Miller:

H.B. 1255, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF COMMERCE TO ESTABLISH A DNA DATABANK OF DNA SAMPLES LINKED WITH AN INDIVIDUAL'S MEDICAL RECORD PROVIDED VOLUNTARILY BY CERTAIN INDIVIDUALS CONVICTED OF CRIMINAL OFFENSES WHO ARE SERVING ACTIVE TIME, is referred to the Committee on Science and Technology and, if favorable, to the Committee on Finance.

By Representatives Miller and Walend (Primary Sponsors):

H.B. 1256, A BILL TO BE ENTITLED AN ACT TO DIRECT THE SECRETARY OF COMMERCE TO ESTABLISH A DNA DATABANK FOR THE VOLUNTARY SUBMISSION BY INDIVIDUALS OF DNA SAMPLES LINKED WITH THE INDIVIDUAL'S MEDICAL RECORD, is referred to the Committee on Science and Technology and, if favorable, to the Committee on Finance.

By Representatives Tolson and Nye (Primary Sponsors):

H.B. 1257, A BILL TO BE ENTITLED AN ACT AMENDING VARIOUS PROVISIONS UNDER THE RESPIRATORY CARE PRACTICE ACT, AUTHORIZING THE NORTH CAROLINA RESPIRATORY CARE BOARD TO ESTABLISH FEES FOR VERIFICATION OF LICENSURE STATUS AND APPROVAL OF CONTINUING EDUCATION PROGRAMS, AND AUTHORIZING THE BOARD TO ASSESS CIVIL PENALTIES FOR VIOLATIONS OF THE ACT, is referred to the Committee on Finance.

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By Representatives Bell, Insko, and Rapp:

H.B. 1258, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL BOARDS OF EDUCATION TO EMPLOY SCHOOL TESTING COORDINATORS, is referred to the Committee on Appropriations.

By Representatives Nye, Insko, and Warner:

H.B. 1259, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PROVIDE FOR IMPROVEMENT IN AND COORDINATION OF QUALITY OF CARE AND OVERSIGHT IN LONG-TERM CARE, is referred to the Committee on Appropriations.

By Representative Nye:

H.B. 1260, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FEES THAT THE BOARD OF EXAMINERS FOR SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS MAY ASSESS FOR CERTAIN FEES, is referred to the Committee on Finance.

By Representative McComas:

H.B. 1261, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS, is referred to the Committee on Appropriations.

By Representative McComas:

H.B. 1262, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW AFFECTING THE STATE PORTS, 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. 6 (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

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

S.B. 90 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CLEVELAND COUNTY SANITARY BOARD TO SET COMPENSATION FOR ITS MEMBERS, is read the first time and referred to the Committee on Local Government I.

S.B. 107 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING AN INSURER TO DISCLOSE THE USE OF NONORIGINAL CRASH REPAIR PARTS OR NONORIGINAL AUTO GLASS FOR MOTOR VEHICLE REPAIRS, is read the first time and referred to the Committee on Judiciary III.

S.B. 109 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT COUPONING OR WAIVING OF DEDUCTIBLES IN MOTOR VEHICLE GLASS REPAIR AND AUTOMOTIVE COLLISION REPAIR, is read the first time and referred to the Committee on Judiciary III.

S.B. 290 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE CITY OF GREENSBORO MAY ORDER OWNERS OF RESIDENTIAL PROPERTY TO REPAIR RATHER THAN VACATE HOUSING TO MEET MINIMUM CODE STANDARDS, is read the first time and referred to the Committee on Local Government II.

S.B. 323 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT THE IDENTITY OF A COMPLAINING PARTY AGAINST A LICENSEE OR AN UNLICENSED GENERAL CONTRACTOR BY THE LICENSING BOARD FOR GENERAL CONTRACTORS AND TO CLARIFY WHEN THE BOARD MAY SEEK INJUNCTIVE RELIEF, is read the first time and referred to the Committee on Judiciary IV.

S.B. 326 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW ON CHANGING THE FORMS OF BUSINESSES FOR UNEMPLOYMENT INSURANCE TAX PURPOSES AND TO INCREASE PENALTIES, SO AS TO DETER THE PRACTICE OF STATE UNEMPLOYMENT TAX AVOIDANCE (SUTA DUMPING), is read the first time and referred to the Committee on Judiciary I.

S.B. 359 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE FORSYTH COUNTY BOARD OF EDUCATION TO APPLY FOR AND BE GRANTED A CHARTER TO OPERATE A

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CHARTER SCHOOL, is read the first time and referred to the Committee on Education.

S.B. 503 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE LAWS RELATING TO THE ATTENDANCE AGES AND ELIGIBILITY OF STUDENTS FOR NORTH CAROLINA SCHOOLS FOR THE DEAF, is read the first time and referred to the Committee on Health.

S.B. 521 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE REGULATION OF PYROTECHNIC DISPLAYS, is read the first time and referred to the Committee on Judiciary II.

S.B. 558 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT CONSUMERS AND TRANSFERORS OF MOTOR VEHICLES UNAWARE OF PRIOR DAMAGE OR WHEN PRIOR DAMAGE WAS MINOR, is read the first time and referred to the Committee on Judiciary III.

S.B. 559 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MOTOR VEHICLE DEALER FRANCHISE LAWS, is read the first time and referred to the Committee on Judiciary III.

S.B. 563 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAWS REGULATING ATHLETE AGENTS AND TO ADOPT THE UNIFORM ATHLETE AGENTS ACT, is read the first time and referred to the Committee on Finance.

S.B. 568 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION AN APPOINTEE OF THE GOVERNOR AND TO MAKE CORRESPONDING STATUTORY CHANGES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 629 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS FOR SUBORDINATION AGREEMENTS, is read the first time and referred to the Committee on Judiciary I.

S.B. 704 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE TRAUMATIC BRAIN INJURY ADVISORY COUNCIL, is read the first time and referred to the Committee on Health.

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S.B. 714 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC SCHOOL EMPLOYEES DO NOT LOSE PAY WHILE THEY ARE ON MILITARY DUTY, is read the first time and referred to the Committee on Education.

S.B. 765 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE AREA OF WESTERN CORE SOUND THAT MAY BE LEASED FOR THE CULTIVATION OF SHELLFISH AND TO DIRECT THE DIVISION OF MARINE FISHERIES TO REPORT TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE ON THE IMPLEMENTATION OF THIS ACT, is read the first time and referred to the Committee on Environment and Natural Resources.

S.B. 772 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS THAT ALLOWS RETAILERS WHO ARE NOT LICENSED AS PLUMBING, HEATING, OR FIRE SPRINKLER CONTRACTORS TO SELL CERTAIN GOODS AND SERVICES TO BE INSTALLED BY LICENSEES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 825 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO PROTECT CERTAIN REPTILES AND AMPHIBIANS THAT REQUIRE CONSERVATION MEASURES, is read the first time and referred to the Committee on Wildlife Resources.

S.B. 831 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR IMPROVED STAGGERED TERMS OF THE MEMBERS OF THE CLEAN WATER MANAGEMENT FUND BOARD OF TRUSTEES, TO INCREASE THE NUMBER OF MEMBERS OF THE BOARD, AND TO MAKE APPOINTMENTS TO THE BOARD, is read the first time and referred to the Committee on Environment and Natural Resources.

S.B. 847 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY LATE FEES CHARGED TO RESIDENTIAL TENANTS AND TO PERMIT MILITARY PERSONNEL DEPLOYED ON CERTAIN TEMPORARY ASSIGNMENTS TO TERMINATE RENTAL AGREEMENTS EARLY, is read the first time and referred to the Committee on Judiciary III.

S.B. 876 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ANY PRIVATE OR PUBLIC INSTITUTION THAT

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OFFERS A POSTSECONDARY DEGREE TO PROVIDE MENINGOCOCCAL DISEASE IMMUNIZATION INFORMATION TO STUDENTS IF THE INSTITUTION HAS A RESIDENTIAL CAMPUS, is read the first time and referred to the Committee on Health.

S.B. 912 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF SEXUAL BATTERY, is read the first time and referred to the Committee on Judiciary I.

S.B. 940, A BILL TO BE ENTITLED AN ACT TO PROVIDE JOB PROTECTION FOR VOLUNTEER FIREFIGHTERS, RESCUE SQUAD WORKERS, AND EMERGENCY MEDICAL SERVICES PERSONNEL CALLED INTO THE SERVICE OF THE STATE IN RESPONSE TO A PROCLAMATION OF A STATE OF DISASTER BY THE GOVERNOR OR THE GENERAL ASSEMBLY, OR IN RESPONSE TO AN EMERGENCY SITUATION RESULTING IN THE ACTIVATION OF THE STATE EMERGENCY RESPONSE TEAM, is read the first time and referred to the Committee on State Government.

S.B. 965 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT CLEAR PROCEEDS OF ALL CIVIL PENALTIES, CIVIL FORFEITURES, AND CIVIL FINES COLLECTED BY A STATE AGENCY ARE REMITTED TO THE CIVIL PENALTY AND FORFEITURE FUND AND FAITHFULLY USED EXCLUSIVELY FOR MAINTAINING FREE PUBLIC SCHOOLS, 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 reports from standing committees and permanent subcommittees are presented:

By Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

H.B. 463, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT SCHOOL COUNSELORS SPEND THEIR TIME PROVIDING DIRECT SERVICES TO STUDENTS, 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.

H.B. 802, A BILL TO BE ENTITLED AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ADDITIONAL PURCHASING FLEXIBILITY, 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. 1135, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT STUDENTS RECOMMENDED FOR LONG-TERM SUSPENSION RECEIVE A FREE AND APPROPRIATE 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.

By Representatives Insko and Justus, Chairs, for the Committee on Health:

H.B. 346, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT NURSING HOMES AND ADULT CARE HOMES HAVE EMERGENCY GENERATORS FOR USE DURING POWER OUTAGES, 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. 815, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF CHEMICAL DEPENDENCY TREATMENT FACILITY TO PROVIDE THAT SOCIAL SETTING DETOXIFICATION FACILITIES AND MEDICAL DETOXIFICATION FACILITIES ARE NOT CHEMICAL DEPENDENCY TREATMENT FACILITIES FOR THE PURPOSES OF CERTIFICATE OF NEED REQUIREMENTS AND TO AMEND THE DEFINITION OF CHEMICAL DEPENDENCY TREATMENT BED TO PROVIDE THAT BEDS LICENSED FOR DETOXIFICATION ARE NOT CHEMICAL DEPENDENCY TREATMENT BEDS FOR THE PURPOSES OF CERTIFICATE OF NEED REQUIREMENTS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

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The bill is re-referred to the Committee on Appropriations.

H.B. 1177, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PHYSICIANS IN GOOD STANDING TO PRACTICE MEDICINE IN ANOTHER STATE MAY PRACTICE MEDICINE OR SURGERY AT A CAMP FOR THERAPEUTIC RECREATION FOR INDIVIDUALS WITH CHRONIC ILLNESSES UNDER CERTAIN RESTRICTED CONDITIONS, with a favorable report.

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

By Representatives Michaux and Stam, Chairs, for the Committee on Election Law and Campaign Finance Reform:

H.B. 1120, A BILL TO BE ENTITLED AN ACT TO PERMIT THE APPOINTMENT OF CERTAIN HIGH SCHOOL STUDENTS AS PRECINCT ASSISTANTS, 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 April 28. The original bill is placed on the Unfavorable Calendar.

By Representatives Cole and Gillespie, Chairs, for the Appropriations Subcommittee on Transportation, with approval of standing committee Chairs for report to be made directly to the floor of the House:

H.B. 48 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA MOVING AHEAD TRANSPORTATION INITIATIVE BY ALLOWING CASH BALANCES IN THE HIGHWAY TRUST FUND TO BE USED TO MEET CRUCIAL TRANSPORTATION NEEDS, TO REQUIRE FUNDS DESIGNATED BY THIS ACT FOR PRESERVATION, MODERNIZATION, AND MAINTENANCE BE EXPENDED IN ACCORDANCE WITH THE EQUITY DISTRIBUTION FORMULA, TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CERTIFY THAT USE OF FUNDS IN ACCORDANCE WITH THIS ACT WILL NOT DELAY CONSTRUCTION OF ANY HIGHWAY TRUST FUND PROJECT, TO REAFFIRM THE INTENT OF THE GENERAL ASSEMBLY THAT PROCEEDS FROM THE ISSUANCE OF BONDS UNDER AUTHORITY OF THE STATE HIGHWAY BOND ACT OF 1996 SHALL BE USED FOR THE PURPOSES STATED IN THAT ACT, AND FOR NO OTHER PURPOSE, AND TO

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EXPEDITE THE ISSUANCE OF PERMITS BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, with a favorable report and recommendation that the bill be 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:

H.B. 1048, A BILL TO BE ENTITLED AN ACT TO MAKE REVISIONS UNDER THE JUVENILE CODE REGARDING GUARDIANS AD LITEM, 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. 1219, A BILL TO BE ENTITLED AN ACT TO FURTHER CLARIFY THE DEFINITION OF DIVISIBLE PROPERTY UNDER THE LAWS RELATING TO EQUITABLE DISTRIBUTION, with a favorable report.

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

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

H.B. 108, A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF HABITUAL MISDEMEANOR LARCENY, 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. 327, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR DETONATING AN EXPLOSIVE DEVICE WITHIN A COURTHOUSE OR OTHER PUBLIC BUILDING AND FOR COMMITTING CERTAIN OTHER EXPLOSIVE DEVICES OFFENSES, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY 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.

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H.B. 497, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE AUTHORIZATION FOR CERTAIN PRIVATE CORRECTIONAL OFFICERS TO USE FORCE AND MAKE ARRESTS CONSISTENT WITH NORTH CAROLINA LAW, with a favorable report.

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

H.B. 609 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE LAWS PERTAINING TO THE AMUSEMENT DEVICE SAFETY ACT OF NORTH CAROLINA, with a favorable report.

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

H.B. 1023, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF UNDERINSURED HIGHWAY VEHICLE TO PROVIDE GREATER PROTECTION TO CONSUMERS INJURED IN MOTOR VEHICLE ACCIDENTS, with a favorable report as to 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 Decker and Pate, Chairs, for the Committee on Ways and Means:

H.B. 995, A BILL TO BE ENTITLED AN ACT TO PERMIT VEHICLES WITH PURPLE HEART RECIPIENT SPECIAL REGISTRATION PLATES TO PARK IN METERED SPACES FREE, 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.

SUBCOMMITTEE REFERRAL

Representatives Bonner, Hilton, Warner, and Wood, Chairs for the Standing Committee on Education, refer **H.B. 1195**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY MUST BE INFORMED OF ANY REQUEST FOR A CAMPUS INITIATED INCREASE IN TUITION OR FEES THAT IS APPROVED BY THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND TO PROVIDE THAT THE CAMPUS INITIATED INCREASE IN TUITION OR FEES SHALL NOT BECOME EFFECTIVE UNLESS

April 24, 2003

SPECIFICALLY AUTHORIZED BY THE GENERAL ASSEMBLY, to the Education Subcommittee on Universities.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Dockham and Warren, Chairs, for the Education Subcommittee on Pre-School, Elementary and Secondary Education, with approval of standing committee Chairs for report to be made directly to the floor of the House:

H.B. 318, A BILL TO BE ENTITLED AN ACT TO ALIGN STATE LAW WITH FEDERAL LAW ON STUDENTS WITH DISABILITIES, with a favorable report as to the committee substitute bill, unfavorable as to original bill.

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

By Representatives Brubaker and Saunders, Chairs, for the Committee on Public Utilities:

H.B. 257, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF CB RADIO EQUIPMENT IN A MANNER NOT AUTHORIZED BY THE FEDERAL COMMUNICATIONS 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. 913, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA UTILITIES COMMISSION TO DETERMINE A TIME IN WHICH FINAL RULES CONCERNING THE DESIGNATION OF A UNIVERSAL SERVICE PROVIDER FOR TELEPHONE SERVICE SHALL BE ADOPTED, with a favorable report.

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

H.B. 1201, A BILL TO BE ENTITLED AN ACT TO PROMOTE WATER CONSERVATION BY EXPANDING THE DEFINITION OF

April 24, 2003

CONTIGUOUS PREMISES TO INCLUDE MANUFACTURED HOMES AND MANUFACTURED HOME PARKS, with a favorable report.

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

By Representatives Allred and Coates, Chairs, for the Committee on Transportation:

H.B. 1019, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE I-85/I-40 CORRIDOR IN ALAMANCE COUNTY AS THE U.S. VETERANS MEMORIAL FREEWAY, 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.

H.B. 1174, A BILL TO BE ENTITLED AN ACT TO ENSURE THE SAFEST TRANSPORTATION POSSIBLE FOR NORTH CAROLINA PUBLIC SCHOOL STUDENTS INVOLVED IN SCHOOL-SPONSORED TRAVEL, 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 Appropriations.

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

SUBCOMMITTEE REFERRAL

Representatives Bonner, Hilton, Warner, and Wood, Chairs for the Standing Committee on Education, refer **H.B. 873**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT HEALTH EDUCATION COURSES OFFERED IN PUBLIC SCHOOLS PROVIDE MEDICALLY AND FACTUALLY ACCURATE INFORMATION, to the Education Subcommittee on Pre-School, Elementary and Secondary Education.

The House stands adjourned at 6:00 p.m.

FIFTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Monday, April 28, 2003

April 28, 2003

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by Speaker Black.

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

"God of creation and re-creation:

"How You shower us with beauty in our State. What a wonderful world You have made! We remember, O God, that when we human beings were placed in the middle of Your garden we were put here to till and keep Your good creation, living together in community. Governments and laws and regulations are our attempt to do that. Guide these good women and men, O God, that the work they accomplish here may bless You, may bless the citizens of our State, and may bless these Representatives with a sense of serving You in their public service.

"Especially tonight, we remember Representative Bonner's wife as she prepares for surgery.

"In your giving name we pray. Amen."

Speaker Black leads the Body in the Pledge of Allegiance.

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

A leave of absence is granted Representative McComas for today.

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

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

Michael F. Easley
Governor

April 28, 2003

April 25, 2003

The Honorable James Black
The Honorable Richard Morgan
Speakers of the House
NC General Assembly
Raleigh, NC 27601

Dear Speaker Black and Speaker Morgan:

Pursuant to General Statute §62-10, I hereby reappoint Ms. Jo Anne Sanford to serve as a member and chairperson of the North Carolina Utilities Commission and submit her name for confirmation by the North Carolina General Assembly. Her term shall begin July 1, 2003 and will expire June 30, 2011.

Ms. Sanford has served as a member of the Commission since 1995 and as chair since 1997.

Enclosed is biographical information on Ms. Sanford. Please feel free to call on her or members of my staff if you need additional information.

With kindest regards, I remain.

Very truly yours,
S/ Michael F. Easley

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

ENROLLED BILLS

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

S.B. 733, AN ACT TO PROVIDE FOR EXTENSIONS OF THE EXPIRATION DATES OF CERTAIN GENERAL NONDISCHARGE PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS THAT SERVE SWINE, CATTLE, AND POULTRY OPERATIONS AND TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE USE OF GENERAL NONDISCHARGE PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS THAT SERVE SWINE, CATTLE, AND POULTRY OPERATIONS TO PROTECT WATER QUALITY.

April 28, 2003

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

S.B. 482, AN ACT TO AUTHORIZE THE CITY OF DURHAM TO ANNEX ROADS THAT ARE ADJACENT ON BOTH SIDES TO PROPERTY ALREADY WITHIN THE CITY LIMITS.

H.B. 645, AN ACT PROVIDING THAT NO GOVERNMENT ENTITY OUTSIDE OF CURRITUCK COUNTY MAY ANNEX ANY PORTION OF CURRITUCK COUNTY, OR EXTEND ITS EXTRA-TERRITORIAL JURISDICTION INTO CURRITUCK COUNTY.

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

H.J.R. 813, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BONNIE E. CONE, FOUNDER OF THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE. (RESOLUTION 2003-9)

CHAPTERED BILLS

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

S.B. 30, AN ACT AMENDING THE CHARTER OF THE TOWN OF DALLAS TO AUTHORIZE THE BOARD OF ALDERMEN TO DELEGATE THE AUTHORITY TO SUSPEND OR REMOVE EMPLOYEES. (S.L. 2003-22)

S.B. 465, AN ACT TO ALLOW THE CITIES OF GOLDSBORO AND HIGH POINT TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND HAVE THE OPTION OF DEMOLISHING THOSE BUILDINGS PURSUANT TO G.S. 160A-432. (S.L. 2003-23)

S.B. 338, AN ACT TO REMOVE THE SUNSET ON THE LAW PROVIDING THAT CERTAIN SECONDARY SUPPLIERS OF ELECTRIC SERVICE MAY FURNISH SERVICE WITHIN THE CORPORATE LIMITS OF A CITY WITH WRITTEN CONSENT FROM THE CITY, ALLOWING THE MEMBERS OF AN ELECTRIC MEMBERSHIP CORPORATION TO VOTE BY PROXY ON DECISIONS TO ENCUMBER CORPORATE PROPERTY OR TO DISSOLVE THE CORPORATION,

April 28, 2003

AND MAKING TECHNICAL CHANGES TO THE LAW REGARDING MUNICIPAL ELECTRIC SERVICE. (S.L. 2003-24)

H.B. 320, AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS. (S.L. 2003-25)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

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

H.B. 1151, A BILL TO BE ENTITLED AN ACT TO AMEND THE ADMINISTRATIVE PROCEDURE ACT TO REVISE THE PROCEDURE FOR ADOPTING PERMANENT AND TEMPORARY RULES, TO CREATE A PROCEDURE FOR THE ADOPTION OF EMERGENCY RULES, AND TO CLARIFY THE ROLE OF THE RULES 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 Representative Hackney, Chair, for the Committee on Judiciary I:

H.B. 562, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO USE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS DURING A THREE-YEAR PILOT PROGRAM IN DESIGNATED CORRIDORS; TO AUTHORIZE THE CITY OF CHARLOTTE TO ESTABLISH CIVIL PENALTIES FOR SPEED LIMIT AND SCHOOL ZONE SPEED LIMIT VIOLATIONS; AND TO AUTHORIZE THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION AND THE SECRETARY OF CRIME CONTROL AND PUBLIC SAFETY TO APPROVE STANDARDS FOR THE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS, 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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H.B. 1047, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE CIVIL ACTIONS OF ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION, with a favorable report.

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

By Representative Goodwin, Chair, for the Committee on Occupational Safety and Health:

H.B. 1193, A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 95 OF THE GENERAL STATUTES TO PROVIDE THAT RESCUE AND PUBLIC SAFETY PERSONNEL SHALL NOT BE TERMINATED FOR BEING ABSENT FROM EMPLOYMENT DUE TO AN EMERGENCY, 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 Insko and Justus, Chairs, for the Committee on Health:

H.B. 883, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO TEMPORARILY WAIVE CERTAIN REQUIREMENTS OF THE MENTAL HEALTH COMMITMENT STATUTES TO FURTHER MENTAL HEALTH REFORM EFFORTS, 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 IV.

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

H.B. 886, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS PROVISIONS RELATING TO THE NORTH CAROLINA MEDICAL BOARD UNDER THE LAWS REGULATING THE PRACTICE OF MEDICINE, 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. 916, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A VACCINATION PROGRAM FOR FIRST RESPONDERS TO TERRORIST

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INCIDENTS, CATASTROPHIC OR NATURAL DISASTERS, OR EMERGENCIES, 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 Munford, Chair, for the Committee on Judiciary IV:

H.B. 785, A BILL TO BE ENTITLED AN ACT TO REWRITE RULE 45 OF THE NORTH CAROLINA RULES OF CIVIL PROCEDURE, 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. 925, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTY APPEAL IN JUVENILE "PAY ORDER" CASES, with a favorable report.

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

SUBCOMMITTEE REFERRAL

Representatives Baker, Clary, Crawford, Earle, Grady, Owens, Sherrill and Wright, Chairs for the Standing Committee on Appropriations, refer **H.B. 1074** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE A STATUTE TO CREATE A BUTNER ADVISORY COUNCIL SO AS TO ELECT ALL MEMBERS AT LARGE IN ONE MULTISEAT RACE AND ELIMINATE STAGGERED TERMS; TO DEFINE THE ELECTORAL JURISDICTION OF THE COUNCIL; AND TO AMEND THE LEGISLATION IN OTHER NEEDED WAYS, to the Appropriations Subcommittee on Health and Human Services.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 468, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING THE MODIFICATION AND TERMINATION OF IRREVOCABLE TRUSTS, is read the first time and referred to the Committee on Judiciary IV.

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S.B. 659 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF THE SECRETARY OF STATE TO INCLUDE IN ITS ANNUAL REPORT INFORMATION REGARDING SOLICITATIONS OF CHARITABLE CONTRIBUTIONS THAT INFORMS THE PUBLIC OF THE PERCENTAGES OF THE SOLICITORS' REVENUES THAT CHARITABLE ORGANIZATIONS OR SPONSORS WILL RECEIVE AS BENEFITS FROM SOLICITATION CAMPAIGNS AND TO PROVIDE FOR WIDER DISSEMINATION OF THE ANNUAL REPORT TO THE PUBLIC, is read the first time and referred to the Committee on Ways and Means.

S.B. 753 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PERSONS NOMINATED AS MAGISTRATES, is read the first time and referred to the Committee on Judiciary IV.

S.B. 813, A BILL TO BE ENTITLED AN ACT RELATING TO THE RECOMMENDATIONS OF THE GOVERNOR'S COMMISSION TO PROMOTE GOVERNMENT EFFICIENCY AND SAVINGS ON STATE SPENDING RELATING TO A FEE FOR THE STATEWIDE ACCOUNTS RECEIVABLE PROGRAM, is read the first time and referred to the Committee on Finance.

S.B. 848 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA VETERINARY MEDICAL BOARD TO ENTER INTO AGREEMENTS WITH ORGANIZATIONS THAT HAVE DEVELOPED PROGRAMS FOR IMPAIRED VETERINARY PERSONNEL, is read the first time and referred to the Committee on Occupational Safety and Health.

S.B. 897 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM PRIOR AUTHORIZATION REQUIREMENTS FOR PRESCRIPTION DRUGS UNDER THE MEDICAID PROGRAM ANTIHEMOPHILIC DRUGS PRESCRIBED FOR THE TREATMENT OF HEMOPHILIA AND BLOOD DISORDERS, is read the first time and referred to the Committee on Health.

S.B. 995 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW FLEXIBILITY IN SCHOOL CONSTRUCTION AND REPAIR CONTRACTS, is read the first time and referred to the Committee on Judiciary II.

April 28, 2003

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representative Ellis:

H.R. 1263, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE REGULAR SESSION OF THE HOUSE OF REPRESENTATIVES FOR THE 2003 REGULAR SESSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

INTRODUCTION OF PAGES

Pages for the week of April 28 are introduced to the membership. They are: Kristin Broadwell of Wake; Stacey Capps of Wake; Precious Clements of Wake; Luke Davis of Wake; Sade Gilbert of Wake; Joe Khalaf of Forsyth; Faith Mangum of Wake; Blair Smith of Cumberland; Michael Todd of Wake; and Vonda Walker of Pender.

CALENDAR

Action is taken on the following:

H.B. 742 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A PROPOSED ANNEXATION OF THE TOWN OF CAROLINA SHORES, 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 Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtridg, Daughtry, Decker, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Hill, Hilton, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston,

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Rapp, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sherrill, Stam, Sutton, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, K. Williams, C. Wilson, G. Wilson, Womble and Yongue - 103.

Voting in the negative: None.

Excused absence: Representative McComas.

Representatives Ray and Stiller request and are granted permission to be recorded as voting "aye". The adjusted vote total is (105-0).

H.B. 214 (Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING THE TAX COLLECTOR OF MADISON COUNTY AN APPOINTED OFFICE RATHER THAN AN ELECTED OFFICE, 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. 737, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RECALL ELECTIONS FOR THE DURHAM BOARD OF EDUCATION, 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. 750 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF PINEBLUFF TO CONVEY TO ADJACENT PROPERTY OWNERS INTERNAL CENTER COURTS AND ALLEYS AT PRIVATE NEGOTIATED 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.

H.B. 855 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES FOR BLUE RIDGE PARKWAY FOUNDATION, SURVEYORS, RETIRED LAW ENFORCEMENT OFFICERS, ALTERNATIVE FUEL VEHICLES, ZETA PHI BETA SORORITY, BREAST CANCER AWARENESS, AND MOTHERS AGAINST DRUNK DRIVING, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barnhart,

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Bell, Blackwood, Blust, Bonner, Bordsen, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Hill, Hilton, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, LaRoque, Lewis, Lucas, Luebke, McAllister, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sherrill, Stam, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, and Yongue - 105.

Voting in the negative: Representatives Bowie, Daughtridge, Harrell, Kiser, and Sutton - 5.

Excused absence: Representative McComas.

H.B. 796 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF STATE-OWNED REAL PROPERTY ENCOMPASSING THE DOROTHEA DIX HOSPITAL CAMPUS WITHOUT THE APPROVAL OF THE GENERAL ASSEMBLY.

The bill, as amended, passes its third reading, by electronic vote (73-39), and is ordered engrossed and sent to the Senate.

H.J.R. 69, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THOMAS BELL HUNTER, FORMER MEMBER OF THE GENERAL ASSEMBLY, 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 by Special Message.

FISCAL NOTE ATTACHED

The fiscal note requested by Representative Grady on April 22 is attached to **H.B. 303** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE HEALTHY, ACTIVE CHILDREN IN KINDERGARTEN THROUGH EIGHTH GRADE, and the bill appears on today's Calendar.

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On motion of Speaker Black, the bill is temporarily displaced.

CALENDAR (continued)

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

H.B. 425 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT THAT SMALL HORSE TRAILERS DESIGNED TO CARRY FOUR OR FEWER HORSES MUST STOP AT PERMANENT WEIGH STATIONS, 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. 817, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PISTOL MAY BE PURCHASED BY A PERSON WHO HAS A CONCEALED HANDGUN PERMIT WITHOUT OBTAINING AN ADDITIONAL PERMIT TO PURCHASE A HANDGUN.

On motion of Representative Hilton, the bill is temporarily displaced.

H.B. 818 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE EFFECTIVE DATE OF THE ACT PROVIDING FOR THE REMOVAL OF DD FORMS 214 AND OTHER MILITARY RECORDS FROM CERTAIN PUBLIC RECORDS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 826, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONFIDENTIALITY PROVISIONS OF CHAPTER 122C OF THE GENERAL STATUTES TO PERMIT IMPLEMENTATION OF MENTAL HEALTH SYSTEM REFORM, 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.

April 28, 2003

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

H.B. 864 (Committee Substitute), A BILL TO BE ENTITLED AN ACT INCREASING THE EFFICIENCY OF GUARANTEED ENERGY SAVINGS CONTRACTS FOR STATE GOVERNMENTAL UNITS, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

Representative L. Johnson states that her voting equipment malfunctioned and she requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (112-0).

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. 895, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LICENSING BOARD OF GENERAL CONTRACTORS TO ESTABLISH TEMPORARY RULES THAT ALLOW A LICENSEE TO BID AND CONTRACT DIRECTLY WITH THE OWNER OF A PUBLIC BUILDING PROJECT IN CERTAIN CIRCUMSTANCES, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 817, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PISTOL MAY BE PURCHASED BY A PERSON WHO HAS A CONCEALED HANDGUN PERMIT WITHOUT OBTAINING AN ADDITIONAL PERMIT TO PURCHASE A HANDGUN, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (93-24).

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

H.B. 303 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE HEALTHY, ACTIVE CHILDREN IN KINDERGARTEN THROUGH EIGHTH GRADE, which was temporarily displaced, is before the Body.

Representative Daughtridg offers Amendment No. 1 which is adopted by electronic vote (111-6).

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The bill, as amended, passes its second reading, by electronic vote (62-56), 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.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.J.R. 1019, A JOINT RESOLUTION ACKNOWLEDGING THE HENDERSON COUNTY EDUCATION FOUNDATION ON ESTABLISHING A HALL OF FAME AND HONORING THE MEMORY OF GLENN C. MARLOW AND HUGH D. RANDALL, FORMER SUPERINTENDENTS AND INDUCTEES OF THE HALL OF FAME, 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 permanent subcommittee is presented:

By Representatives Bowie and McAllister, Chairs, for the Education Subcommittee on Universities, with approval of standing committee Chairs for report to be made directly to the floor of the House:

H.B. 1071, A BILL TO BE ENTITLED AN ACT TO CLARIFY EMPLOYEE FLEXIBLE COMPENSATION PLANS OF THE UNIVERSITY OF NORTH CAROLINA, 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.

CALENDAR (continued)

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

H.B. 917 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAWS RELATED TO PERMISSIBLE INTEREST RATES FOR HOME LOANS SECURED BY FIRST MORTGAGES.

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Representative McGee requests that he be excused from voting on this bill, because he is retired from one of the companies being provided benefit if enacted, under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (80-35).

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

Representative Gorman requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (81-34).

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

H.B. 994 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE STATE, COUNTIES, AND CITIES TO CONSTRUCT PRE-ENGINEERED STRUCTURES WITHOUT HAVING THE PLANS AND SPECIFICATIONS FOR THE STRUCTURES REVIEWED BY A REGISTERED ARCHITECT OR ENGINEER, passes its second reading, by electronic vote (115-3), 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. 1003 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO STATE GOVERNMENT INFORMATION TECHNOLOGY SECURITY.

Representative Tolson offers Amendment No. 1 which is adopted by electronic vote (116-0).

The bill, as amended, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

Representative Sauls requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (115-0).

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.

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H.B. 1046 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEFINE THE OFFENSE OF AGGRESSIVE DRIVING, passes its second reading, by electronic vote (95-20).

Representative Culpepper 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. 1070, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXPENDITURE BENCHMARK FOR A SPECIAL RESPONSIBILITY CONSTITUENT INSTITUTION FOR CERTAIN PURCHASING CONTRACTS.

Representative Miner offers Amendment No. 1 which is adopted by electronic vote (105-8).

The bill, as amended, passes its second reading, by electronic vote (104-8), 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. 1120 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE APPOINTMENT OF CERTAIN HIGH SCHOOL STUDENTS AS STUDENT ELECTION ASSISTANTS, passes its second reading, by electronic vote (106-7).

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

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

H.B. 1126 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING COLLABORATIVE LAW PROCEDURES UNDER CHAPTER 50 OF THE GENERAL STATUTES WHEREBY PARTIES SEEKING A DIVORCE AND THEIR ATTORNEYS MAY SETTLE THEIR DISPUTES BY WRITTEN AGREEMENT WITH LIMITED JUDICIAL INTERVENTION, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

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H.B. 1140 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE QUICK REMOVAL OF VEHICLES, SPILLED CARGO, OR OTHER PERSONAL PROPERTY FROM CONTROLLED-ACCESS HIGHWAYS, passes its second reading, by electronic vote (114-1).

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.

H.B. 1159 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MILITARY DRIVERS LICENSE EXPIRATION PROCEDURE WITHIN THE DIVISION OF MOTOR VEHICLES, 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.

H.B. 1175, A BILL TO BE ENTITLED AN ACT ALLOWING FAIR HOUSING ORGANIZATIONS TO FILE COMPLAINTS WITH THE STATE HUMAN RELATIONS 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.

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

H.B. 1129 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE SERVICE REQUIREMENTS TO CONFORM WITH RULE 4 OF THE NORTH CAROLINA RULES OF CIVIL PROCEDURE, AND TO MAKE TECHNICAL AND OTHER CHANGES TO THE WAGE AND HOUR ACT AND THE PRIVATE PERSONNEL SERVICES ACT, 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.

H.B. 1210, A BILL TO BE ENTITLED AN ACT MODIFYING THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF THE NORTH

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CAROLINA SCHOOL OF THE ARTS, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 1211, A BILL TO BE ENTITLED AN ACT MODIFYING THE MEMBERSHIP OF THE BOARD OF THE NORTH CAROLINA ARBORETUM, passes its second reading, by electronic vote (112-3), 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. 1119 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE ELECTION LAWS, passes its second reading, by electronic vote (114-0).

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

NOTICE GIVEN PURSUANT TO RULE 39(b)

Representative Ellis gives notice, pursuant to Rule 39(b), of his intention to move to suspend Rule 39 regarding **H.R. 1263**, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE REGULAR SESSION OF THE HOUSE OF REPRESENTATIVES FOR THE 2003 REGULAR SESSION, on April 29, 2003.

RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 84**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CABARRUS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government I.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 250**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 18TH HOUSE DISTRICT, is withdrawn from the Committee on

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Rules, Calendar, and Operations of the House and re-referred to the Committee on Alcoholic Beverage Control.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 499**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROWAN, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government II.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 773**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO REQUIRE SPRINKLERS IN BARS, CLUBS, AND OTHER SIMILAR PLACES OF PUBLIC ASSEMBLY, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government I.

On motion of Representative Culpepper, seconded by Representative Owens, the House adjourns at 9:17 p.m. to reconvene April 29 at 3:00 p.m.

FIFTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 29, 2003

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by Speaker Morgan.

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

"God of justice and righteousness, You call us as Your children to follow in Your ways. You show us what You expect and give us the gifts that we need to follow, yet we admit that our humanity sometimes gets in the way - and we do like to have our own way. As work continues in this Body of Government this week, give to each of these women and men creative minds for just solutions and community righteousness. Give them insight into the effect their decisions have on the people of our State. Bless them in their right decisions and mercifully reprove the wrong. Always hold before them the common good of our great State and the needs of its

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people. And fill each of them, O God, with a sense of accomplishment in these long and tiring days of a job well done and a public well served.

"Today especially, we lift up to Your care Jo Maxson of the Principal Clerk's Office who was taken to the hospital this afternoon.

"In Your great name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 28 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Bonner for today. Representatives McGee and Parmon 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. 482, AN ACT TO AUTHORIZE THE CITY OF DURHAM TO ANNEX ROADS THAT ARE ADJACENT ON BOTH SIDES TO PROPERTY ALREADY WITHIN THE CITY LIMITS. (S.L. 2003-26)

H.B. 645, AN ACT PROVIDING THAT NO GOVERNMENT ENTITY OUTSIDE OF CURRITUCK COUNTY MAY ANNEX ANY PORTION OF CURRITUCK COUNTY, OR EXTEND ITS EXTRATERRITORIAL JURISDICTION INTO CURRITUCK COUNTY. (S.L. 2003-27)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Bowie and McAllister, Chairs, for the Education Subcommittee on Universities, with approval of standing committee Chairs for report to be made directly to the floor of the House:

H.B. 975, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE UNIVERSITY OF NORTH CAROLINA FROM CERTAIN REQUIREMENTS REGARDING TERM AND CONVENIENCE CONTRACTS,

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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 April 30. The original bill is placed on the Unfavorable Calendar.

By Representative Womble, Chair, for the Committee on State Government:

H.B. 483, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE ABROGATION OF OFFENSIVE PLACE-NAMES THROUGHOUT THE STATE, with a favorable report, as amended.

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

H.B. 751, A BILL TO BE ENTITLED AN ACT RELATING TO THE TITLE TO EXISTING LAND AND THE LAND BUILT UP AND CONSTRUCTED IN THE TOWN OF KITTY HAWK IN THE COUNTY OF DARE AS A RESULT OF CERTAIN EROSION CONTROL WORK IN SAID TOWN AND ANNEXING A TRACT TO THE CORPORATE LIMITS OF THAT TOWN, 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.

H.B. 859, A BILL TO BE ENTITLED AN ACT TO ELIMINATE STATEWIDE VOTING TO ELECT MEMBERS OF THE BOARD OF MORTUARY SCIENCE AND TO ESTABLISH A NEW PROCESS WHEREBY MEMBERS ARE APPOINTED TO SERVE ON THE BOARD, 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 April 30. The original bill is placed on the Unfavorable Calendar.

H.J.R. 958, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY JOB SHARING IN STATE GOVERNMENT EMPLOYMENT, with a favorable report and

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recommendation that the resolution be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The resolution is re-referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 964, A BILL TO BE ENTITLED AN ACT ELIMINATING THE REQUIREMENT THAT THE STATE PURCHASING OFFICER DETERMINE WHETHER THREE QUALIFIED VENDORS ARE AVAILABLE IN FURNITURE REQUIREMENTS CONTRACTS AND CLARIFYING THE TERM QUALIFIED VENDOR IN SUCH CONTRACTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 30.

H.B. 974, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ANY DEPARTMENT, INSTITUTION, OR AGENCY OF THE STATE FROM PURCHASING FOOD PRODUCTS CONTAINING MILK PROTEIN CONCENTRATE OR RECONSTITUTED MILK, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 30.

H.B. 1052, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONSOLIDATION OF ADMINISTRATIVE FUNCTIONS WITHIN STATE GOVERNMENT, AS RECOMMENDED BY THE GOVERNOR'S COMMISSION TO PROMOTE GOVERNMENT EFFICIENCY AND SAVINGS ON STATE SPENDING, with a favorable report.

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

H.B. 1146, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF THE DEPARTMENT OF ADMINISTRATION TO ADOPT RULES AND GUIDELINES FOR RETAINAGE FROM PAYMENT ON PUBLIC CONSTRUCTION CONTRACTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 30.

H.B. 1155, A BILL TO BE ENTITLED AN ACT ALLOWING PAY-ROLL DEDUCTION FOR STATE EMPLOYEES CONTRIBUTING TO THE PARENTAL SAVINGS TRUST FUND, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 30.

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H.B. 1221, A BILL TO BE ENTITLED AN ACT REQUIRING THE RETURN OF OVERPAYMENTS OF STATE FUNDS BY PERSONS IN STATE-SUPPORTED POSITIONS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 30.

By Representatives Holliman and Setzer, Chairs, for the Committee on Insurance:

H.B. 208, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROMPT PAY LAW TO CLARIFY THAT A "CLAIMANT" UNDER THE LAW INCLUDES "AN INSURED"; THAT THIRTY DAYS REFERENCES ARE TO THIRTY "CALENDAR" DAYS; THAT THE NINETY-DAY DEADLINE FOR RESPONDING TO ADDITIONAL INFORMATION REQUESTS FROM AN INSURER ONLY APPLIES TO CLAIMS NOT ALREADY DENIED; TO REQUIRE, UNDER THE PROMPT PAY LAWS, A STATUS REPORT WHEN CLAIMS ARE NOT PAID OR DENIED WITHIN SIXTY DAYS EVEN WHEN THE INSURER IS AWAITING INFORMATION REQUESTED FROM THE CLAIMANT; TO REMOVE FROM THE UNIFORM CREDENTIALING STATUTE AN UNNECESSARY PROVISION; AND TO AMEND UTILIZATION REVIEW LAWS TO CLARIFY THAT A SECOND-LEVEL GRIEVANCE REVIEW PANEL CAN CONSIST OF ONE OR MORE PERSONS, 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 April 30. The original bill is placed on the Unfavorable Calendar.

By Representative Hackney, Chair, for the Committee on Judiciary I:

H.B. 950, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO OBTAIN A COURT ORDER BEFORE PLACING A JUVENILE COMMITTED TO A TRAINING SCHOOL IN AN ALTERNATIVE PROGRAM OF THE DEPARTMENT, 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 April 30. The original bill is placed on the Unfavorable Calendar.

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H.B. 1037, A BILL TO BE ENTITLED AN ACT TO ESTABLISH CRIMINAL PENALTIES FOR ALLOWING JUVENILES TO ESCAPE; TO ALLOW JUVENILE DETENTION FACILITIES TO PHOTOGRAPH JUVENILES AND TO RELEASE THE PHOTOGRAPHS WHEN THE JUVENILE ESCAPES; TO ALLOW THE HOLDING OF A JUVENILE IN A LOCAL CONFINEMENT FACILITY WHILE AWAITING TRIAL AS AN ADULT; AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES, 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 April 30. The original bill is placed on the Unfavorable Calendar.

By Representatives Insko and Justus, Chairs, for the Committee on Health:

H.B. 907, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE COUNCIL FOR THE DEAF AND HARD OF HEARING AND TO CHANGE THE APPOINTING AUTHORITY AND MEMBERSHIP COMPOSITION OF TWO OF THE MEMBERS APPOINTED TO THE COUNCIL, 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 April 30. The original bill is placed on the Unfavorable Calendar.

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

H.B. 969, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO CHANGE THE TERM OF OFFICE OF MAGISTRATES, with a favorable report, as amended.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 30.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

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By Representative Miner:

H.B. 1264, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FINANCE LAWS OF THE STATE, is referred to the Committee on Finance.

By Representative Miner:

H.B. 1265, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FINANCE LAWS OF THE STATE, is referred to the Committee on Finance.

By Representative Miner:

H.B. 1266, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FINANCE LAWS OF THE STATE, is referred to the Committee on Finance.

By Representative Miner:

H.B. 1267, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FINANCE LAWS OF THE STATE, is referred to the Committee on Finance.

By Representatives Blackwood, Barbee, Bowie, Capps, Crawford, Creech, Culp, Daughtry, Dockham, Eddins, Ellis, Frye, Gorman, Gulley, Hilton, Holmes, Justice, Lewis, McHenry, McMahan, Mitchell, Pate, Preston, Rhodes, Sauls, Sexton, Walend, West, and K. Williams:

H.B. 1268, A BILL TO BE ENTITLED AN ACT TO STIMULATE THE ECONOMY BY EXEMPTING FROM INCOME TAX INCOME DERIVED FROM MANUFACTURING, is referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 102 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A VACANCY OCCURS IN THE OFFICE OF SHERIFF OF SURRY COUNTY, THE BOARD OF COMMISSIONERS SHALL CONSULT WITH THE COUNTY EXECUTIVE COMMITTEE OF THE PARTY WITH WHICH THE SHERIFF WAS

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ELECTED AS A NOMINEE, AND IF THE EXECUTIVE COMMITTEE MAKES A NOMINATION WITHIN 30 DAYS, THE BOARD OF COMMISSIONERS MUST APPOINT THAT PERSON, is read the first time and referred to the Committee on Local Government II.

S.B. 243, A BILL TO BE ENTITLED AN ACT TO NAME THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY, is read the first time and referred to the Committee on Local Government II.

S.J.R. 366 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 449 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY ADMISSIBLE EVIDENCE THAT THE PERSON WITHDRAWING BLOOD IN AN IMPAIRED DRIVING CASE IS A LICENSED PHYSICIAN, NURSE, OR AN OTHERWISE QUALIFIED PERSON, is read the first time and referred to the Committee on Judiciary I.

S.B. 620 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ADDITIONAL PURCHASING FLEXIBILITY AND TO ENCOURAGE THEM TO USE THE NC E-PROCUREMENT SERVICE, is read the first time and referred to the Committee on Education.

S.B. 693 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ENHANCED SENTENCES AS RECOMMENDED BY THE SENTENCING COMMISSION AND TO MAKE CONFORMING CHANGES, is read the first time and referred to the Committee on Judiciary IV.

S.B. 701, A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY CERTAIN PUBLIC SCHOOL PROFESSIONAL PERSONNEL, is read the first time and referred to the Committee on Education.

S.B. 708 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS ON PROSPECTIVE

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MEMBERS OF VOLUNTEER FIRE DEPARTMENTS, is read the first time and referred to the Committee on Judiciary I.

S.B. 750 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CEILING THAT A SMALL BREWERY MAY PRODUCE WITHOUT BEING REQUIRED TO GO THROUGH A MALT BEVERAGE DISTRIBUTOR, is read the first time and referred to the Committee on Alcoholic Beverage Control.

S.B. 751 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE NORTH CAROLINA FOOD, DRUG AND COSMETIC ACT, is read the first time and referred to the Committee on Agriculture.

S.B. 758 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO OPEN UP THE HEALTH INSURANCE MARKET FOR SMALL EMPLOYERS IN NORTH CAROLINA, is read the first time and referred to the Committee on Insurance.

S.B. 771 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE USE OF A PERSON'S CREDIT HISTORY FOR DISCOUNTING RATES ON AUTOMOBILE AND HOMEOWNERS' INSURANCE AND TO PROHIBIT THE USE OF A PERSON'S CREDIT HISTORY AS A SOLE BASIS FOR TERMINATING INSURANCE COVERAGE OR SUBJECTING A POLICY TO CONSENT TO RATE, is read the first time and referred to the Committee on Insurance.

S.B. 776 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF EMPLOYEE UNDER THE WORKERS' COMPENSATION ACT, is read the first time and referred to the Committee on Judiciary II.

S.B. 819, A BILL TO BE ENTITLED AN ACT REGARDING THE USE OF STATE-OWNED PROPERTY IN THE BLOUNT STREET HISTORIC DISTRICT, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 887 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MANDATE INSURANCE COVERAGE FOR SURVEILLANCE TESTS FOR WOMEN AGE TWENTY-FIVE AND OLDER AND AT RISK FOR OVARIAN CANCER, is read the first time and referred to the Committee on Insurance.

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S.B. 925 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAWS TO PREVENT SECURITIES FRAUD AND TO CLARIFY THE PROHIBITION ON STATE CONTRACTS 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 Judiciary I.

S.B. 952 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE NEW CHALLENGE GRANTS AVAILABLE FROM THE DISTINGUISHED PROFESSORS ENDOWMENT TRUST FUND FOR CERTAIN CONSTITUENT INSTITUTIONS, is read the first time and referred to the Committee on Education.

S.B. 1011 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DUTIES OF PERSONS WHO RECEIVE FOR DISTRIBUTION SUMS RECOVERED FOR PERSONAL INJURY WITH RESPECT TO LIENS IN FAVOR OF PROVIDERS OF HEALTH-RELATED GOODS AND SERVICES, is read the first time and referred to the Committee on Judiciary I.

WITHDRAWAL OF BILLS FROM CALENDAR

Pursuant to Rule 36(b)(2), the following bills are withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Rules, Calendar, and Operations of the House:

H.B. 346 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA STUDY COMMISSION ON AGING TO STUDY REQUIRING NURSING HOMES AND ADULT CARE HOMES TO HAVE EMERGENCY GENERATORS FOR USE DURING POWER OUTAGES.

H.B. 802 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ADDITIONAL PURCHASING FLEXIBILITY AND TO ENCOURAGE THEM TO USE THE NC E-PROCUREMENT SERVICE.

H.B. 1012, A BILL TO BE ENTITLED AN ACT ELIMINATING THE PORTFOLIO REQUIREMENT FOR TEACHER CERTIFICATION.

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 48 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA MOVING AHEAD TRANSPORTATION INITIATIVE BY ALLOWING CASH BALANCES IN THE HIGHWAY TRUST FUND TO BE USED TO MEET CRUCIAL TRANSPORTATION NEEDS, TO REQUIRE FUNDS DESIGNATED BY THIS ACT FOR PRESERVATION, MODERNIZATION, AND MAINTENANCE BE EXPENDED IN ACCORDANCE WITH THE EQUITY DISTRIBUTION FORMULA, TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CERTIFY THAT USE OF FUNDS IN ACCORDANCE WITH THIS ACT WILL NOT DELAY CONSTRUCTION OF ANY HIGHWAY TRUST FUND PROJECT, TO REAFFIRM THE INTENT OF THE GENERAL ASSEMBLY THAT PROCEEDS FROM THE ISSUANCE OF BONDS UNDER AUTHORITY OF THE STATE HIGHWAY BOND ACT OF 1996 SHALL BE USED FOR THE PURPOSES STATED IN THAT ACT, AND FOR NO OTHER PURPOSE, AND TO EXPEDITE THE ISSUANCE OF PERMITS BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of April 30. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 469 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LENOIR AND DUPLIN COUNTIES, CERTAIN DISTRICTS CREATED BY LENOIR AND DUPLIN COUNTIES, AND MUNICIPALITIES LOCATED WITHIN LENOIR AND DUPLIN COUNTIES TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SERVICES, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

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Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of April 30. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 697 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF TROY AND ITS REDEVELOPMENT COMMISSION TO ACQUIRE PROPERTY WITHIN A REDEVELOPMENT AREA USING THE "QUICK TAKE" PROCEDURE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 30.

H.B. 755 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF CARY AND GARNER TO ACQUIRE PROPERTY FOR THE PRESENT OR FUTURE LOCATION OR RELOCATION OF TELEPHONE, TELEGRAPH, ELECTRIC, OR OTHER LINES TO BE OPERATED BY PUBLIC UTILITIES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 30.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Speaker Morgan and without objection, **H.B. 758** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO TAKE SHRIMP WITH A TRAWL NET IN CERTAIN INLAND WATERS IN BRUNSWICK AND NEW HANOVER COUNTIES, is withdrawn from the Calendar and re-referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.B. 742 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A PROPOSED ANNEXATION OF THE TOWN OF CAROLINA SHORES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle,

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Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, and Wright - 113.

Voting in the negative: None.

Excused absence: Representative Bonner.

H.B. 855 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES FOR BLUE RIDGE PARKWAY FOUNDATION, SURVEYORS, RETIRED LAW ENFORCEMENT OFFICERS, ALTERNATIVE FUEL VEHICLES, ZETA PHI BETA SORORITY, BREAST CANCER AWARENESS, AND MOTHERS AGAINST DRUNK DRIVING.

Representative McAllister offers Amendment No. 1 which is adopted by electronic vote (112-2).

Representative LaRoque requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (113-2).

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: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justus, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens,

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Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Stam, Starnes, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: Representatives Bowie, Creech, Daughtridge, Kiser, and Sutton - 5.

Excused absence: Representative Bonner.

Representative Sherrill requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (113-5).

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Luebke and without objection, **S.B. 51**, A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOPHOLE THAT ALLOWS CORPORATIONS TO CONTINUE AVOIDING FRANCHISE TAXES, is withdrawn from the Calendar and placed on the Calendar of May 8.

CALENDAR (continued)

H.B. 817, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PISTOL MAY BE PURCHASED BY A PERSON WHO HAS A CONCEALED HANDGUN PERMIT WITHOUT OBTAINING AN ADDITIONAL PERMIT TO PURCHASE A HANDGUN, passes its third reading, by electronic vote (99-17), and is ordered sent to the Senate.

H.B. 917 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAWS RELATED TO PERMISSIBLE INTEREST RATES FOR HOME LOANS SECURED BY FIRST MORTGAGES.

Pursuant to Rule 24.1A(c), the request that Representative McGee be excused from voting on April 28 is continued.

The bill passes its third reading, by electronic vote (88-29), and is ordered sent to the Senate.

H.B. 1046 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEFINE THE OFFENSE OF AGGRESSIVE DRIVING.

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Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (115-3).

The bill, as amended, passes its third reading, by electronic vote (104-14), and is ordered engrossed and sent to the Senate.

H.B. 1119 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE ELECTION LAWS.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (111-4).

The bill, as amended, passes its third reading, by electronic vote (114-3), and is ordered engrossed and sent to the Senate.

Representative Preston requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (115-3).

H.B. 1120 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE APPOINTMENT OF CERTAIN HIGH SCHOOL STUDENTS AS STUDENT ELECTION ASSISTANTS, passes its third reading, by electronic vote (116-3), and is ordered sent to the Senate.

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

H.B. 257 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF CITIZENS BAND RADIO EQUIPMENT NOT AUTHORIZED BY THE FEDERAL COMMUNICATIONS COMMISSION.

Representative Moore offers Amendment No 1.

On motion of Speaker Morgan, the bill is temporarily displaced.

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

H.B. 271 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF TEACHER IN A JOB-SHARING POSITION, TO FACILITATE JOB SHARING BY PUBLIC SCHOOL GUIDANCE COUNSELORS, AND TO AUTHORIZE THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY ISSUES RELATED TO JOB SHARING BY OTHER PUBLIC

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SCHOOL EMPLOYEES, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 318 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALIGN STATE LAW WITH FEDERAL LAW ON STUDENTS WITH DISABILITIES, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 331 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE DISABILITY INCOME PLAN OF NORTH CAROLINA, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Wright and without objection, **H.B. 339** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONFORM NORTH CAROLINA'S THIRD PARTY ADMINISTRATOR ARTICLE TO REVISIONS TO THE NAIC MODEL THIRD PARTY ADMINISTRATOR STATUTE; REQUIRE GROUP ANNUITY INSURERS TO ISSUE INDIVIDUAL CERTIFICATES OF COVERAGE TO EACH ANNUITANT; REORGANIZE ARTICLE 60 OF CHAPTER 58 OF THE GENERAL STATUTES AND AMEND CURRENT DISCLOSURE REQUIREMENTS FOR SOLICITATION OF LIFE INSURANCE PRODUCTS AND ANNUITIES; REQUIRE INSURERS TO NOTIFY EMPLOYEES OF THE EXISTENCE OF EMPLOYER-OWNED LIFE INSURANCE POLICIES WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF COVERAGE; REQUIRE THAT ASSOCIATION PREMIUM RATES FOR ACCIDENT AND HEALTH INSURANCE BE ACTUARIALLY SOUND AND THAT ASSOCIATIONS BE RATED AS A SINGLE GROUP WHEN THE COVERAGE PROVIDED IS NOT EMPLOYER-BASED;

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LIMIT AN INDIVIDUAL ACCIDENT AND HEALTH INSURER'S USE OF AN INDIVIDUAL'S OWN CLAIMS' EXPERIENCE TO DEVELOP THE INDIVIDUAL'S RENEWAL RATE; EXEMPT A SOLE PROPRIETOR FROM THE FULL-TIME BASIS OR THIRTY-HOUR WORKWEEK REQUIREMENTS TO BE ELIGIBLE FOR LARGE GROUP HEALTH COVERAGE LIKE THE PROPRIETOR'S FULL-TIME EMPLOYEES; CORRECT AN INADVERTENT CROSS-REFERENCE IN ORDER TO REAPPLY NEWBORN COVERAGE TO A MORE COMPREHENSIVE GROUP OF INSURERS; TECHNICALLY CORRECT AN OMISSION REGARDING PROVISIONS GOVERNING PREEXISTING CONDITIONS FOR LIMITED HEALTH, SUPPLEMENTAL HEALTH, AND SPECIFIED DISEASE POLICIES; DECREASE THE TOTAL NUMBER OF MEMBERS THAT SERVE ON THE SMALL EMPLOYER REINSURANCE POOL BOARD FROM NINE TO SIX; ALLOW PERSONS RETROACTIVELY ENROLLED IN MEDICARE PART B THE SAME SIX-MONTH OPEN ENROLLMENT PERIOD FOR MEDICARE SUPPLEMENT PLANS AS PERSONS WHO ENROLLED IN MEDICARE PART B WITHOUT A RETROACTIVE EFFECTIVE DATE OF COVERAGE; TECHNICALLY CORRECT THE REVOCATION AND SUSPENSION LAW TO INCLUDE A BENEFICIARY OF A LIFE OR ANNUITY CONTRACT AS A CLAIMANT; MANDATE HEALTH BENEFIT COVERAGE FOR DESIGNATED TRAVEL EXPENSES WHEN THE REQUIRED DISTANCE TRAVELED THRESHOLD IS MET; AND MAKE TECHNICAL CORRECTIONS TO THE CREDIT INSURANCE LAWS, is withdrawn from the Calendar and re-referred to the Committee on Insurance.

CALENDAR (continued)

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

H.B. 463 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO UPDATE THE JOB DESCRIPTION FOR SCHOOL COUNSELORS, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 497, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE AUTHORIZATION FOR CERTAIN PRIVATE CORRECTIONAL OFFICERS TO USE FORCE AND MAKE ARRESTS

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CONSISTENT WITH NORTH CAROLINA LAW, passes its second reading, by electronic vote (115-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

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

H.B. 562 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO USE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS DURING A THREE-YEAR PILOT PROGRAM IN DESIGNATED CORRIDORS; TO AUTHORIZE THE CITY OF CHARLOTTE TO ESTABLISH CIVIL PENALTIES FOR SPEED LIMIT AND SCHOOL ZONE SPEED LIMIT VIOLATIONS; AND TO AUTHORIZE THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION AND THE SECRETARY OF CRIME CONTROL AND PUBLIC SAFETY TO APPROVE STANDARDS FOR THE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS, passes its second reading, by electronic vote (71-45), and there being no objection is read a third time.

A division having been called, the bill passes its third reading, by electronic vote (73-41), and is ordered sent to the Senate.

H.B. 257 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF CITIZENS BAND RADIO EQUIPMENT NOT AUTHORIZED BY THE FEDERAL COMMUNICATIONS COMMISSION, which was temporarily displaced, with Amendment No. 1 pending, is before the Body.

Amendment No. 1 is adopted by electronic vote (73-34).

The bill, as amended, passes its second reading, by electronic vote (92-16), 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. 609 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE LAWS PERTAINING TO THE AMUSEMENT

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DEVICE SAFETY ACT OF NORTH CAROLINA, 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.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Sutton, Chair, for the Committee on Judiciary III:

H.B. 1011, 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, 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 Allred and Coates, Chairs, for the Committee on Transportation:

H.B. 439, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE OPENING OF CARTWAYS, reported without prejudice 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 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 Munford, Chair, for the Committee on Judiciary IV:

H.B. 883 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO TEMPORARILY WAIVE CERTAIN REQUIREMENTS OF THE MENTAL HEALTH COMMITMENT STATUTES TO FURTHER

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MENTAL HEALTH REFORM EFFORTS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of April 30. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 956, A BILL TO BE ENTITLED AN ACT TO DETER JUVENILES FROM ESCAPING OR ATTEMPTING TO ESCAPE FROM THE CUSTODY OF THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION AND TO ESTABLISH CRIMINAL PENALTIES FOR AIDING OR ASSISTING JUVENILES IN ESCAPING OR ATTEMPTING TO ESCAPE FROM THE CUSTODY OF THE DEPARTMENT, 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 Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representatives Dockham and Warren, Chairs, for the Education Subcommittee on Pre-School, Elementary and Secondary Education, with approval of standing committee Chairs for report to be made directly to the floor of the House:

H.B. 38, A BILL TO BE ENTITLED AN ACT TO PERMIT CAREER TEACHERS TO RETAIN CAREER STATUS WHEN THEY CHANGE SCHOOL SYSTEMS OR RETURN TO TEACHING AFTER LEAVING THE PROFESSION, 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 April 30. The original bill is placed on the Unfavorable Calendar.

H.B. 601, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE EARLY ENTRY OF MOTIVATED STUDENTS INTO FOUR-YEAR COLLEGE PROGRAMS, 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 of April 30. The original bill is placed on the Unfavorable Calendar.

H.B. 801, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE COMPETENCY TESTING PROGRAM TO ENSURE THAT HIGH SCHOOL STUDENTS WHO DO NOT PASS THE COMPETENCY TEST ARE GIVEN AN OPPORTUNITY TO TAKE AN ALTERNATIVE TEST, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 30.

H.B. 1166, A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL EMPLOYEES, 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 April 30. The original bill is placed on the Unfavorable Calendar.

By Representatives Allred and Coates, Chairs, for the Committee on Transportation:

H.B. 944, A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN NOTIFICATIONS BEFORE A TOWER MAY COLLECT CERTAIN CHARGES, 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 April 30. The original bill is placed on the Unfavorable Calendar.

By Representative Hill, Chair, for the Committee on Agriculture:

H.B. 1203, A BILL TO BE ENTITLED AN ACT TO PROHIBIT LIMITING THE QUANTITY OF MOTOR FUEL SOLD OR OFFERED FOR SALE UNDER THE MOTOR FUEL MARKETING 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 of April 30. The original bill is placed on the Unfavorable Calendar.

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By Representative Hall, Chair, for the Committee on Alcoholic Beverage Control:

H.B. 1118, A BILL TO BE ENTITLED AN ACT TO REQUIRE SIGNS TO BE POSTED WARNING OF THE POSSIBLE DANGERS OF CONSUMPTION OF ALCOHOL DURING PREGNANCY, 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.

By Representative Sutton, Chair, for the Committee on Judiciary III:

H.B. 1058, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CONVICTED FELONS FROM POSSESSING ALL TYPES OF FIREARMS AND TO DELETE THE EXCEPTION THAT PERMITS CONVICTED FELONS TO POSSESS FIREARMS IN THEIR HOMES OR BUSINESSES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 30.

CALENDAR (continued)

H.B. 785 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE RULE 45 OF THE NORTH CAROLINA RULES OF CIVIL PROCEDURE.

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (113-0).

The bill, as amended, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

Speaker Black requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (113-0).

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.

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H.B. 825 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ANY PRIVATE OR PUBLIC INSTITUTION THAT OFFERS A POSTSECONDARY DEGREE TO PROVIDE MENINGOCOCCAL AND HEPATITIS B IMMUNIZATION INFORMATION TO NEWLY ENROLLED STUDENTS IF THE INSTITUTION HAS A RESIDENTIAL CAMPUS, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 886 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF ARTICLE 1, CHAPTER 90 OF THE GENERAL STATUTES TO DESIGNATE ONE APPOINTMENT TO THE NORTH CAROLINA MEDICAL BOARD FOR A DOCTOR OF OSTEOPATHY OR A MEDICAL SCHOOL FACULTY MEMBER WHO UTILIZES INTEGRATIVE MEDICINE IN THEIR CLINICAL PRACTICE OR A MEMBER OF THE OLD NORTH STATE MEDICAL SOCIETY, TO ESTABLISH THE STANDARD OF PROOF FOR ANNULMENT, SUSPENSION, DENIAL OR REVOCATION OF A MEDICAL LICENSE IN THE CASE OF LACK OF PROFESSIONAL COMPETENCE, TO REQUIRE THE BOARD TO CONSULT WITH A LICENSEE WHO PRACTICES INTEGRATIVE MEDICINE PRIOR TO TAKING ACTION AGAINST ANY LICENSEE WHO PRACTICES INTEGRATIVE MEDICINE FOR PROVIDING CARE NOT IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR THE PROCEDURES OR TREATMENTS ADMINISTERED, TO SPECIFY THAT A LICENSEE MAY CALL WITNESSES WITH EXPERTISE IN THE SAME FIELD OF PRACTICE AS THE LICENSEE IN A PROCEEDING BEFORE THE MEDICAL BOARD AND TO SPECIFY THAT WITNESSES SHALL NOT BE RESTRICTED TO EXPERTS CERTIFIED BY THE AMERICAN BOARD OF MEDICAL SPECIALISTS, AND TO PROVIDE THAT STATEMENTS CONTAINED IN MEDICAL OR SCIENTIFIC LITERATURE SHALL BE COMPETENT EVIDENCE IN PROCEEDINGS HELD BEFORE THE BOARD.

Representative Stam offers Amendment No. 1 which fails of adoption by electronic vote (25-91).

The bill passes its second reading, by electronic vote (109-6).

Representative McHenry requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (110-6).

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

RE-REFERRALS

On motion of Representative Culpepper and without objection, **H.B. 124**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DURHAM, 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 and without objection, **H.B. 879**, A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 126 OF THE GENERAL STATUTES, THE STATE PERSONNEL ACT, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Judiciary I.

On motion of Representative Culpepper and without objection, **H.B. 210**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF YANCEY, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government II.

On motion of Representative Culpepper and without objection, **H.B. 830**, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURES PERTAINING TO PARENTAL CONSENT FOR A MINOR TO OBTAIN AN ABORTION, is withdrawn from the Committee on Judiciary I 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 Gibson, Chair, for the Committee on Environment and Natural Resources:

H.B. 868, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF VARIOUS ENVIRONMENTAL LAWS, 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 of April 30. The original bill is placed on the Unfavorable Calendar.

By Representatives Decker and Pate, Chairs, for the Committee on Ways and Means:

H.B. 1088, A BILL TO BE ENTITLED AN ACT TO REQUIRE CREDIT REPORTING AGENCIES TO NOTIFY CONSUMERS WHEN THE AGENCIES RECEIVE, WITHIN A TWELVE-MONTH PERIOD PERTAINING TO A CONSUMER, THREE CREDIT INQUIRIES OR A REPORT THAT WOULD ADD NEGATIVE INFORMATION TO THE CONSUMER'S CREDIT FILE, 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 April 30. The original bill is placed on the Unfavorable Calendar.

Representative Culpepper moves, seconded by Representative Munford, that the House adjourn, subject to the receipt of Committee Reports, to reconvene April 30 at 2:00 p.m.

The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Sutton, Chair, for the Committee on Judiciary III:

H.B. 131, A BILL TO BE ENTITLED AN ACT TO PROVIDE RECIPROCAL CONCEALED HANDGUN RIGHTS TO CONCEALED HANDGUN PERMIT HOLDERS OF OTHER STATES, with a favorable report as to 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 April 30. The original bill is placed on the Unfavorable Calendar.

H.B. 926, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF ASSAULT IN THE PRESENCE OF A

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CHILD, 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 April 30. The original bill is placed on the Unfavorable Calendar.

H.B. 965, A BILL TO BE ENTITLED AN ACT TO PROVIDE PENALTIES FOR PERSONS WHO CAUSE INJURY OR DEATH WHEN FAILING TO YIELD THE RIGHT-OF-WAY UNDER CERTAIN CIRCUMSTANCES, 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 April 30. The original bill is placed on the Unfavorable Calendar.

H.B. 986, A BILL TO BE ENTITLED AN ACT TO REQUIRE A MOTOR VEHICLE INSURER TO DISCLOSE ANY FINANCIAL INTEREST IN A RECOMMENDED REPAIR FACILITY OR SERVICE, 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 April 30. The original bill is placed on the Unfavorable Calendar.

H.B. 1087, A BILL TO BE ENTITLED AN ACT TO REQUIRE WINDSHIELDS ON MOTOR VEHICLES, 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 April 30. 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. 116, A BILL TO BE ENTITLED AN ACT RELATING TO THE 20TH HOUSE DISTRICT, 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 of April 30. The original bill is placed on the Unfavorable Calendar.

The committee substitute changes the bill from local to public.

H.B. 147 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT LEFT TURNS ON RED IN CERTAIN SITUATIONS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 30.

H.B. 278, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, with a favorable report 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 April 30. The original bill is placed on the Unfavorable Calendar.

H.R. 280, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 2003 REGULAR SESSIONS, 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 April 30. The original resolution is placed on the Unfavorable Calendar.

H.B. 566, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE ADMINISTRATIVE RULE RECLASSIFICATION BY THE ENVIRONMENTAL MANAGEMENT COMMISSION OF PORTIONS OF SWIFT CREEK AND SANDY CREEK IN THE TAR-PAMLICO RIVER BASIN THAT WOULD HAVE THE EFFECT OF IMPOSING CERTAIN MANAGEMENT STRATEGIES APPLICABLE TO OUTSTANDING RESOURCE WATERS (ORW) IN THE WATERSHED OF THESE CREEKS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 30.

H.B. 656 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE TRUST ADMINISTRATION ACT AND TO MAKE

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RELATED CHANGES TO THE LAW GOVERNING ACCOUNTINGS IN TESTAMENTARY TRUSTS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of April 30. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 694, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE ASHEBORO MUNICIPAL AIRPORT AS THE OFFICIAL LOCATION OF THE NORTH CAROLINA AVIATION HALL OF FAME AND THE NORTH CAROLINA AVIATION MUSEUM, 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 April 30. The original bill is placed on the Unfavorable Calendar.

H.B. 783, A BILL TO BE ENTITLED AN ACT TO TEMPORARILY REQUIRE THE AFFIRMATIVE VOTE OF AT LEAST FOUR MEMBERS OF THE BOARD OF COMMISSIONERS OF BURKE COUNTY TO AMEND OR REPEAL ARTICLE XII OF THE BURKE COUNTY ZONING ORDINANCE, RELATING TO THE CATAWBA RIVER, LAKE JAMES, LAKE RHODISS, AND LAKE HICKORY OVERLAY DISTRICT, SO AS TO ALLOW THE ORDINANCE TO CONTINUE TO WORK, 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 April 30. The original bill is placed on the Unfavorable Calendar.

H.B. 807 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE LAW ESTABLISHING THE ELECTIVE SHARE OF A DECEDENT'S SURVIVING SPOUSE AND TO REPEAL THE RIGHT OF A SURVIVING SPOUSE TO ELECT A LIFE INTEREST IN LIEU OF AN INTESTATE SHARE, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of April 30. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

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H.B. 1093, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE NORTH CAROLINA INSURANCE GUARANTY ASSOCIATION ACT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 30.

H.B. 1171, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING HAZING, 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 April 30. The original bill is placed on the Unfavorable Calendar.

H.B. 1207, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PREPARATION, COMPILATION, AND PRESENTATION TO THE GENERAL ASSEMBLY OF SUMMARIES OF EACH RULE SUBJECT TO LEGISLATIVE DISAPPROVAL, 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 April 30. The original bill is placed on the Unfavorable Calendar.

S.B. 772 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS THAT ALLOWS RETAILERS WHO ARE NOT LICENSED AS PLUMBING, HEATING, OR FIRE SPRINKLER CONTRACTORS TO SELL CERTAIN GOODS AND SERVICES TO BE INSTALLED BY LICENSEES, 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 April 30. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.J.R. 1019, A JOINT RESOLUTION ACKNOWLEDGING THE HENDERSON COUNTY EDUCATION FOUNDATION ON ESTABLISHING A HALL OF FAME AND HONORING THE MEMORY

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OF GLENN C. MARLOW AND HUGH D. RANDALL, FORMER SUPERINTENDENTS AND INDUCTEES OF THE HALL OF FAME, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of April 30.

By Representative Gibson, Chair, for the Committee on Environment and Natural Resources:

H.B. 897, A BILL TO BE ENTITLED AN ACT TO MAKE IMPROVEMENTS IN THE REGULATION OF PETROLEUM UNDERGROUND STORAGE TANKS AND TO THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP PROGRAM, 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 April 30. The original bill is placed on the Unfavorable Calendar.

H.B. 987, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE BY WHICH COASTAL HABITAT PROTECTION PLANS MUST BE ADOPTED, TO AUTHORIZE THE FISHERIES DIRECTOR TO ISSUE PROCLAMATIONS THAT BECOME EFFECTIVE IMMEDIATELY UPON ISSUANCE, TO ALLOW MARINE FISHERIES INSPECTORS TO ACCEPT DELEGATION OF LAW ENFORCEMENT POWERS FROM THE NATIONAL MARINE FISHERIES SERVICE, TO EXPAND THE ENFORCEMENT AUTHORITY OF MARINE PATROL INSPECTORS, AND TO MAKE OTHER TECHNICAL, CLARIFYING, AND CONFORMING CHANGES, 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 April 30. The original bill is placed on the Unfavorable Calendar.

H.B. 1078, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTERS 113 AND 113A OF THE GENERAL STATUTES AND OTHER LAWS PERTAINING TO NATURAL RESOURCES, 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 of April 30. The original bill is placed on the Unfavorable Calendar.

By Representatives Church and Starnes, Chairs, for the Committee on Financial Institutions:

H.B. 1213, A BILL TO BE ENTITLED AN ACT TO REGULATE DEFERRED DEPOSIT TRANSACTIONS AND TO PROVIDE ADDITIONAL CONSUMER DISCLOSURES AND PROTECTIONS, 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 April 30. The original bill is placed on the Unfavorable Calendar.

The House stands adjourned at 9:00 p.m.

FIFTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 30, 2003

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

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

"Know that the Lord has set apart the faithful for himself; the Lord hears when we call.' (Based on Psalm 4:3) Hear us, O God, for we are in need of Your presence with us. The work of government can overwhelm at times - decisions of right and wrong; decisions that help some, hurt others; decisions affecting entire communities, even all the people of North Carolina; even decisions of life and death. God, in these busy days approaching crossover, be with the committees of this House in their important work. Be strength, stamina and wisdom to these legislators and guide them in just and right paths as proposals come for vote on the floor. And, God, may our State be blessed by the work done here each day.

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"In Your strong name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 29 has been examined and found correct. Upon his motion, the Journal is approved as written.

Representatives Alexander, Ellis, Sutton, and Warren are excused for a portion of the session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Bell and G. Wilson, Chairs, for the Committee on Pensions and Retirement:

H.B. 319 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING CHARTER SCHOOLS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 1.

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

H.B. 84, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CABARRUS, 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. 773, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO REQUIRE SPRINKLERS IN BARS, CLUBS, AND OTHER SIMILAR PLACES OF PUBLIC ASSEMBLY, 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 May 1. The original bill is placed on the Unfavorable Calendar.

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

H.B. 564, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT EVIDENCE MAY ONLY BE SUPPRESSED IN A CRIMINAL TRIAL IF ITS EXCLUSION IS REQUIRED BY THE CONSTITUTION OF THE UNITED STATES, 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. 1024, A BILL TO BE ENTITLED AN ACT ADOPTING THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT FOR NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 1.

H.B. 1091, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR INDOOR PYROTECHNICS EXHIBITIONS CONDUCTED WITHOUT A PERMIT, AND TO INCREASE THE PENALTIES FOR MULTIPLE RELATED ACTIVITIES IN VIOLATION OF THE NORTH CAROLINA BUILDING CODE, 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. 1123, A BILL TO BE ENTITLED AN ACT TO EXPRESSLY PROVIDE FOR LIMITED GUARDIANSHIPS FOR INCOMPETENT PERSONS AND TO CLARIFY THE DUTY OF A GUARDIAN AD LITEM APPOINTED TO REPRESENT A PERSON IN AN INCOMPETENCY ADJUDICATION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 1.

H.B. 1139, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT WHO COMMITS A SEX OFFENSE THAT RESULTS IN THE VICTIM BECOMING PREGNANT SHALL NOT EXPLOIT HIS PARENTAL RIGHTS TO INTIMIDATE THE CRIME VICTIM OR NEGOTIATE A MORE FAVORABLE PLEA ARRANGEMENT, 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 of May 1. The original bill is placed on the Unfavorable Calendar.

By Representative Weiss, Vice Chair, for the Committee on Judiciary III:

H.B. 963, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON CONVICTED OF LEAVING THE SCENE OF AN ACCIDENT INVOLVING INJURY OR DEATH SHALL LOSE THEIR LICENSE FOR A PERIOD OF FIVE YEARS, 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 May 1. 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 Culpepper:

H.B. 1269, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE REVENUE BOND FUNDING FOR THE PAYMENT OF DISASTER CLAIMS UNDER POLICIES OF INSOLVENT INSURERS, is referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 83 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF ROCKY MOUNT TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE, is read the first time and referred to the Committee on Local Government I.

S.B. 378, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A 311 SYSTEM FOR NONEMERGENCY CALLS AND TO ALLOW MONEY IN THE EMERGENCY TELEPHONE SYSTEM FUND TO

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ALSO BE USED TO DEVELOP AND MAINTAIN THE 311 SYSTEM, is read the first time and referred to the Committee on Public Utilities.

S.B. 494 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CARRBORO TO REQUIRE SPRINKLERS IN BARS, CLUBS, AND OTHER SIMILAR PLACES OF PUBLIC ASSEMBLY THAT HAVE GATHERINGS OF MORE THAN ONE HUNDRED PEOPLE AND SELL ALCOHOLIC BEVERAGES, is read the first time and referred to the Committee on Local Government II.

S.B. 623 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE EVALUATION OF THE STATE'S INFORMATION TECHNOLOGY SECURITY POLICY AND STANDARDS, is read the first time and referred to the Committee on Science and Technology.

S.B. 722 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO THE DISPLAY OF THE UNITED STATES FLAG, is read the first time and referred to the Committee on Judiciary II.

S.B. 737, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHOOL CALENDAR TO ENSURE TEACHERS HAVE AN OPPORTUNITY TO TAKE ADVANTAGE OF ANNUAL LEAVE THEY HAVE EARNED, is read the first time and referred to the Committee on Education.

S.B. 769 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH RATE SETTING AND RATE-APPROVAL METHODS FOR THE BEACH PLAN HOMEOWNERS POLICY, TO PROVIDE INCENTIVES TO BEACH AND COASTAL AREA HOMEOWNERS WHO ESTABLISH AND MAINTAIN RISK PREVENTION AND RISK MITIGATION MEASURES, AND TO EXTEND THE DEADLINE FOR ISSUANCE OF THE HOMEOWNERS POLICY PRODUCT BY THE BEACH PLAN, is read the first time and referred to the Committee on Insurance.

S.B. 796 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCEDURE FOR RESOLUTION OF DISPUTES BETWEEN BOARDS OF EDUCATION AND BOARDS OF COUNTY COMMISSIONERS, is read the first time and referred to the Committee on Education.

S.B. 801 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING THE UTILITIES COMMISSION TO INVESTIGATE

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EXCLUSIVE TELECOMMUNICATIONS SERVICE PROVIDER AGREEMENTS OR ARRANGEMENTS, is read the first time and referred to the Committee on Public Utilities.

S.B. 846 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ENCOURAGING THE USE OF SOLAR ENERGY SYSTEMS AND PROHIBITING ORDINANCES, COVENANTS, AND OTHER RESTRICTIONS THAT UNREASONABLY RESTRICT THE INSTALLATION OR USE OF SUCH SYSTEMS, is read the first time and referred to the Committee on Ways and Means.

S.B. 886 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO ADOPT POLICIES TO ALLOW FOR THE OUTDOOR USE DURING THE SCHOOL DAY OF ARTICLES OF SUN-PROTECTIVE CLOTHING AND TO ALLOW PUPILS TO USE SUNSCREEN DURING THE SCHOOL DAY WITHOUT A PHYSICIAN'S NOTE OR PRESCRIPTION, is read the first time and referred to the Committee on Education.

S.B. 963, A BILL TO BE ENTITLED AN ACT TO PROHIBIT SELLERS FROM EXCESSIVELY RAISING PRICES ON THEIR MERCHANDISE DURING DECLARED STATES OF DISASTER, is read the first time and referred to the Committee on Judiciary II.

WITHDRAWAL OF BILLS FROM CALENDAR

Pursuant to Rule 36(b)(2), the following bills are withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Rules, Calendar, and Operations of the House:

H.B. 959 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REVENUE LAWS STUDY COMMITTEE TO CONDUCT A REVIEW OF ALL TAX EXPENDITURES AT LEAST ONCE EVERY FIVE YEARS.

H.B. 1011 (Committee Substitute), 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. 1052, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONSOLIDATION OF ADMINISTRATIVE FUNCTIONS WITHIN STATE GOVERNMENT, AS RECOMMENDED BY THE GOVERNOR'S

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COMMISSION TO PROMOTE GOVERNMENT EFFICIENCY AND SAVINGS ON STATE SPENDING.

CALENDAR

Action is taken on the following:

H.B. 1140 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE QUICK REMOVAL OF VEHICLES, SPILLED CARGO, OR OTHER PERSONAL PROPERTY FROM CONTROLLED-ACCESS HIGHWAYS.

Representative Cole offers Amendment No. 1 which is adopted by electronic vote (114-0).

Representative Allred offers Amendment No. 2 which is adopted by electronic vote (106-10).

Representative Bowie states that her voting equipment malfunctioned and she requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (107-10).

The bill, as amended, passes its third reading, by electronic vote (115-1), and is ordered engrossed and sent to the Senate by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Allred and Coates, Chairs, for the Committee on Transportation:

H.B. 471, A BILL TO BE ENTITLED AN ACT TO BRING STATE LAW INTO COMPLIANCE WITH RECENTLY ADOPTED FEDERAL REGULATIONS CONCERNING THE EFFECT OF VIOLATION OF IMPAIRED DRIVING, RAILROAD CROSSING SAFETY, AND OTHER STATE LAWS ON COMMERCIAL DRIVERS LICENSES, AND REQUIRING A NEW "S" ENDORSEMENT FOR PERSONS OPERATING SCHOOL BUSES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with a favorable report as to the committee substitute bill, which changes the title,

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unfavorable as to the original bill and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary I.

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

S.B. 384 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF THE DURHAM NORTHERN LOOP AND INTRASTATE IMPROVEMENT PROJECTS, with a favorable report.

On motion of Speaker Black, pursuant to Rule 36(b)(2), the bill is 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. 913, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA UTILITIES COMMISSION TO DETERMINE A TIME IN WHICH FINAL RULES CONCERNING THE DESIGNATION OF A UNIVERSAL SERVICE PROVIDER FOR TELEPHONE SERVICE SHALL BE ADOPTED, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

Representative Allred requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (113-0).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 916 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A VACCINATION PROGRAM FOR FIRST RESPONDERS TO TERRORIST INCIDENTS, CATASTROPHIC OR NATURAL DISASTERS, OR EMERGENCIES, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

Representative Bowie requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (116-0).

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. 925, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTY APPEAL IN JUVENILE "PAY ORDER" CASES, 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 by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Decker and Pate, Chairs, for the Committee on Ways and Means:

S.B. 450, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RELEASE OR REFUND OF CERTAIN PROPERTY TAXES, 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 (continued)

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

H.B. 943 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROHIBITING SCHOOL PERSONNEL FROM RECOMMENDING OR REQUIRING THE USE OF CERTAIN MEDICATIONS BY ANY CHILD, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

Representative G. Allen requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (116-1).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

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

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H.B. 972 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW AN INTERNET-BASED ALTERNATIVE TO PROPERTY TAX CERTIFICATION PROCEDURES, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

Representative Carney requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (114-0).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

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

H.B. 995 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT VEHICLES WITH CERTAIN SPECIAL REGISTRATION PLATES TO PARK IN METERED SPACES FREE.

Representative Allred offers Amendment No. 1 which fails of adoption by electronic vote (39-77).

Representative Bordsen states that her voting equipment malfunctioned and she requests to change her vote from "aye" to "no". This request is granted. The adjusted vote total is (38-78).

The bill passes its second reading, by electronic vote (114-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

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

H.B. 999, A BILL TO BE ENTITLED AN ACT MAKING VOID AND UNENFORCEABLE AS A MATTER OF PUBLIC POLICY ANY PROVISION IN ANY AGREEMENT OR CONTRACT THAT PROHIBITS THE REUSING, REMANUFACTURING, OR REFILLING OF A TONER OR INKJET CARTRIDGE.

SPEAKER MORGAN PRESIDING.

Representative Harrell offers Amendment No. 1 which is adopted by electronic vote (60-56).

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The bill, as amended, passes its second reading, by electronic vote (74-43), and there being no objection is read a third time.

Representative Stam offers Amendment No. 2 which is adopted by electronic vote (112-4).

The bill, as amended, passes its third reading, by electronic vote (82-31), and is ordered engrossed and sent to the Senate by Special Message.

Representative Rhodes states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (83-31).

WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), **H.B. 1091** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR INDOOR EXHIBITIONS OF ILLEGAL PYROTECHNICS, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Appropriations.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Adams, Chair, for the Committee on Local Government II:

H.B. 248, A BILL TO BE ENTITLED AN ACT RELATING TO THE 18TH HOUSE 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 of May 1. The original bill is placed on the Unfavorable Calendar.

H.B. 499, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROWAN, 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 of May 1. The original bill is placed on the Unfavorable Calendar.

H.B. 625, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BUNCOMBE, 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 May 1. The original bill is placed on the Unfavorable Calendar.

H.B. 635 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE POSTING OF SIGNS WHEN AN INVISIBLE FENCE PET CONTAINMENT SYSTEM IS INSTALLED ON PROPERTY IN GASTON COUNTY, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of May 1. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

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

H.B. 124, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DURHAM, 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 May 1. The original bill is placed on the Unfavorable Calendar.

H.B. 163, A BILL TO BE ENTITLED AN ACT RELATING TO THE 111TH HOUSE DISTRICT, 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.

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H.B. 197, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BLADEN, 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 May 1. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

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

H.B. 1016 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD PARTICULAR UNIVERSITY FACILITIES AS NON-SMOKING AREAS.

SPEAKER BLACK PRESIDING.

The bill passes its second reading, by electronic vote (97-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

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

H.B. 1023 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF UNDERINSURED HIGHWAY VEHICLE TO PROVIDE GREATER PROTECTION TO CONSUMERS INJURED IN MOTOR VEHICLE ACCIDENTS, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1025, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF HAW RIVER STATE PARK TO THE STATE PARKS SYSTEM, passes its second reading, by electronic vote (105-10), and there being no objection is read a third time.

Representative Brubaker requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (106-10).

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The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1047, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE CIVIL ACTIONS OF ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION, passes its second reading, by electronic vote (60-51).

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. 1048 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE REVISIONS TO THE JUVENILE CODE AS RECOMMENDED BY THE NORTH CAROLINA JUVENILE COURT IMPROVEMENT PROJECT, 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 by Special Message.

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

H.B. 1063 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE OPERATORS OF CHILD CARE FACILITIES TO DISCUSS THE DIVISION OF CHILD DEVELOPMENT'S SUMMARY OF THE LAWS RELATING TO CHILD CARE FACILITIES WITH PARENTS, TO REQUIRE THE DIVISION OF CHILD DEVELOPMENT TO INCLUDE IN ITS SUMMARY A STATEMENT ON HOW PARENTS MAY OBTAIN INFORMATION ON INDIVIDUAL CHILD CARE FACILITIES, AND TO REQUIRE CHILD CARE FACILITIES TO POST THE SUMMARY IN A PROMINENT PLACE, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

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

H.B. 1065 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY AND PROCEDURE FOR A REDEVELOPMENT COMMISSION TO CONVEY CERTAIN PROPERTY

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IN A DESIGNATED REDEVELOPMENT AREA, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

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

H.B. 1102 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE PUBLIC'S RIGHT TO KNOW DETAILS OF CLOSED MEETINGS AFTER THE JUSTIFICATION FOR WITHHOLDING DETAILS HAS PASSED BY ADDING TO THE OPEN MEETINGS LAW A REQUIREMENT TO MAKE AND KEEP RECORDINGS OF ALL CLOSED MEETINGS.

Representative Goodwin offers Amendment No. 1 which is adopted by electronic vote (110-4).

Representative Goodwin offers Amendment No. 2.

Representative Goodwin offers perfecting Amendment No. 3 which is adopted by electronic vote (114-3).

Amendment No. 2 is adopted by electronic vote (113-2).

Representative L. Allen offers Amendment 4.

On motion of Speaker Black, the bill with Amendment No. 4 pending, is temporarily displaced.

H.B. 1112, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATED TO SANITATION OF FOOD AND LODGING FACILITIES, 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 by Special Message.

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

H.B. 1114, A BILL TO BE ENTITLED AN ACT TO MAKE VOLUNTEER FILES MAINTAINED BY LOCAL BOARDS OF

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EDUCATION PRIVATE, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1102 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE PUBLIC'S RIGHT TO KNOW DETAILS OF CLOSED MEETINGS AFTER THE JUSTIFICATION FOR WITHHOLDING DETAILS HAS PASSED BY ADDING TO THE OPEN MEETINGS LAW A REQUIREMENT TO MAKE AND KEEP RECORDINGS OF ALL CLOSED MEETINGS, which was temporarily displaced with Amendment No. 4 pending, is before the Body.

On motion of Speaker Black, the bill is temporarily displaced.

H.B. 1151 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE ADMINISTRATIVE PROCEDURE ACT TO REVISE THE PROCEDURE FOR ADOPTING PERMANENT AND TEMPORARY RULES, TO CREATE A PROCEDURE FOR THE ADOPTION OF EMERGENCY RULES, TO CLARIFY THE ROLE OF THE RULES REVIEW COMMISSION AND TO EXCLUDE THE STATE MEDICAL FACILITIES PLAN FROM THE DEFINITION OF A RULE, passes its second reading, by electronic vote (108-9).

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

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S.B. 74 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN TOWNSHIP ABC ELECTIONS, is read the first time and referred to the Committee on Alcoholic Beverage Control.

S.B. 124 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CITY OF LUMBERTON FROM CERTAIN STATUTORY REQUIREMENTS RELATING TO THE CONSTRUCTION OF BUILDINGS TO BE USED BY INDUSTRIES LOCATING TO THE CITY, is read the first time and referred to the Committee on Local Government II.

S.B. 319 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CABARRUS COUNTY DEMONSTRATION WORK

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OVER WELFARE PROGRAM, is read the first time and referred to the Committee on Children, Youth and Families.

S.B. 549 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT THE REVISED UNIFORM PRINCIPAL AND INCOME ACT, is read the first time and referred to the Committee on Judiciary IV.

S.B. 669 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE CIVIL REMEDY FOR PROTECTION OF ANIMALS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary III.

S.B. 872 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE PROTECTIONS FOR TELEPHONE SUBSCRIBERS WHO WISH TO STOP UNWANTED TELEPHONE SOLICITATIONS AND FOR CONSUMERS WHO ENTER INTO TELEMARKETING TRANSACTIONS, is read the first time and referred to the Committee on Public Utilities.

S.B. 881, A BILL TO BE ENTITLED AN ACT TO PERMIT PHASE II PAYMENTS UNDER THE NATIONAL TOBACCO GROWER SETTLEMENT TRUST TO BE PAID WITHOUT REOPENING A DECEDENT'S ESTATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary II.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Miller, Chair, for the Committee on Science and Technology:

H.B. 940, A BILL TO BE ENTITLED AN ACT REQUIRING TEXTBOOK PUBLISHERS TO MAKE ELECTRONIC COPIES OF TEXTBOOKS AVAILABLE TO PUBLIC SCHOOL STUDENTS, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

On motion of Speaker Black and without objection, the committee substitute bill is re-referred to the Committee on Rules, Calendar, and

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Operations of the House. The original bill is placed on the Unfavorable Calendar.

H.B. 941, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE ANALYSIS OF THE STATE'S LEGACY INFORMATION TECHNOLOGY SYSTEMS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 1.

H.B. 1176, A BILL TO BE ENTITLED AN ACT AMENDING THE EXECUTIVE BUDGET ACT TO PROVIDE FLEXIBILITY IN BUDGETING FOR THE STATE'S INFORMATION TECHNOLOGY NEEDS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representatives Holliman and Setzer, Chairs, for the Committee on Insurance:

H.B. 339 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONFORM NORTH CAROLINA'S THIRD PARTY ADMINISTRATOR ARTICLE TO REVISIONS TO THE NAIC MODEL THIRD PARTY ADMINISTRATOR STATUTE; REQUIRE GROUP ANNUITY INSURERS TO ISSUE INDIVIDUAL CERTIFICATES OF COVERAGE TO EACH ANNUITANT; REORGANIZE ARTICLE 60 OF CHAPTER 58 OF THE GENERAL STATUTES AND AMEND CURRENT DISCLOSURE REQUIREMENTS FOR SOLICITATION OF LIFE INSURANCE PRODUCTS AND ANNUITIES; REQUIRE INSURERS TO NOTIFY EMPLOYEES OF THE EXISTENCE OF EMPLOYER-OWNED LIFE INSURANCE POLICIES WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF COVERAGE; REQUIRE THAT ASSOCIATION PREMIUM RATES FOR ACCIDENT AND HEALTH INSURANCE BE ACTUARIALLY SOUND AND THAT ASSOCIATIONS BE RATED AS A SINGLE GROUP WHEN THE COVERAGE PROVIDED IS NOT EMPLOYER-BASED; LIMIT AN INDIVIDUAL ACCIDENT AND HEALTH INSURER'S USE OF AN INDIVIDUAL'S OWN CLAIMS' EXPERIENCE TO DEVELOP THE INDIVIDUAL'S RENEWAL RATE; EXEMPT A SOLE PROPRIETOR FROM THE FULL-TIME BASIS OR THIRTY-HOUR WORKWEEK REQUIREMENTS TO BE ELIGIBLE FOR LARGE GROUP HEALTH COVERAGE LIKE THE PROPRIETOR'S FULL-TIME EMPLOYEES; CORRECT AN INADVERTENT CROSS-REFERENCE

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IN ORDER TO REAPPLY NEWBORN COVERAGE TO A MORE COMPREHENSIVE GROUP OF INSURERS; TECHNICALLY CORRECT AN OMISSION REGARDING PROVISIONS GOVERNING PRE-EXISTING CONDITIONS FOR LIMITED HEALTH, SUPPLEMENTAL HEALTH, AND SPECIFIED DISEASE POLICIES; DECREASE THE TOTAL NUMBER OF MEMBERS THAT SERVE ON THE SMALL EMPLOYER REINSURANCE POOL BOARD FROM NINE TO SIX; ALLOW PERSONS RETROACTIVELY ENROLLED IN MEDICARE PART B THE SAME SIX-MONTH OPEN ENROLLMENT PERIOD FOR MEDICARE SUPPLEMENT PLANS AS PERSONS WHO ENROLLED IN MEDICARE PART B WITHOUT A RETROACTIVE EFFECTIVE DATE OF COVERAGE; TECHNICALLY CORRECT THE REVOCATION AND SUSPENSION LAW TO INCLUDE A BENEFICIARY OF A LIFE OR ANNUITY CONTRACT AS A CLAIMANT; MANDATE HEALTH BENEFIT COVERAGE FOR DESIGNATED TRAVEL EXPENSES WHEN THE REQUIRED DISTANCE TRAVELED THRESHOLD IS MET; AND MAKE TECHNICAL CORRECTIONS TO THE CREDIT INSURANCE LAWS, 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 38(b), Committee Substitute Bill No. 2 is re-referred to the Committee on Finance. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 892, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COMMON LAW DETERMINES WHETHER A DRIVER OF A TRUCK OR TRACTOR TRAILER OF AN INTERSTATE MOTOR CARRIER IS AN EMPLOYEE SUBJECT TO THE WORKERS' COMPENSATION ACT, with a favorable report 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 May 1. The original bill is placed on the Unfavorable Calendar.

By Representative Goodwin, Chair, for the Committee on Occupational Safety and Health:

H.B. 1181, A BILL TO BE ENTITLED AN ACT AMENDING THE LABOR LAWS OF NORTH CAROLINA TO PROVIDE FOR VERIFICATION OF FULL COMPLIANCE WITH MANDATED CORRECTIVE MEASURES WHEN THERE ARE TEN OR MORE SERIOUS WORK-PLACE SAFETY VIOLATIONS DURING AN INSPECTION AT A

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SINGLE SITE, 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 May 1. The original bill is placed on the Unfavorable Calendar.

H.B. 1182, A BILL TO BE ENTITLED AN ACT AMENDING THE LABOR LAWS OF NORTH CAROLINA TO INCREASE THE RANGE OF CIVIL PENALTIES THAT MAY BE IMPOSED WHEN A WORK-PLACE DEATH OCCURS DUE TO EMPLOYER NEGLIGENCE, 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 May 1. The original bill is placed on the Unfavorable Calendar.

By Representatives Insko and Justus, Chairs, for the Committee on Health:

H.B. 1043, A BILL TO BE ENTITLED AN ACT TO PROVIDE IMMUNITY FROM LIABILITY FOR HEALTH CARE PROVIDERS PROVIDING HEALTH CARE TREATMENT TO PERSONS INJURED BY A TERRORIST INCIDENT, 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 May 1. The original bill is placed on the Unfavorable Calendar.

By Representatives Decker and Pate, Chairs, for the Committee on Ways and Means:

H.B. 673, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF AVERY TO ESTABLISH AN AVERY COUNTY FIRE 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.

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By Representative Hackney, Chair, for the Committee on Judiciary I:

H.B. 951, A BILL TO BE ENTITLED AN ACT TO ESTABLISH CIVIL NO-CONTACT ORDERS FOR THE PROTECTION OF INDIVIDUALS WHO ARE VICTIMS OF SEXUAL ASSAULT, 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 May 1. The original bill is placed on the Unfavorable Calendar.

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

H.B. 249, A BILL TO BE ENTITLED AN ACT RELATING TO THE 18TH HOUSE 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 of May 1. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

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

H.B. 1162, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PERTAINING TO THE CHARTER SCHOOL ADVISORY COMMITTEE, passes its second reading, by electronic vote (96-16), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

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

H.B. 1136 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY MEDIA COORDINATORS IN THE PUBLIC SCHOOLS, passes its second reading, by electronic vote (113-1), 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. 1102 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE PUBLIC'S RIGHT TO KNOW DETAILS OF CLOSED MEETINGS AFTER THE JUSTIFICATION FOR WITHHOLDING DETAILS HAS PASSED BY ADDING TO THE OPEN MEETINGS LAW A REQUIREMENT TO MAKE AND KEEP RECORDINGS OF ALL CLOSED MEETINGS, which was temporarily displaced with Amendment No. 4 pending, is before the Body.

On motion of Speaker Black, the bill with Amendment No. 4 pending, is temporarily displaced.

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

H.B. 1177, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PHYSICIANS IN GOOD STANDING TO PRACTICE MEDICINE IN ANOTHER STATE MAY PRACTICE MEDICINE OR SURGERY AT A CAMP FOR THERAPEUTIC RECREATION FOR INDIVIDUALS WITH CHRONIC ILLNESSES UNDER CERTAIN RESTRICTED CONDITIONS, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1193 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 95 OF THE GENERAL STATUTES TO PROVIDE THAT RESCUE AND PUBLIC SAFETY PERSONNEL SHALL NOT BE TERMINATED FOR BEING ABSENT FROM EMPLOYMENT DUE TO AN EMERGENCY.

Representative Blackwood offers Amendment No. 1.

Representative Blackwood requests division of Amendment No. 1.

On motion of Speaker Black, the bill with Amendment No. 1 pending, is temporarily displaced.

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

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H.B. 1194 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE "E-NC" AUTHORITY TO CONTINUE THE WORK OF THE RURAL INTERNET ACCESS AUTHORITY.

Representative Ellis offers Amendment No. 1 which is adopted by electronic vote (89-26).

Representative Miner requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (90-25).

The bill, as amended, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 694 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE ASHEBORO MUNICIPAL AIRPORT AS THE OFFICIAL LOCATION OF THE NORTH CAROLINA AVIATION HALL OF FAME AND THE NORTH CAROLINA AVIATION MUSEUM AND TO DESIGNATE THE WILMINGTON INTERNATIONAL AIRPORT AS THE OFFICIAL LOCATION OF THE NORTH CAROLINA MUSEUM OF AVIATION, is moved up on today's Calendar.

The bill 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 by Special Message.

H.B. 1087 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE WINDSHIELDS ON PRIVATE PASSENGER VEHICLES SUBJECT TO VEHICLE SAFETY INSPECTIONS.

On motion of Speaker Black, the bill is temporarily displaced.

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

H.B. 992, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC AND NONPROFIT HOSPITALS TO USE THE SET-OFF DEBT COLLECTION ACT.

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

Representative Insko offers Amendment No. 2 which is adopted by electronic vote (102-15).

Representative K. Williams requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (101-16).

SPEAKER MORGAN PRESIDING.

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

H.B. 975 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE PURCHASING FLEXIBILITY FOR THE UNIVERSITY OF NORTH CAROLINA, is moved up on today's Calendar.

The bill passes its second reading, by electronic vote (113-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 697 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF TROY AND ITS REDEVELOPMENT COMMISSION TO ACQUIRE PROPERTY WITHIN A REDEVELOPMENT AREA USING THE "QUICK TAKE" PROCEDURE, 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 Morgan; Representatives Adams, B. Allen, G. Allen, L. Allen, Barbee, Barnhart, Bell, Blackwood, Bonner, Bordsen, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Miller, Miner, Mitchell, Moore,

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Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 107.

Voting in the negative: Representatives Allred, Baker, Blust, Creech, Setzer, Starnes, and Wood - 7.

Excused absence: Representative Alexander.

H.B. 755 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF CARY AND GARNER TO ACQUIRE PROPERTY FOR THE PRESENT OR FUTURE LOCATION OR RELOCATION OF TELEPHONE, TELEGRAPH, ELECTRIC, OR OTHER LINES TO BE OPERATED BY PUBLIC UTILITIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, B. Allen, G. Allen, L. Allen, Barbee, Barnhart, Bell, Blackwood, Bonner, Bordsen, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 107.

Voting in the negative: Representatives Allred, Baker, Blust, Creech, Setzer, Starnes, and Wood - 7.

Excused absence: Representative Alexander.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Church and without objection, **H.B. 783** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TEMPORARILY REQUIRE THE AFFIRMATIVE VOTE OF AT LEAST

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FOUR MEMBERS OF THE BOARD OF COMMISSIONERS OF BURKE COUNTY TO AMEND OR REPEAL ARTICLE XII OF THE BURKE COUNTY ZONING ORDINANCE, RELATING TO LAKE JAMES, SO AS TO ALLOW THE ORDINANCE TO CONTINUE TO WORK, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

H.B. 469 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COLUMBUS, DAVIE, DUPLIN, AND LENOIR COUNTIES, CERTAIN DISTRICTS CREATED BY THESE COUNTIES, AND MUNICIPALITIES LOCATED WITHIN THESE COUNTIES TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SERVICES, is moved up on today's Calendar.

The bill passes its second reading, by electronic vote (108-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 969, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO CHANGE THE TERM OF OFFICE OF MAGISTRATES.

On motion of Representative Goodwin, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, B. Allen, G. Allen, L. Allen, Baker, Barbee, Barnhart, Bell, Blust, Bonner, Bordsen, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller,

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Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright and Yongue - 111.

Voting in the negative: Representatives Allred, Blackwood, and Starnes - 3.

Excused absence: Representative Alexander.

H.B. 886 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF ARTICLE 1, CHAPTER 90 OF THE GENERAL STATUTES TO DESIGNATE ONE APPOINTMENT TO THE NORTH CAROLINA MEDICAL BOARD FOR A DOCTOR OF OSTEOPATHY OR A MEDICAL SCHOOL FACULTY MEMBER WHO UTILIZES INTEGRATIVE MEDICINE IN THEIR CLINICAL PRACTICE OR A MEMBER OF THE OLD NORTH STATE MEDICAL SOCIETY, TO ESTABLISH THE STANDARD OF PROOF FOR ANNULMENT, SUSPENSION, DENIAL OR REVOCATION OF A MEDICAL LICENSE IN THE CASE OF LACK OF PROFESSIONAL COMPETENCE, TO REQUIRE THE BOARD TO CONSULT WITH A LICENSEE WHO PRACTICES INTEGRATIVE MEDICINE PRIOR TO TAKING ACTION AGAINST ANY LICENSEE WHO PRACTICES INTEGRATIVE MEDICINE FOR PROVIDING CARE NOT IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR THE PROCEDURES OR TREATMENTS ADMINISTERED, TO SPECIFY THAT A LICENSEE MAY CALL WITNESSES WITH EXPERTISE IN THE SAME FIELD OF PRACTICE AS THE LICENSEE IN A PROCEEDING BEFORE THE MEDICAL BOARD AND TO SPECIFY THAT WITNESSES SHALL NOT BE RESTRICTED TO EXPERTS CERTIFIED BY THE AMERICAN BOARD OF MEDICAL SPECIALISTS, AND TO PROVIDE THAT STATEMENTS CONTAINED IN MEDICAL OR SCIENTIFIC LITERATURE SHALL BE COMPETENT EVIDENCE IN PROCEEDINGS HELD BEFORE THE BOARD.

Representative Wright offers Amendment No. 2 which is adopted by electronic vote (111-0).

The bill, as amended, passes its third reading, by electronic vote (107-4), and is ordered engrossed and sent to the Senate by Special Message.

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

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H.B. 1032 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING LOCAL BOARDS OF EDUCATION TO GIVE PREFERENCE IN PURCHASING CONTRACTS TO HIGH-CALCIUM FOODS AND BEVERAGES, passes its second reading, by electronic vote (99-12), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

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

H.B. 1201, A BILL TO BE ENTITLED AN ACT TO PROMOTE WATER CONSERVATION BY EXPANDING THE DEFINITION OF CONTIGUOUS PREMISES TO INCLUDE MANUFACTURED HOMES AND MANUFACTURED HOME PARKS.

SPEAKER BLACK PRESIDING.

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 by Special Message.

H.B. 1102 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE PUBLIC'S RIGHT TO KNOW DETAILS OF CLOSED MEETINGS AFTER THE JUSTIFICATION FOR WITHHOLDING DETAILS HAS PASSED BY ADDING TO THE OPEN MEETINGS LAW A REQUIREMENT TO MAKE AND KEEP RECORDINGS OF ALL CLOSED MEETINGS, which was temporarily displaced, with Amendment No. 4 pending, is before the Body.

Representative L. Allen withdraws her amendment.

The bill fails to pass its second reading, by electronic vote (53-59).

Representative G. Allen requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (52-60).

H.R. 280 (Committee Substitute), A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 2003 REGULAR SESSIONS.

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Representative Culpepper calls the previous question on the adoption of the resolution and the call is sustained by electronic vote (84-29)

The resolution is adopted by electronic vote (100-14) and ordered printed.

Representative Daughtridg requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (101-14).

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

H.B. 483, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE ABROGATION OF OFFENSIVE PLACE-NAMES THROUGHOUT THE STATE, is moved up on today's Calendar.

On motion of Representative Adams, Committee Amendment No. 1 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.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 601 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENCOURAGE EARLY ENTRY OF MOTIVATED STUDENTS INTO FOUR-YEAR COLLEGE PROGRAMS, is moved up on today's Calendar.

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 by Special Message.

H.B. 926 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF ASSAULT IN THE PRESENCE OF A CHILD, is moved up on today's Calendar.

The bill passes its second reading, by electronic vote (112-0), 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 by Special Message.

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

H.B. 1135 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT STUDENTS RECOMMENDED FOR LONG-TERM SUSPENSION RECEIVE A FREE AND APPROPRIATE EDUCATION, is moved up on today's Calendar.

The bill passes its second reading, by electronic vote (112-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1166 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL EMPLOYEES, is moved up on today's Calendar.

The bill passes its second reading, by electronic vote (111-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1171 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE LAW PROHIBITING HAZING, is moved up on today's Calendar.

The bill passes its second reading, by electronic vote (114-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 801, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE COMPETENCY TESTING PROGRAM TO ENSURE THAT HIGH SCHOOL STUDENTS WHO DO NOT PASS THE COMPETENCY TEST ARE GIVEN AN OPPORTUNITY TO TAKE AN ALTERNATIVE TEST, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

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Representative K. Williams requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (113-0).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 116 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING NOTICE OF TERMINATION OF FARM MACHINERY AGREEMENTS.

Representative Lewis requests that he be excused from voting on this bill, because he is a farm equipment dealer and he fears a possible conflict of interest, under Rule 24.1A and this request is granted.

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 by Special Message.

H.B. 566, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE ADMINISTRATIVE RULE RECLASSIFICATION BY THE ENVIRONMENTAL MANAGEMENT COMMISSION OF PORTIONS OF SWIFT CREEK AND SANDY CREEK IN THE TAR-PAMLICO RIVER BASIN THAT WOULD HAVE THE EFFECT OF IMPOSING CERTAIN MANAGEMENT STRATEGIES APPLICABLE TO OUTSTANDING RESOURCE WATERS (ORW) IN THE WATERSHED OF THESE CREEKS.

Representative Gibson offers Amendment No. 1 which is adopted by electronic vote (113-1).

Representative L. Allen states that her voting equipment malfunctioned and she requests to change her vote from "no" to "aye". This request is granted. The adjusted vote total is (114-0).

The bill, as amended, passes its second reading, by electronic vote (92-23).

Representative Miller requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (91-24).

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

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WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Goodwin, and without objection, the following bills are withdrawn from the Calendar and re-referred to the Committee on Appropriations:

H.B. 108 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF HABITUAL MISDEMEANOR LARCENY.

H.B. 327 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR DAMAGING A PUBLIC BUILDING WITH AN EXPLOSIVE OR INCENDIARY DEVICE OR MATERIAL.

CALENDAR (continued)

H.B. 1213 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE DEFERRED DEPOSIT TRANSACTIONS AND TO PROVIDE ADDITIONAL CONSUMER DISCLOSURES AND PROTECTIONS, is moved up on today's Calendar.

Representative Munford requests that he be excused from voting on this bill, because his law firm is lobbying for this bill, under Rule 24.1A and this request is granted.

Representative Miller offers Amendment No. 1 which fails of adoption by electronic vote (31-80).

Representative Parmon offers Amendment No. 2 which is adopted by electronic vote (111-1).

Representative McComas requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (112-0).

Representative Michaux offers Amendment No. 3 which fails of adoption by electronic vote (55-59).

Representative Harrell offers Amendment No. 4.

Representative Harrell offers perfecting Amendment No. 5 which is adopted by electronic vote (115-0).

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Amendment No. 4 is adopted by electronic vote (115-0).

The bill, as amended, passes its second reading, by electronic vote (79-36).

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

H.B. 986 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A MOTOR VEHICLE INSURER TO DISCLOSE ANY FINANCIAL INTEREST IN A RECOMMENDED REPAIR FACILITY OR SERVICE, is moved up on today's Calendar.

Representative Lucas offers Amendment No. 1 which is adopted by electronic vote (110-0).

The bill, as amended, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

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

H.B. 1219, A BILL TO BE ENTITLED AN ACT TO FURTHER CLARIFY THE DEFINITION OF DIVISIBLE PROPERTY UNDER THE LAWS RELATING TO EQUITABLE DISTRIBUTION, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1193 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 95 OF THE GENERAL STATUTES TO PROVIDE THAT RESCUE AND PUBLIC SAFETY PERSONNEL SHALL NOT BE TERMINATED FOR BEING ABSENT FROM EMPLOYMENT DUE TO AN EMERGENCY, which was temporarily displaced, with Amendment No. 1 pending, is before the Body.

Representative Blackwood withdraws his amendment.

Representative McHenry offers Amendment No. 2.

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On motion of Speaker Black, the bill with pending Amendment No. 2 is temporarily displaced.

H.B. 38 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SHORTEN THE PROBATIONARY PERIOD FOR CAREER TEACHERS WHEN THEY CHANGE SCHOOL SYSTEMS OR RETURN TO TEACHING AFTER LEAVING THE PROFESSION, passes its second reading, by electronic vote (102-9), 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.

H.B. 278 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING EXAMINATIONS FOR LICENSURE TO PRACTICE CHIROPRACTIC, is moved up on today's Calendar.

The bill passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 48 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA MOVING AHEAD TRANSPORTATION INITIATIVE BY ALLOWING CASH BALANCES IN THE HIGHWAY TRUST FUND TO BE USED TO MEET CRUCIAL TRANSPORTATION NEEDS, TO REQUIRE FUNDS DESIGNATED BY THIS ACT FOR PRESERVATION, MODERNIZATION, AND MAINTENANCE BE EXPENDED IN ACCORDANCE WITH THE EQUITY DISTRIBUTION FORMULA, TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CERTIFY THAT USE OF FUNDS IN ACCORDANCE WITH THIS ACT WILL NOT DELAY CONSTRUCTION OF ANY HIGHWAY TRUST FUND PROJECT, TO REAFFIRM THE INTENT OF THE GENERAL ASSEMBLY THAT PROCEEDS FROM THE ISSUANCE OF BONDS UNDER AUTHORITY OF THE STATE HIGHWAY BOND ACT OF 1996 SHALL BE USED FOR THE PURPOSES STATED IN THAT ACT, AND FOR NO OTHER PURPOSE, AND TO ESTABLISH A BLUE RIBBON COMMISSION TO STUDY SOLUTIONS TO NORTH CAROLINA'S URBAN TRANSPORTATION NEEDS.

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Representative Cole moves that Rule 31(d) be suspended in order that he might offer an amendment that would change the title. The motion carries by electronic vote (102-10).

Representative Cole offers Amendment No. 1 which is adopted by electronic vote (108-3). This amendment changes the title.

SPEAKER MORGAN PRESIDING.

Representative Capps offers Amendment No. 2.

SPEAKER BLACK PRESIDING.

Amendment No. 2 fails of adoption by electronic vote (39-74).

The bill, as amended, passes its second reading, by electronic vote (104-9). The caption having been amended, the bill remains on the Calendar.

H.B. 131 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE RECIPROCAL CONCEALED HANDGUN RIGHTS TO CONCEALED HANDGUN PERMIT HOLDERS OF OTHER STATES, passes its second reading, by electronic vote (98-11), and remains on the Calendar.

Representative Frye requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (99-11).

H.B. 147 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT LEFT TURNS ON RED IN CERTAIN SITUATIONS, passes its second reading by electronic vote (75-37).

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

H.B. 1155, A BILL TO BE ENTITLED AN ACT ALLOWING PAYROLL DEDUCTION FOR STATE EMPLOYEES CONTRIBUTING TO THE PARENTAL SAVINGS TRUST FUND, is moved up on today's Calendar.

The bill 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 by Special Message.

H.B. 964, A BILL TO BE ENTITLED AN ACT ELIMINATING THE REQUIREMENT THAT THE STATE PURCHASING OFFICER DETERMINE WHETHER THREE QUALIFIED VENDORS ARE AVAILABLE IN FURNITURE REQUIREMENTS CONTRACTS AND CLARIFYING THE TERM QUALIFIED VENDOR IN SUCH CONTRACTS.

Representative Fox 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 (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1146, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF THE DEPARTMENT OF ADMINISTRATION TO ADOPT RULES AND GUIDELINES FOR RETAINAGE FROM PAYMENT ON PUBLIC CONSTRUCTION CONTRACTS, is moved up on today's Calendar.

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 by Special Message.

H.B. 1221, A BILL TO BE ENTITLED AN ACT REQUIRING THE RETURN OF OVERPAYMENTS OF STATE FUNDS BY PERSONS IN STATE-SUPPORTED POSITIONS, is moved up on today's Calendar.

Representative Decker offers Amendment No. 1 which is adopted by electronic vote (101-12).

The bill, as amended, passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

Representative Blackwood requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (110-1).

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The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 1203 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR FUEL MARKETING ACT, is moved up on today's Calendar.

Representative Daughtridge requests that he be excused from voting on this bill, because the issue is related to his business, under Rule 24.1A and this request is granted.

The bill passes its second reading by electronic vote (86-25).

Representative Ross objects to the third reading and the bill remains on the Calendar.

H.B. 208 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROMPT PAY LAW TO CLARIFY THAT A "CLAIMANT" UNDER THE LAW INCLUDES AN "INSURED", THAT REFERENCES TO THIRTY DAYS ARE TO THIRTY "CALENDAR" DAYS, THAT AN INSURER MUST PROVIDE NOTICE OF A PROBLEM WITH A CLAIM WITHIN FIFTEEN DAYS OF RECEIPT OF THE CLAIM, AND THAT THE NINETY-DAY DEADLINE FOR RESPONDING TO ADDITIONAL INFORMATION REQUESTS FROM AN INSURER ONLY APPLIES TO CLAIMS NOT ALREADY DENIED; TO REQUIRE, UNDER THE PROMPT PAY LAWS, A STATUS REPORT WHEN CLAIMS ARE NOT PAID OR DENIED WITHIN SIXTY DAYS EVEN WHEN THE INSURER IS AWAITING INFORMATION REQUESTED FROM THE CLAIMANT; TO REMOVE FROM THE UNIFORM CREDENTIALING STATUTE AN UNNECESSARY PROVISION; AND TO AMEND UTILIZATION REVIEW LAWS TO CLARIFY THAT A SECOND-LEVEL GRIEVANCE REVIEW PANEL CAN CONSIST OF ONE OR MORE PERSONS, 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.

H.B. 656 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE TRUST ADMINISTRATION ACT AND TO MAKE RELATED CHANGES TO THE LAW GOVERNING ACCOUNTINGS IN TESTAMENTARY TRUSTS, passes its second

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

Representative G. Allen requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (109-0).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 807 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE LAW ESTABLISHING THE ELECTIVE SHARE OF A DECEDENT'S SURVIVING SPOUSE, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

Representative G. Allen requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (109-0).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 859 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE STATEWIDE VOTING TO ELECT MEMBERS OF THE BOARD OF MORTUARY SCIENCE AND TO ESTABLISH A NEW PROCESS WHEREBY MEMBERS ARE APPOINTED TO SERVE ON THE BOARD.

On motion of Representative Adams, the bill is temporarily displaced.

H.B. 965 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE PENALTIES FOR PERSONS WHO CAUSE BODILY INJURY OR DEATH WHEN FAILING TO YIELD THE RIGHT-OF-WAY UNDER CERTAIN CIRCUMSTANCES.

Representative Hill offers Amendment No. 1 which is adopted by electronic vote (98-1).

The bill, as amended, passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

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H.B. 868 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF VARIOUS ENVIRONMENTAL LAWS, passes its second reading, by electronic vote (81-28).

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

H.B. 974, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ANY DEPARTMENT, INSTITUTION, OR AGENCY OF THE STATE FROM PURCHASING FOOD PRODUCTS CONTAINING MILK PROTEIN CONCENTRATE OR RECONSTITUTED MILK, is moved up on today's Calendar.

The bill passes its second reading, by electronic vote (106-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 950 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO OBTAIN THE APPROVAL OF THE COURT BEFORE PLACING A JUVENILE COMMITTED TO THE DEPARTMENT IN A PROGRAM NOT LOCATED IN A YOUTH DEVELOPMENT CENTER OR DETENTION FACILITY, is moved up on today's Calendar.

The bill passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 987 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE FISHERIES DIRECTOR TO ISSUE PROCLAMATIONS THAT BECOME EFFECTIVE IMMEDIATELY UPON ISSUANCE AND TO MAKE OTHER TECHNICAL, CLARIFYING, AND CONFORMING CHANGES, passes its second reading, by electronic vote (106-4).

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

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H.B. 1037 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CRIMINAL PENALTIES FOR ALLOWING JUVENILES TO ESCAPE AND TO ALLOW JUVENILE DETENTION FACILITIES TO PHOTOGRAPH JUVENILES AND TO RELEASE THE PHOTOGRAPHS WHEN THE JUVENILE ESCAPES, passes its second reading, by electronic vote (108-5).

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

H.B. 1093, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE NORTH CAROLINA INSURANCE GUARANTY ASSOCIATION ACT, is moved up on today's Calendar.

The bill passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

S.J.R. 1019, A JOINT RESOLUTION ACKNOWLEDGING THE HENDERSON COUNTY EDUCATION FOUNDATION ON ESTABLISHING A HALL OF FAME AND HONORING THE MEMORY OF GLENN C. MARLOW AND HUGH D. RANDALL, FORMER SUPERINTENDENTS AND INDUCTEES OF THE HALL OF FAME, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

H.B. 1207 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PREPARATION, COMPILATION, AND PRESENTATION TO THE GENERAL ASSEMBLY OF SUMMARIES OF EACH RULE SUBJECT TO LEGISLATIVE DISAPPROVAL AND TO PROVIDE THAT A BILL THAT SPECIFICALLY DISAPPROVES A RULE IS NOT SUBJECT TO THE CROSSOVER DEADLINE, is moved up on today's Calendar.

The bill passes its second reading, by electronic vote (97-16).

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

H.B. 883 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO TEMPORARILY WAIVE CERTAIN REQUIREMENTS OF THE MENTAL HEALTH COMMITMENT STATUTES TO FURTHER MENTAL HEALTH REFORM EFFORTS, passes its second reading, by electronic vote (108-3), and there being no objection is read a third time.

Speaker Morgan requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (109-3).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

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

H.B. 888, A BILL TO BE ENTITLED AN ACT TO INCREASE PURCHASING FLEXIBILITY FOR PUBLIC SCHOOLS, passes its second reading, by electronic vote (75-34).

Representatives Bordsen and Rhodes request and are granted permission to be recorded as voting "aye". The adjusted vote total is (77-34).

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

H.B. 897 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT TEMPORARY AND PERMANENT RULES TO REDUCE CERTAIN TESTING REQUIREMENTS APPLICABLE TO THE LEAKING UNDERGROUND STORAGE TANK CLEANUP PROGRAM IN ORDER TO REDUCE COSTS, passes its second reading, by electronic vote (111-1).

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

H.B. 907 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE COUNCIL FOR THE DEAF AND THE HARD OF HEARING, TO INCREASE THE MEMBERS ON THE COUNCIL, AND TO CHANGE THE APPOINTING AUTHORITY FOR TWO OF THE MEMBERS APPOINTED TO THE

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COUNCIL, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

Representative A. Williams states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (114-0).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1193 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 95 OF THE GENERAL STATUTES TO PROVIDE THAT RESCUE AND PUBLIC SAFETY PERSONNEL SHALL NOT BE TERMINATED FOR BEING ABSENT FROM EMPLOYMENT DUE TO AN EMERGENCY, which was temporarily displaced with Amendment No. 2 pending, is before the Body.

Amendment No. 2 is adopted by electronic vote (97-13).

The bill fails to pass its second reading by electronic vote (33-75).

Representative Rayfield requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (34-75).

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S.B. 972 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELAY THE SETTING OF EXECUTIONS FOR A DEFINITE PERIOD AND TO STUDY ISSUES RELATING TO THE DEATH SENTENCE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 992, A BILL TO BE ENTITLED AN ACT TO PROTECT THE STATE'S MASTER SETTLEMENT AGREEMENT MONEY, is read the first time and referred to the Committee on Agriculture.

CROSSOVER DEADLINE AGREEMENT

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AGREEMENT TO COVER BILLS AND RESOLUTIONS PASSED FOLLOWING ADJOURNMENT OF EITHER CHAMBER PRIOR TO THE OTHER ON MAY 1, 2003, CROSSOVER DEADLINE.

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It is agreed that all bills and resolutions passed by the House of Representatives or the Senate on May 1, 2003, and ordered sent to the other chamber but not read as a message on the floor of either Body, shall be considered to have met the provision of House Rule 31.1(d) and Senate Rule 41.

S/ Marc Basnight
Senate President Pro Tempore

S/ James B. Black
Speaker of the House

S/ Richard T. Morgan
Speaker of the House

CALENDAR (continued)

H.B. 859 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE STATEWIDE VOTING TO ELECT MEMBERS OF THE BOARD OF MORTUARY SCIENCE AND TO ESTABLISH A NEW PROCESS WHEREBY MEMBERS ARE APPOINTED TO SERVE ON THE BOARD, which was temporarily displaced with Amendment No. 1 pending, is before the Body.

On motion of Speaker Black, the bill is temporarily displaced.

S.B. 772 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS THAT ALLOWS RETAILERS WHO ARE NOT LICENSED AS PLUMBING, HEATING, OR FIRE SPRINKLER CONTRACTORS TO SELL CERTAIN GOODS AND SERVICES TO BE INSTALLED BY LICENSEES, passes its second reading, by electronic vote (107-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Gillespie withdraws his objection to the third reading of **H.B. 868** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF VARIOUS ENVIRONMENTAL LAWS, and the bill is before the Body.

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The bill passes its third reading and is ordered sent to the Senate by Special Message.

Representative McComas withdraws his objection to the third reading of **H.B. 897** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT TEMPORARY AND PERMANENT RULES TO REDUCE CERTAIN TESTING REQUIREMENTS APPLICABLE TO THE LEAKING UNDERGROUND STORAGE TANK CLEANUP PROGRAM IN ORDER TO REDUCE COSTS, and the bill is before the Body.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

CALENDAR (continued)

H.B. 859 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE STATEWIDE VOTING TO ELECT MEMBERS OF THE BOARD OF MORTUARY SCIENCE AND TO ESTABLISH A NEW PROCESS WHEREBY MEMBERS ARE APPOINTED TO SERVE ON THE BOARD, which was temporarily displaced with Amendment No. 1 pending, is before the Body.

Representative Wainwright withdraws his amendment.

Representative Wainwright moves that Rule 31(d) be suspended. The motion carries by electronic vote (104-5).

Representative Wainwright offers Amendment No. 2 which is adopted by electronic vote (104-7). This amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (90-20), 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.

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 608** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF RALEIGH TO EXERCISE POLICE JURISDICTION TWO MILES OUTSIDE THE

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CORPORATE LIMITS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government II.

On motion of Representative Culpepper, seconded by Representative C. Wilson, the House adjourns at 9:00 p.m. to reconvene May 1 at 10:00 a.m.

FIFTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 1, 2003

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

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

"God of all peoples:

"On this National Day of Prayer, we join with people of faith all across our Nation to pray for Your grace in these uncertain days. We say 'In God We Trust' and 'One Nation Under God.' May these not be empty words. We pray for President Bush and the leaders of our Nation as well as those who lead all the nations of the world. God, in Your power unite all humanity in celebration of both the similarity and the great diversity with which You have graced us.

"God of all might, in Your love You gave us a measure of Your power - power to unite or disrupt, to heal or wound, to create or destroy, even to save or kill. Remind us once again that with power comes awesome responsibility. Give to each of these Representatives a sense of justice and wisdom in their use of the powers that have been given to them by the people of our State. As the end of this busy week nears, give to them Your traveling mercies, and days of rest and rejuvenation for the week to come.

"In Your powerful name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 30 has been examined and found correct. Upon his motion, the Journal is approved as written.

May 1, 2003

A leave of absence is granted Representative Alexander for today. Representatives Allred, Barbee, Bonner, Luebke, and West 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. 122, AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATION BY THE CITIES OF GASTONIA AND LOCUST AND THE TOWNS OF BLADENBORO, PINE LEVEL, AND RANLO.

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

S.J.R. 1019, A JOINT RESOLUTION ACKNOWLEDGING THE HENDERSON COUNTY EDUCATION FOUNDATION ON ESTABLISHING A HALL OF FAME AND HONORING THE MEMORY OF GLENN C. MARLOW AND HUGH D. RANDALL, FORMER SUPERINTENDENTS AND INDUCTEES OF THE HALL OF FAME. (RESOLUTION 2003-10)

CHAPTERED BILLS

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

S.B. 733, AN ACT TO PROVIDE FOR EXTENSIONS OF THE EXPIRATION DATES OF CERTAIN GENERAL NONDISCHARGE PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS THAT SERVE SWINE, CATTLE, AND POULTRY OPERATIONS AND TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE USE OF GENERAL NONDISCHARGE PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS THAT SERVE SWINE, CATTLE, AND POULTRY OPERATIONS TO PROTECT WATER QUALITY. (S.L. 2003-28)

S.B. 244, AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING TO RECOGNIZE RETIRED NURSES BY SPECIAL LICENSURE STATUS AND TO ESTABLISH A FEE FOR THIS STATUS. (S.L. 2003-29)

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

H.B. 970 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE SCHOOL BUS DRIVERS TO MEET THE SAME MEDICAL EVALUATION REQUIREMENTS AS HOLDERS OF COMMERCIAL DRIVERS LICENSES, 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 Nesbitt, Chair, for the Committee on Judiciary II:

H.B. 439 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE OPENING OF CARTWAYS, with a favorable report.

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

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 19 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING TOWNSHIP ABC ELECTIONS IN CERTAIN TOWNSHIPS, is read the first time and referred to the Committee on Alcoholic Beverage Control.

S.B. 162, A BILL TO BE ENTITLED AN ACT TO REPEAL THE FAYETTEVILLE FIREMEN'S SUPPLEMENTAL RETIREMENT BENEFIT FUND, is read the first time and referred to the Committee on Pensions and Retirement.

S.B. 291 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO EXPEND

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FUNDS ON ROADS OUTSIDE THE CORPORATE LIMITS, is read the first time and referred to the Committee on Local Government II.

S.B. 388 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE NORTH CAROLINA GENERAL STATUTES IN RESPONSE TO RECENT MEDICAL ADVANCES IN SCREENING FOR THE EARLY DETECTION OF CERVICAL CANCER, is read the first time and referred to the Committee on Health.

S.B. 469 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CONDITIONS PLACED ON EXCLUSIVE AGENCY CONTRACTS FOR THE SALE OF LIFE INSURANCE OR FINANCIAL SERVICES ARE UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE TRADE PRACTICES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 471 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING THE SELF-INSURANCE GUARANTY ASSOCIATION, is read the first time and referred to the Committee on Insurance.

S.B. 577 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE MORE EFFICIENT USE OF ALL COURT PERSONNEL RESOURCES THROUGH CONCURRENT AND REVISED JURISDICTION AND PROCEDURES BY AUTHORIZING DISTRICT COURT JUDGES TO ACCEPT GUILTY PLEAS FOR CERTAIN CLASSES OF FELONY, BY PROVIDING FOR CONCURRENT JURISDICTION FOR DISTRICT AND SUPERIOR COURT JUDGES IN INFRACTIONS AND MISDEMEANOR CASES, BY RAISING THE JURISDICTIONAL AMOUNT FOR SMALL CLAIMS, BY AUTHORIZING THE USE OF EXPEDITED CHILD SUPPORT PROCESS UPON THE AGREEMENT OF THE CHIEF DISTRICT COURT JUDGE AND CLERK OF SUPERIOR COURT, AND BY CONFORMING CERTAIN PROCEDURAL REQUIREMENTS IN ACTIONS FOR ABSOLUTE DIVORCE TO THE REQUIREMENTS IN OTHER CIVIL CASES, AS RECOMMENDED BY THE STATE JUDICIAL COUNCIL, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 583 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT CHILDREN IN THE PUBLIC SCHOOLS FROM EXPOSURE TO TOBACCO BY REQUIRING LOCAL BOARDS OF

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EDUCATION TO ADOPT WRITTEN POLICIES PROHIBITING THE USE OF TOBACCO PRODUCTS IN PUBLIC SCHOOL BUILDINGS, is read the first time and referred to the Committee on Education.

S.B. 692 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN INFORMATION CONCERNING PLANS TO RESPOND TO TERRORIST ACTIVITY ARE NOT SUBJECT TO THE PUBLIC RECORDS OR OPEN MEETINGS LAWS, is read the first time and referred to the Committee on Judiciary II.

S.B. 716 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE UNIFORM ARBITRATION ACT AND TO ENACT THE REVISED UNIFORM ARBITRATION ACT, is read the first time and referred to the Committee on Judiciary IV.

S.B. 868 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF ASSAULT IN THE PRESENCE OF A CHILD, is read the first time and referred to the Committee on Judiciary III.

S.B. 877 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE PENALTIES FOR VIOLATIONS OF THE CHILD CARE FACILITIES ACT, is read the first time and referred to the Committee on Judiciary I.

S.B. 919 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE SAFETY OF VICTIMS IN SERIOUS DOMESTIC VIOLENCE CASES, is read the first time and referred to the Committee on Judiciary I.

S.B. 926 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LICENSING PROCESS FOR NEW GROUP HOME FACILITIES AND FOR THE REIMBURSEMENT OF EDUCATIONAL COSTS BY THE HOME COUNTY TO THE HOST COUNTY, is read the first time and referred to the Committee on Health.

S.B. 996 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PREVENT THE NEGATIVE SECONDARY EFFECTS CAUSED BY SEXUALLY EXPLICIT CONDUCT ON PREMISES LICENSED BY THE ALCOHOLIC BEVERAGE CONTROL COMMISSION, is read the first time and referred to the Committee on Judiciary II.

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CALENDAR

Action is taken on the following:

H.B. 697 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF TROY AND ITS REDEVELOPMENT COMMISSION TO ACQUIRE PROPERTY WITHIN A REDEVELOPMENT AREA USING THE "QUICK TAKE" PROCEDURE, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, B. Allen, G. Allen, L. Allen, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Capps, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 109.

Voting in the negative: Representatives Brubaker, Clary, Setzer, and Starnes - 4.

Excused absences: Representatives Alexander, Allred, and Luebke - 3.

H.B. 755 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF CARY AND GARNER TO ACQUIRE PROPERTY FOR THE PRESENT OR FUTURE LOCATION OR RELOCATION OF TELEPHONE, TELEGRAPH, ELECTRIC, OR OTHER LINES TO BE OPERATED BY PUBLIC UTILITIES, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, B. Allen, G. Allen, L. Allen, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Capps, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtridge,

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Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 109.

Voting in the negative: Representatives Brubaker, Clary, Setzer, and Starnes - 4.

Excused absences: Representatives Alexander, Allred, and Luebke - 3.

H.B. 124 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADOPTING A PROTEST PETITION REQUIREMENT FOR DURHAM COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 197 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE BLADEN COUNTY BOARD OF EDUCATION TO DISPOSE OF CERTAIN PROPERTY AT 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 by Special Message.

H.B. 248 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE CITY OF WILMINGTON TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 249 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF WILMINGTON TO ENGAGE IN

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CONDITIONAL ZONING, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 499 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF LANDIS TO EXTEND THE MAYOR'S AND ALDERMEN'S TERMS OF OFFICE FROM TWO TO FOUR 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 by Special Message.

H.B. 625 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF ASHEVILLE TO REQUIRE PRE-TOWING NOTICES BEFORE A MOTOR VEHICLE MAY BE TOWED FROM A PRIVATE LOT, GARAGE, OR OTHER PARKING FACILITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 635 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE POSTING OF SIGNS WHEN AN INVISIBLE FENCE PET CONTAINMENT SYSTEM IS INSTALLED ON PROPERTY IN GASTON COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 773 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO REQUIRE SPRINKLERS IN BARS, CLUBS, AND OTHER SIMILAR PLACES OF PUBLIC ASSEMBLY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

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

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S.B. 355, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WAKE FOREST TO USE TOWN LABOR FOR PHASED CONSTRUCTION OF ELECTRICAL DISTRIBUTION FEEDER CIRCUITS AND FOR CONSTRUCTION OF AN ELECTRIC SUBSTATION WITHOUT REGARD TO THE DOLLAR VALUE OF THE LABOR, 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. 969, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO CHANGE THE TERM OF OFFICE OF MAGISTRATES.

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 Morgan; Representatives Adams, B. Allen, G. Allen, L. Allen, Baker, Barbee, Barnhart, Bell, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: Representatives Blackwood, Setzer, and Starnes - 3.

Excused absences: Representatives Alexander, Allred, and Luebke - 3.

H.B. 1024, A BILL TO BE ENTITLED AN ACT ADOPTING THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT FOR NORTH CAROLINA.

Speaker Morgan rules that the bill is not a roll call bill.

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The bill passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

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

S.B. 295 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES FOR PARAMEDICS AND THE NORTH CAROLINA COASTAL FEDERATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, B. Allen, G. Allen, L. Allen, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, LaRoque, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: Representatives Bowie, Creech, Daughtridge, Hall, Kiser, and Sutton - 6.

Excused absences: Representatives Alexander and Allred - 2.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Adams, Chair, for the Committee on Local Government II:

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H.B. 608, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF RALEIGH, 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 (continued)

H.B. 48 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA MOVING AHEAD TRANSPORTATION INITIATIVE BY ALLOWING CASH BALANCES IN THE HIGHWAY TRUST FUND TO BE USED TO MEET CRUCIAL TRANSPORTATION NEEDS, TO REQUIRE FUNDS DESIGNATED BY THIS ACT FOR PRESERVATION, MODERNIZATION, AND MAINTENANCE BE EXPENDED IN ACCORDANCE WITH THE EQUITY DISTRIBUTION FORMULA, TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CERTIFY THAT USE OF FUNDS IN ACCORDANCE WITH THIS ACT WILL NOT DELAY CONSTRUCTION OF ANY HIGHWAY TRUST FUND PROJECT, TO REAFFIRM THE INTENT OF THE GENERAL ASSEMBLY THAT PROCEEDS FROM THE ISSUANCE OF BONDS UNDER AUTHORITY OF THE STATE HIGHWAY BOND ACT OF 1996 SHALL BE USED FOR THE PURPOSES STATED IN THAT ACT, FOR NO OTHER PURPOSE, AND TO ESTABLISH A BLUE RIBBON COMMISSION TO STUDY SOLUTIONS TO NORTH CAROLINA'S URBAN TRANSPORTATION NEEDS, AND TO CLARIFY THE EFFECTIVENESS OF PERMITS ISSUED BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES.

Representative Ellis offers Amendment No. 3 which is adopted by electronic vote (114-1).

The bill, as amended, passes its third reading, by electronic vote (111-6), and is ordered engrossed and sent to the Senate by Special Message.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Gorman and without objection, **H.B. 1087** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE WINDSHIELDS ON PRIVATE PASSENGER VEHICLES SUBJECT TO VEHICLE SAFETY INSPECTIONS, is withdrawn from the Calendar and re-referred to the Committee on Judiciary III.

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CALENDAR (continued)

H.B. 131 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE RECIPROCAL CONCEALED HANDGUN RIGHTS TO CONCEALED HANDGUN PERMIT HOLDERS OF OTHER STATES.

Representative Weiss offers Amendment No. 1.

Representative Haire offers perfecting Amendment No. 2 which fails of adoption by electronic vote (48-68).

Amendment No. 1 fails of adoption by electronic vote (26-92).

The bill passes its third reading, by electronic vote (98-18), and is ordered sent to the Senate by Special Message.

Speaker Black requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (99-18).

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 339** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CONFORM NORTH CAROLINA'S THIRD PARTY ADMINISTRATOR ARTICLE TO REVISIONS TO THE NAIC MODEL THIRD PARTY ADMINISTRATOR STATUTE; REQUIRE GROUP ANNUITY INSURERS TO ISSUE INDIVIDUAL CERTIFICATES OF COVERAGE TO EACH ANNUITANT; REORGANIZE ARTICLE 60 OF CHAPTER 58 OF THE GENERAL STATUTES AND AMEND CURRENT DISCLOSURE REQUIREMENTS FOR SOLICITATION OF LIFE INSURANCE PRODUCTS AND ANNUITIES; REQUIRE INSURERS TO NOTIFY EMPLOYEES OF THE EXISTENCE OF EMPLOYER-OWNED LIFE INSURANCE POLICIES WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF COVERAGE; REQUIRE THAT ASSOCIATION PREMIUM RATES FOR ACCIDENT AND HEALTH INSURANCE BE ACTUARIALLY SOUND AND THAT ASSOCIATIONS BE RATED AS A SINGLE GROUP WHEN THE COVERAGE PROVIDED IS NOT EMPLOYER-BASED; LIMIT AN INDIVIDUAL ACCIDENT AND HEALTH INSURER'S USE OF AN INDIVIDUAL'S OWN CLAIMS' EXPERIENCE TO DEVELOP THE INDIVIDUAL'S RENEWAL RATE; EXEMPT A SOLE PROPRIETOR FROM THE FULL-TIME BASIS OR THIRTY-HOUR WORKWEEK REQUIREMENTS TO BE ELIGIBLE

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FOR LARGE GROUP HEALTH COVERAGE LIKE THE PROPRIETOR'S FULL-TIME EMPLOYEES; CORRECT AN INADVERTENT CROSS-REFERENCE IN ORDER TO REAPPLY NEWBORN COVERAGE TO A MORE COMPREHENSIVE GROUP OF INSURERS; TECHNICALLY CORRECT AN OMISSION REGARDING PROVISIONS GOVERNING PREEXISTING CONDITIONS FOR LIMITED HEALTH, SUPPLEMENTAL HEALTH, AND SPECIFIED DISEASE POLICIES; DECREASE THE TOTAL NUMBER OF MEMBERS THAT SERVE ON THE SMALL EMPLOYER REINSURANCE POOL BOARD FROM NINE TO SIX; ALLOW PERSONS RETROACTIVELY ENROLLED IN MEDICARE PART B THE SAME SIX-MONTH OPEN ENROLLMENT PERIOD FOR MEDICARE SUPPLEMENT PLANS AS PERSONS WHO ENROLLED IN MEDICARE PART B WITHOUT A RETROACTIVE EFFECTIVE DATE OF COVERAGE; TECHNICALLY CORRECT THE REVOCATION AND SUSPENSION LAW TO INCLUDE A BENEFICIARY OF A LIFE OR ANNUITY CONTRACT AS A CLAIMANT; MANDATE HEALTH BENEFIT COVERAGE FOR DESIGNATED TRAVEL EXPENSES WHEN THE REQUIRED DISTANCE TRAVELED THRESHOLD IS MET; TO REQUIRE RATE METHODOLOGY UNDER MEDICARE SUPPLEMENTAL INSURANCE POLICIES TO BE BASED ON ISSUE AGE AND TO MAKE OTHER CHANGES TO THE LAW PERTAINING TO MEDICARE SUPPLEMENTAL INSURANCE POLICIES; AND MAKE TECHNICAL CORRECTIONS TO THE CREDIT INSURANCE LAWS, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Holliman and Setzer, Chairs, for the Committee on Insurance:

H.B. 1066, A BILL TO BE ENTITLED AN ACT TO FACILITATE THE SUBMISSION OF COMPLETE CLAIMS BY PROVIDERS UNDER HEALTH BENEFIT PLANS BY REQUIRING HEALTH BENEFIT PLANS TO DISCLOSE TO CONTRACT PROVIDERS THE PLAN'S FEE SCHEDULES AND MEDICAL AND REIMBURSEMENT POLICIES, AND TO PROVIDE NOTICE TO THE PROVIDER PRIOR TO IMPLEMENTING CHANGES TO THE SCHEDULES OR POLICIES,

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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. 1107, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING MANAGED CARE UTILIZATION REVIEW AND GRIEVANCE PROCEDURES TO MAKE THEM CONFORM WITH THE UNITED STATES DEPARTMENT OF LABOR CLAIM 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.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S.B. 52 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE COURT'S DISCRETION TO ALLOW COURT COSTS, is read the first time and referred to the Committee on Judiciary I.

S.B. 648 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN AD HOC CERVICAL CANCER ELIMINATION TASK FORCE TO THE ADVISORY COMMITTEE ON CANCER COORDINATION AND CONTROL, is read the first time and referred to the Committee on Health and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

S.B. 916 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CIVIL NO-CONTACT ORDERS FOR THE PROTECTION OF EMPLOYEES FROM WORKPLACE VIOLENCE AND INDIVIDUALS WHO ARE VICTIMS OF UNLAWFUL CONDUCT, is read the first time and referred to the Committee on Occupational Safety and Health.

WITHDRAWAL OF BILLS FROM CALENDAR

Pursuant to Rule 36(b)(2), the following bills are withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Rules, Calendar, and Operations of the House:

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H.B. 439 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE OPENING OF CARTWAYS.

H.B. 564 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A GOOD FAITH EXCEPTION TO THE EXCLUSIONARY RULE.

BILL RECALLED FROM ENGROSSING

On motion of Representative Crawford and without objection, **H.B. 48** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA MOVING AHEAD TRANSPORTATION INITIATIVE BY ALLOWING CASH BALANCES IN THE HIGHWAY TRUST FUND TO BE USED TO MEET CRUCIAL TRANSPORTATION NEEDS, TO REQUIRE FUNDS DESIGNATED BY THIS ACT FOR PRESERVATION, MODERNIZATION, AND MAINTENANCE BE EXPENDED IN ACCORDANCE WITH THE EQUITY DISTRIBUTION FORMULA, TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CERTIFY THAT USE OF FUNDS IN ACCORDANCE WITH THIS ACT WILL NOT DELAY CONSTRUCTION OF ANY HIGHWAY TRUST FUND PROJECT, TO REAFFIRM THE INTENT OF THE GENERAL ASSEMBLY THAT PROCEEDS FROM THE ISSUANCE OF BONDS UNDER AUTHORITY OF THE STATE HIGHWAY BOND ACT OF 1996 SHALL BE USED FOR THE PURPOSES STATED IN THAT ACT, FOR NO OTHER PURPOSE, AND TO ESTABLISH A BLUE RIBBON COMMISSION TO STUDY SOLUTIONS TO NORTH CAROLINA'S URBAN TRANSPORTATION NEEDS, AND TO CLARIFY THE EFFECTIVENESS OF PERMITS ISSUED BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, is recalled from Engrossing and the bill is before the Body.

Having voted with the prevailing side, Representative Crawford moves that the vote by which the bill passed its third reading be reconsidered. Without objection, the vote is reconsidered.

Having voted with the prevailing side, Representative Crawford moves that the vote by which Amendment No. 3 was adopted be reconsidered. The motion carries by electronic vote (101-14).

On motion of Representative Crawford, the bill with pending Amendment No. 3, is temporarily displaced.

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CALENDAR (continued)

H.B. 147 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT LEFT TURNS ON RED IN CERTAIN SITUATIONS, passes its third reading, by electronic vote (83-35), and is ordered sent to the Senate by Special Message.

H.B. 48 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH CAROLINA MOVING AHEAD TRANSPORTATION INITIATIVE BY ALLOWING CASH BALANCES IN THE HIGHWAY TRUST FUND TO BE USED TO MEET CRUCIAL TRANSPORTATION NEEDS, TO REQUIRE FUNDS DESIGNATED BY THIS ACT FOR PRESERVATION, MODERNIZATION, AND MAINTENANCE BE EXPENDED IN ACCORDANCE WITH THE EQUITY DISTRIBUTION FORMULA, TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CERTIFY THAT USE OF FUNDS IN ACCORDANCE WITH THIS ACT WILL NOT DELAY CONSTRUCTION OF ANY HIGHWAY TRUST FUND PROJECT, TO REAFFIRM THE INTENT OF THE GENERAL ASSEMBLY THAT PROCEEDS FROM THE ISSUANCE OF BONDS UNDER AUTHORITY OF THE STATE HIGHWAY BOND ACT OF 1996 SHALL BE USED FOR THE PURPOSES STATED IN THAT ACT, FOR NO OTHER PURPOSE, AND TO ESTABLISH A BLUE RIBBON COMMISSION TO STUDY SOLUTIONS TO NORTH CAROLINA'S URBAN TRANSPORTATION NEEDS, AND TO CLARIFY THE EFFECTIVENESS OF PERMITS ISSUED BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, which was temporarily displaced with Amendment No. 3 pending, is before the Body.

Representative Crawford offers perfecting Amendment No. 4 which is adopted by electronic vote (113-0).

Amendment No. 3 is adopted by electronic vote (115-1).

The bill, as amended, passes its third reading, by electronic vote (108-8), and is ordered engrossed and sent to the Senate by Special Message.

H.B. 566, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE ADMINISTRATIVE RULE RECLASSIFICATION BY THE ENVIRONMENTAL MANAGEMENT COMMISSION OF PORTIONS OF SWIFT CREEK AND SANDY CREEK IN THE TAR-PAMLICO RIVER BASIN THAT WOULD HAVE THE EFFECT OF IMPOSING CERTAIN MANAGEMENT STRATEGIES APPLICABLE TO OUTSTANDING RESOURCE WATERS (ORW) IN THE WATERSHED OF THESE

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CREEKS, passes its third reading, by electronic vote (99-14), and is ordered engrossed and sent to the Senate by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

Senate Committee Substitute for **H.B. 397** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, AND TO IMPLEMENT A STATE BUDGET THAT ENABLES THE STATE TO PROVIDE TAX RELIEF FOR WORKING FAMILIES AND PROTECTS THE STATE'S TRIPLE-A BOND RATING, 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.

Speaker Morgan rules the Senate committee substitute bill to be material, thus constituting its first reading.

CALENDAR (continued)

H.B. 888, A BILL TO BE ENTITLED AN ACT TO INCREASE PURCHASING FLEXIBILITY FOR PUBLIC SCHOOLS, passes its third reading, by electronic vote (85-23), and is ordered sent to the Senate by Special Message.

H.B. 987 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE FISHERIES DIRECTOR TO ISSUE PROCLAMATIONS THAT BECOME EFFECTIVE IMMEDIATELY UPON ISSUANCE AND TO MAKE OTHER TECHNICAL, CLARIFYING, AND CONFORMING CHANGES, passes its third reading, by electronic vote (107-2), and is ordered sent to the Senate by Special Message.

H.B. 1037 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CRIMINAL PENALTIES FOR ALLOWING JUVENILES TO ESCAPE AND TO ALLOW JUVENILE DETENTION FACILITIES TO PHOTOGRAPH JUVENILES AND TO RELEASE THE PHOTOGRAPHS WHEN THE JUVENILE ESCAPES, passes its third

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reading, by electronic vote (113-1), and is ordered sent to the Senate by Special Message.

On motion of Speaker Morgan, the House recesses at 11:53 a.m.

RECESS

The House reconvenes pursuant to recess and is called to order by Speaker Morgan.

ENROLLED BILLS

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

S.B. 772, AN ACT TO CLARIFY THE LAW GOVERNING PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS THAT ALLOWS RETAILERS WHO ARE NOT LICENSED AS PLUMBING, HEATING, OR FIRE SPRINKLER CONTRACTORS TO SELL CERTAIN GOODS AND SERVICES TO BE INSTALLED BY LICENSEES.

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. 339 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CONFORM NORTH CAROLINA'S THIRD PARTY ADMINISTRATOR ARTICLE TO REVISIONS TO THE NAIC MODEL THIRD PARTY ADMINISTRATOR STATUTE; REQUIRE GROUP ANNUITY INSURERS TO ISSUE INDIVIDUAL CERTIFICATES OF COVERAGE TO EACH ANNUITANT; REORGANIZE ARTICLE 60 OF CHAPTER 58 OF THE GENERAL STATUTES AND AMEND CURRENT DISCLOSURE REQUIREMENTS FOR SOLICITATION OF LIFE INSURANCE PRODUCTS AND ANNUITIES; REQUIRE INSURERS TO NOTIFY EMPLOYEES OF THE EXISTENCE OF EMPLOYER-OWNED LIFE INSURANCE POLICIES WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF COVERAGE; REQUIRE THAT ASSOCIATION PREMIUM RATES FOR ACCIDENT AND HEALTH INSURANCE BE ACTUARIALLY SOUND AND THAT ASSOCIATIONS

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BE RATED AS A SINGLE GROUP WHEN THE COVERAGE PROVIDED IS NOT EMPLOYER-BASED; LIMIT AN INDIVIDUAL ACCIDENT AND HEALTH INSURER'S USE OF AN INDIVIDUAL'S OWN CLAIMS' EXPERIENCE TO DEVELOP THE INDIVIDUAL'S RENEWAL RATE; EXEMPT A SOLE PROPRIETOR FROM THE FULL-TIME BASIS OR THIRTY-HOUR WORKWEEK REQUIREMENTS TO BE ELIGIBLE FOR LARGE GROUP HEALTH COVERAGE LIKE THE PROPRIETOR'S FULL-TIME EMPLOYEES; CORRECT AN INADVERTENT CROSS-REFERENCE IN ORDER TO REAPPLY NEWBORN COVERAGE TO A MORE COMPREHENSIVE GROUP OF INSURERS; TECHNICALLY CORRECT AN OMISSION REGARDING PROVISIONS GOVERNING PREEXISTING CONDITIONS FOR LIMITED HEALTH, SUPPLEMENTAL HEALTH, AND SPECIFIED DISEASE POLICIES; DECREASE THE TOTAL NUMBER OF MEMBERS THAT SERVE ON THE SMALL EMPLOYER REINSURANCE POOL BOARD FROM NINE TO SIX; ALLOW PERSONS RETROACTIVELY ENROLLED IN MEDICARE PART B THE SAME SIX-MONTH OPEN ENROLLMENT PERIOD FOR MEDICARE SUPPLEMENT PLANS AS PERSONS WHO ENROLLED IN MEDICARE PART B WITHOUT A RETROACTIVE EFFECTIVE DATE OF COVERAGE; TECHNICALLY CORRECT THE REVOCATION AND SUSPENSION LAW TO INCLUDE A BENEFICIARY OF A LIFE OR ANNUITY CONTRACT AS A CLAIMANT; MANDATE HEALTH BENEFIT COVERAGE FOR DESIGNATED TRAVEL EXPENSES WHEN THE REQUIRED DISTANCE TRAVELED THRESHOLD IS MET; TO REQUIRE RATE METHODOLOGY UNDER MEDICARE SUPPLEMENTAL INSURANCE POLICIES TO BE BASED ON ISSUE AGE AND TO MAKE OTHER CHANGES TO THE LAW PERTAINING TO MEDICARE SUPPLEMENTAL INSURANCE POLICIES; AND MAKE TECHNICAL CORRECTIONS TO THE CREDIT INSURANCE LAWS, reported without prejudice.

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

By Representatives Holliman and Setzer, Chairs, for the Committee on Insurance:

H.B. 822, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS TO COVER MEDICALLY NECESSARY EARLY INTERVENTION SERVICES FOR CHILDREN FROM BIRTH TO THREE YEARS OF AGE WHO ARE COVERED UNDER THE PLAN, reported without prejudice as to the committee substitute bill, unfavorable

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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.

H.B. 1152, 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 CONSENT FROM THE INSURED OR CLAIMANT AND PROHIBITING THE NONREPLACEMENT OF AIR BAGS, 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. 1151 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE ADMINISTRATIVE PROCEDURE ACT TO REVISE THE PROCEDURE FOR ADOPTING PERMANENT AND TEMPORARY RULES, TO CREATE A PROCEDURE FOR THE ADOPTION OF EMERGENCY RULES, TO CLARIFY THE ROLE OF THE RULES REVIEW COMMISSION AND TO EXCLUDE THE STATE MEDICAL FACILITIES PLAN FROM THE DEFINITION OF A RULE, is moved up on today's Calendar.

The bill passes its third reading, by electronic vote (105-5), and is ordered sent to the Senate by Special Message.

H.B. 1213 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE DEFERRED DEPOSIT TRANSACTIONS AND TO PROVIDE ADDITIONAL CONSUMER DISCLOSURES AND PROTECTIONS, is moved up on today's Calendar.

Pursuant to Rule 24.1A(c), the request that Representative Munford be excused from voting on April 30 is continued.

Representative Michaux offers Amendment No. 6 which fails of adoption by electronic vote (45-65).

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The bill, as amended, passes its third reading, by electronic vote (79-32), and is ordered engrossed and sent to the Senate by Special Message.

H.B. 1207 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PREPARATION, COMPILATION, AND PRESENTATION TO THE GENERAL ASSEMBLY OF SUMMARIES OF EACH RULE SUBJECT TO LEGISLATIVE DISAPPROVAL AND TO PROVIDE THAT A BILL THAT SPECIFICALLY DISAPPROVES A RULE IS NOT SUBJECT TO THE CROSSOVER DEADLINE.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (114-0).

The bill, as amended, passes its third reading, by electronic vote (107-7), and is ordered engrossed and sent to the Senate by Special Message.

H.B. 1047, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE CIVIL ACTIONS OF ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION, passes its third reading, by electronic vote (68-46), and is ordered sent to the Senate by Special Message.

Representative Crawford states that his voting equipment malfunctioned and he requests and is granted permission to change his vote from "no" to "aye". Representative Farmer-Butterfield requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (70-45).

H.B. 1203 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR FUEL MARKETING ACT.

Pursuant to Rule 24.1A(c), the request that Representative Daughtridge be excused from voting on April 30 is continued.

Representative Capps offers Amendment No. 1 which fails of adoption by electronic vote (18-92).

The bill passes its third reading, by electronic vote (84-28), and is ordered sent to the Senate by Special Message.

H.B. 319 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING CHARTER SCHOOLS, 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 passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 892 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COMMON LAW DETERMINES WHETHER A DRIVER OF A TRUCK, TRACTOR OR TRUCK TRACTOR TRAILER OF AN INTERSTATE MOTOR CARRIER IS AN EMPLOYEE SUBJECT TO THE WORKERS' COMPENSATION ACT AND TO DEFINE THE OBLIGATIONS UNDER THE ACT FOR SUCH DRIVERS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 941, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE ANALYSIS OF THE STATE'S LEGACY INFORMATION TECHNOLOGY SYSTEMS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 951 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CIVIL NO-CONTACT ORDERS FOR THE PROTECTION OF INDIVIDUALS WHO ARE VICTIMS OF UNLAWFUL CONDUCT, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 963 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN PERSONS CONVICTED OF LEAVING THE SCENE OF AN ACCIDENT INVOLVING INJURY OR DEATH SHALL LOSE THEIR LICENSE FOR A PERIOD OF TWO YEARS, 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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WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), **H.B. 84** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CABARRUS COUNTY DEMONSTRATION WORK OVER WELFARE PROGRAM, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

H.B. 1043 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE IMMUNITY FROM LIABILITY FOR HEALTH CARE PROVIDERS PROVIDING HEALTH CARE TREATMENT TO PERSONS INJURED BY A TERRORIST INCIDENT.

Representative Wright offers Amendment No. 1 which is adopted by electronic vote (108-1).

Representative Glazier offers Amendment No. 2 which is adopted by electronic vote (107-2).

The bill, as amended, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 1123, A BILL TO BE ENTITLED AN ACT TO EXPRESSLY PROVIDE FOR LIMITED GUARDIANSHIPS FOR INCOMPETENT PERSONS AND TO CLARIFY THE DUTY OF A GUARDIAN AD LITEM APPOINTED TO REPRESENT A PERSON IN AN INCOMPETENCY ADJUDICATION, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1139 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE JUDICIAL APPROVAL FOR PLEA ARRANGEMENTS IN SEX OFFENSE CASES THAT RESULT IN THE VICTIM BECOMING PREGNANT, passes its second reading, by electronic vote (112-0), 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 by Special Message.

H.B. 1181 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING THE REINSPECTION OF WORKPLACES WHERE WILLFUL SERIOUS VIOLATIONS HAVE BEEN FOUND, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1088 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CREDIT REPORTING AGENCIES TO NOTIFY CONSUMERS WHEN THE AGENCIES RECEIVE, WITHIN A TWELVE-MONTH PERIOD PERTAINING TO A CONSUMER, THREE CREDIT INQUIRIES OR A REPORT THAT WOULD ADD NEGATIVE INFORMATION TO THE CONSUMER'S CREDIT FILE, passes its second reading, by electronic vote (107-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1182 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE OCCUPATIONAL SAFETY AND HEALTH ACT AND TO ENHANCE THE PENALTY IF A WILLFUL VIOLATION OF THE ACT CAUSES AN EMPLOYEE'S DEATH, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1078 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF MAYO RIVER STATE PARK TO THE STATE PARKS SYSTEM, 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.

H.B. 944 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN NOTIFICATIONS BEFORE A TOWER

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MAY COLLECT CERTAIN CHARGES, 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.

On motion of Speaker Morgan, the House recesses at 3:19 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by Speaker Morgan.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S.B. 31 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE TEACHERS CREDIT FOR THE EXCESS PERSONAL LEAVE TIME THAT THEY EARN, is read the first time and referred to the Committee on Education.

S.B. 276, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND, is read the first time and referred to the Committee on Pensions and Retirement.

S.B. 511, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL GOVERNMENTS TO PUBLISH THE REVENUE-NEUTRAL TAX RATE IN YEARS WHEN THERE IS A GENERAL REVALUATION OF REAL PROPERTY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 582 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE COMMISSION ON CHILDHOOD OBESITY, is read the first time and referred to the Committee on Health and if favorable, to the Committee on Rules, Calendar, and Operations of the House.

S.B. 679 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PUBLIC FINANCING LAWS OF THE STATE, is read the first time and referred to the Committee on Finance.

S.B. 694 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE IN THE SAME MANNER AS FEDERAL LAW THAT A

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CONTROLLED SUBSTANCE ANALOGUE SHALL, TO THE EXTENT INTENDED FOR HUMAN CONSUMPTION, BE TREATED AS A CONTROLLED SUBSTANCE IN SCHEDULE I OF THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT, is read the first time and referred to the Committee on Health.

S.B. 698 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD THREE ADVISORY MEMBERS TO THE STATE BOARD OF EDUCATION, is read the first time and referred to the Committee on Education and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

S.B. 718 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE DOMESTIC VIOLENCE LAWS TO REMOVE THE CURRENT LIMITATIONS UNDER WHICH COURTS MAY ADDRESS THE ISSUE OF CUSTODY EX PARTE, REQUIRING COURTS TO CONSIDER CUSTODY AS PART OF AN EX PARTE OR PERMANENT ORDER HEARING, AND CREATING A REBUTTABLE PRESUMPTION THAT IT IS IN THE BEST INTEREST OF THE CHILD TO BE PLACED IN THE CUSTODY OF THE NONOFFENDING CAREGIVER, is read the first time and referred to the Committee on Judiciary I.

S.B. 721 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW AN ADOPTIVE PARENT AND A BIRTH RELATIVE TO ENTER INTO A WRITTEN AGREEMENT TO PROVIDE FOR POST-ADOPTION CONTACT AND COMMUNICATION, is read the first time and referred to the Committee on Judiciary II.

S.B. 993 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ABILITY OF THE STATE BOARD OF EDUCATION TO SAFEGUARD SCHOOLCHILDREN THROUGH AUTOMATIC REVOCATION OF TEACHER CERTIFICATES UPON CONVICTION OF CERTAIN CRIMES, AND THE USE OF INVESTIGATIVE SERVICES AS NEEDED, is read the first time and referred to the Committee on Education and, if favorable, to the Committee on Finance.

CALENDAR (continued)

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

H.B. 970 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE SCHOOL BUS DRIVERS TO UNDERGO CERTAIN TESTS AND HAVE MEDICAL INFORMATION REVIEWED EVERY

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TWO YEARS IN ORDER TO RETAIN A SCHOOL BUS DRIVER'S CERTIFICATE.

Representative K. Williams moves that Rule 31(d) be suspended in order that he might offer an amendment that would change the title. The motion carries by electronic vote (104-0).

Representative K. Williams offers Amendment No. 1 which is adopted by electronic vote (104-0). This amendment changes the title.

Representative Gibson requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (105-0).

The bill, as amended, passes its second reading, by electronic vote (107-1). The caption having been amended, the bill remains on the Calendar.

On motion of Representative K. Williams and without objection, Rule 31(d) is suspended in order that the bill might be read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

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

H.B. 1066 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE THE SUBMISSION OF COMPLETE CLAIMS BY PROVIDERS UNDER HEALTH BENEFIT PLANS BY REQUIRING HEALTH BENEFIT PLANS TO DISCLOSE TO CONTRACT PROVIDERS THE PLANS' SCHEDULES OF FEES AND CLAIMS SUBMISSION AND REIMBURSEMENT POLICIES, AND TO PROVIDE NOTICE TO THE PROVIDER PRIOR TO IMPLEMENTING CHANGES TO THE SCHEDULES OR POLICIES, 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.

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

H.B. 1107 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING MANAGED CARE UTILIZATION

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REVIEW AND GRIEVANCE PROCEDURES TO MAKE THEM CONFORM WITH THE UNITED STATES DEPARTMENT OF LABOR CLAIM RULES, passes its second reading, by electronic vote (105-1), and there being no objection is read a third time.

Representative Sherrill states that her voting equipment malfunctioned and she requests to change her vote from "no" to "aye". This request is granted. The adjusted vote total is (106-1).

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 Supplemental Calendar.

H.B. 1152 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROHIBITING AN INSURER FROM AUTHORIZING OR REQUIRING THE USE OF NONORIGINAL CRASH REPAIR PARTS FOR MOTOR VEHICLE REPAIRS WITHOUT CONSENT FROM THE INSURED OR CLAIMANT AND PROHIBITING THE NONREPLACEMENT OF AIR BAGS, 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.

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

H.B. 339 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CONFORM NORTH CAROLINA'S THIRD PARTY ADMINISTRATOR ARTICLE TO REVISIONS TO THE NAIC MODEL THIRD PARTY ADMINISTRATOR STATUTE; REQUIRE GROUP ANNUITY INSURERS TO ISSUE INDIVIDUAL CERTIFICATES OF COVERAGE TO EACH ANNUITANT; REORGANIZE ARTICLE 60 OF CHAPTER 58 OF THE GENERAL STATUTES AND AMEND CURRENT DISCLOSURE REQUIREMENTS FOR SOLICITATION OF LIFE INSURANCE PRODUCTS AND ANNUITIES; REQUIRE INSURERS TO NOTIFY EMPLOYEES OF THE EXISTENCE OF EMPLOYER-OWNED LIFE INSURANCE POLICIES WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF COVERAGE; REQUIRE THAT ASSOCIATION PREMIUM RATES FOR ACCIDENT AND HEALTH INSURANCE BE ACTUARIALLY SOUND AND THAT ASSOCIATIONS BE RATED AS A SINGLE GROUP WHEN THE COVERAGE PROVIDED IS NOT

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EMPLOYER-BASED; LIMIT AN INDIVIDUAL ACCIDENT AND HEALTH INSURER'S USE OF AN INDIVIDUAL'S OWN CLAIMS' EXPERIENCE TO DEVELOP THE INDIVIDUAL'S RENEWAL RATE; EXEMPT A SOLE PROPRIETOR FROM THE FULL-TIME BASIS OR THIRTY-HOUR WORKWEEK REQUIREMENTS TO BE ELIGIBLE FOR LARGE GROUP HEALTH COVERAGE LIKE THE PROPRIETOR'S FULL-TIME EMPLOYEES; CORRECT AN INADVERTENT CROSS-REFERENCE IN ORDER TO REAPPLY NEWBORN COVERAGE TO A MORE COMPREHENSIVE GROUP OF INSURERS; TECHNICALLY CORRECT AN OMISSION REGARDING PROVISIONS GOVERNING PREEXISTING CONDITIONS FOR LIMITED HEALTH, SUPPLEMENTAL HEALTH, AND SPECIFIED DISEASE POLICIES; DECREASE THE TOTAL NUMBER OF MEMBERS THAT SERVE ON THE SMALL EMPLOYER REINSURANCE POOL BOARD FROM NINE TO SIX; ALLOW PERSONS RETROACTIVELY ENROLLED IN MEDICARE PART B THE SAME SIX-MONTH OPEN ENROLLMENT PERIOD FOR MEDICARE SUPPLEMENT PLANS AS PERSONS WHO ENROLLED IN MEDICARE PART B WITHOUT A RETROACTIVE EFFECTIVE DATE OF COVERAGE; TECHNICALLY CORRECT THE REVOCATION AND SUSPENSION LAW TO INCLUDE A BENEFICIARY OF A LIFE OR ANNUITY CONTRACT AS A CLAIMANT; MANDATE HEALTH BENEFIT COVERAGE FOR DESIGNATED TRAVEL EXPENSES WHEN THE REQUIRED DISTANCE TRAVELED THRESHOLD IS MET; TO REQUIRE RATE METHODOLOGY UNDER MEDICARE SUPPLEMENTAL INSURANCE POLICIES TO BE BASED ON ISSUE AGE AND TO MAKE OTHER CHANGES TO THE LAW PERTAINING TO MEDICARE SUPPLEMENTAL INSURANCE POLICIES; AND MAKE TECHNICAL CORRECTIONS TO THE CREDIT INSURANCE LAWS.

Speaker Morgan rules that the bill is not a roll call bill.

The bill passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

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

Senate Committee Substitute for **H.B. 397** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS FOR STATE

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DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, AND TO IMPLEMENT A STATE BUDGET THAT ENABLES THE STATE TO PROVIDE TAX RELIEF FOR WORKING FAMILIES AND PROTECTS THE STATE'S TRIPLE-A BOND RATING.

Pursuant to Rule 24.1A(c), the request that Representative Michaux be excused from voting on April 17 is continued.

On motion of Representative Sherrill, the House does not concur in the material Senate committee substitute bill, by the following vote, and conferees are requested.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, B. Allen, G. Allen, L. Allen, Allred, Baker, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Capps, Carney, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Cunningham, Daughtridg, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Miller, Miner, Mitchell, Moore, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Alexander, Barbee, Bonner, Hackney, Warren, and West - 6.

Excused vote: Representative Michaux.

Speaker Morgan appoints the following Members as conferees on the part of the House and the Senate is so notified by Special Message:

Representatives Crawford and Sherrill, Chairs; Representatives Alexander, G. Allen, Baker, Brubaker, Cole, Culpepper, Cunningham, Daughtridg, Earle, Farmer-Butterfield, Fox, Gorman, Grady, Hackney, Haire, Howard, Jeffus, Justice, Kiser, LaRoque, Luebke, McComas, McGee, Miner, Nye,

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Owens, Sauls, Stiller, Tolson, Wainwright, K. Williams, Wright and Yongue.

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

H.B. 608 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF RALEIGH TO EXERCISE POLICE JURISDICTION TWO MILES OUTSIDE THE CORPORATE LIMITS.

On motion of Representative Miner and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1251**, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ANNUAL BONUS TO HIGH SCHOOL PRINCIPALS IF THE FOUR-YEAR GRADUATION RATE INCREASES BY MORE THAN TEN PERCENT FROM THE PREVIOUS SCHOOL YEAR OR IF THE FOUR-YEAR GRADUATION RATE EXCEEDS EIGHTY PERCENT, is withdrawn from the Committee on Education and re-referred to the Committee on Appropriations.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 846** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ENCOURAGING THE USE OF SOLAR ENERGY SYSTEMS AND PROHIBITING ORDINANCES, COVENANTS, AND OTHER RESTRICTIONS THAT UNREASONABLY RESTRICT THE INSTALLATION OR USE OF SUCH SYSTEMS, is withdrawn from the Committee on Ways and Means and re-referred to the Committee on Judiciary IV.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S.B. 732, A BILL TO BE ENTITLED AN ACT TO MAKE IMPROVEMENTS IN THE REGULATION OF PETROLEUM UNDERGROUND STORAGE TANKS AND TO THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP PROGRAM, is read the

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first time and referred to the Committee on Environment and Natural Resources.

S.B. 805, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONSOLIDATION OF ADMINISTRATIVE FUNCTIONS WITHIN STATE GOVERNMENT, AS RECOMMENDED BY THE GOVERNOR'S COMMISSION TO PROMOTE GOVERNMENT EFFICIENCY AND SAVINGS ON STATE SPENDING, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 814 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING COMPETITIVE AND DEREGULATED OFFERINGS OF TELECOMMUNICATIONS SERVICES, is read the first time and referred to the Committee on Public Utilities.

S.B. 840 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT FOLKMOOT USA AS NORTH CAROLINA'S OFFICIAL INTERNATIONAL FESTIVAL, is read the first time and referred to the Committee on Ways and Means.

S.B. 867 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF ARSON OR OTHER UNLAWFUL BURNINGS THAT RESULT IN SERIOUS INJURY TO A FIRE-FIGHTER, is read the first time and referred to the Committee on Judiciary II.

S.B. 955, A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW REGARDING CONTRACTS FOR SCHOOL PRINCIPALS, is read the first time and referred to the Committee on Education.

S.B. 994 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE LOCAL BOARDS OF EDUCATION TO SUSPEND FROM SCHOOL THOSE STUDENTS WHO GIVE AWAY, SELL, OR USE ALCOHOLIC BEVERAGES, PRESCRIPTION DRUGS, OR CONTROLLED SUBSTANCES ON SCHOOL PROPERTY, is read the first time and referred to the Committee on Education.

S.B. 1008 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REESTABLISH AND EXTEND THE VIRGINIA-NORTH CAROLINA INTERSTATE HIGH-SPEED RAIL COMMISSION, DIRECT THE COMMISSION TO STUDY ESTABLISHMENT OF AN INTERSTATE HIGH-SPEED RAIL COMPACT, AND AUTHORIZE THE COMMISSION TO HOLD REGULARLY SCHEDULED MEETINGS IN BOTH NORTH

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CAROLINA AND VIRGINIA, is read the first time and referred to the Committee on Transportation and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

S.B. 1016 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING NURSING HOMES TO ESTABLISH A MEDICATION MANAGEMENT ADVISORY COMMITTEE AND SPECIFYING THE DUTIES OF THE COMMITTEE, AND TO REQUIRE NURSING HOMES TO DO CERTAIN THINGS PERTAINING TO THE REDUCTION OF MEDICATION-RELATED ERRORS TO INCREASE PATIENT SAFETY, is read the first time and referred to the Committee on Health.

On motion of Representative Culpepper, seconded by Representative Crawford, the House adjourns at 4:53 p.m. to reconvene Monday, May 5, 2003, at 7:00 p.m.

FIFTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 5, 2003

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

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

"God of all time and space:

"As the new week begins You place before us new opportunities and new challenges. Our choice is to serve You or ourselves, to serve with justice or discrimination, to serve with righteousness or disregard for Your will, with equity or favoritism. We know that You hold us accountable, O God; give us strength for right choices in our lives and in the work of this House. Grant to these Representatives a week full of wise and respectful debate, just and right decisions and a sense of fulfillment in the important work they do. At the end of the week may the people of North Carolina have benefited from their service in this time and place.

"In Your demanding name we pray. Amen."

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Speaker Morgan leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 1 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barnhart, Bowie, Capps, Hilton, Holmes, Insko, L. Johnson, Nesbitt, Sexton, Walend, C. Wilson, and Wright for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Allred and Eddins (By Request):

H.B. 1270, A BILL TO BE ENTITLED AN ACT TO ENACT THE CAMPUS POLICE EQUITY ACT, is referred to the Committee on Finance.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S.B. 167 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERMITTING WEAPONS ON THE HOWELL WOODS NATURE CENTER PROPERTY OF JOHNSTON COMMUNITY COLLEGE FOR HUNTING PURPOSES, is read the first time and referred to the Committee on Wildlife Resources.

S.B. 232 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY TO FUND THE ESTABLISHMENT OF BIKEWAYS AND TRAILS, is read the first time and referred to the Committee on Transportation.

S.B. 661 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT HEALTH INFORMATION PRIVACY BY PROHIBITING USE OR DISCLOSURE OF PROTECTED HEALTH INFORMATION FOR PURPOSES OF MARKETING WITHOUT WRITTEN AUTHORIZATION OF THE INDIVIDUAL, is read the first time and referred to the Committee on Health.

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S.B. 931, A BILL TO BE ENTITLED AN ACT ELIMINATING THE PORTFOLIO REQUIREMENT FOR TEACHER CERTIFICATION, is read the first time and referred to the Committee on Education.

S.B. 974 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REQUIRING NOTIFICATION TO BUYERS OF PRIVATE ROADS AND TO AUTHORIZE THE DIVISION OF EMERGENCY MANAGEMENT OF THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, IN CONSULTATION WITH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, TO DETERMINE WATER RELEASES FROM DAMS SUBJECT TO THE DAM SAFETY LAW OF 1967 IN THE EVENT OF A FLOOD OR THREATENED FLOOD, is read the first time and referred to the Committee on Judiciary IV.

S.B. 991 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT STATE GOVERNMENT SHALL REQUIRE IN EVERY CONTRACT FOR THE PERFORMANCE OF TELE-MARKETING SERVICES PROVISIONS THAT ONLY CITIZENS OF THE UNITED STATES AND PERSONS AUTHORIZED TO WORK IN THE UNITED STATES MAY BE EMPLOYED, AND TO PROVIDE FOR DISCLOSURE OF CERTAIN INFORMATION FROM CUSTOMER SALES AND SERVICE CENTERS, is read the first time and referred to the Committee on State Government and, if favorable, to the Committee on Judiciary II.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Speaker Morgan and without objection, the following bills are withdrawn from the Calendar and placed on the Calendar pursuant to Rule 36(b).

H.B. 867 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE NUMBER OF SIGNATURES REQUIRED OF A NEW PARTY AND OF A STATEWIDE UNAFFILIATED CANDIDATE TO ACHIEVE BALLOT ELIGIBILITY; TO REDUCE THE NUMBER OF VOTES A NEW PARTY MUST GAIN FOR A NOMINEE IN ORDER TO MAINTAIN BALLOT ELIGIBILITY; AND TO MOVE TO A DATE BEFORE THE PARTY PRIMARIES THE DEADLINES FOR FILING NEW PARTY PETITIONS AND NOMINATING NEW PARTY CANDIDATES.

H.B. 1058, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CONVICTED FELONS FROM POSSESSING ALL TYPES OF FIREARMS AND TO DELETE THE EXCEPTION THAT PERMITS

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CONVICTED FELONS TO POSSESS FIREARMS IN THEIR HOMES OR BUSINESSES.

S.B. 295 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES FOR PARAMEDICS AND THE NORTH CAROLINA COASTAL FEDERATION.

INTRODUCTION OF PAGES

Pages for the week of May 5 are introduced to the membership. They are: Jessica Brantley of Randolph; Daniel Browning of Catawba; Luke Davis of Wake; Travis Ellis of Wayne; Lionel Groves of Wake; Laura Talley of Johnston; Scott Lassiter of Wake; Kellan Rives of Davidson; Michael Todd of Wake; Jeremy Williams of New Hanover; and Mia Woo of Randolph.

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 916** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CIVIL NO-CONTACT ORDERS FOR THE PROTECTION OF EMPLOYEES FROM WORKPLACE VIOLENCE AND INDIVIDUALS WHO ARE VICTIMS OF UNLAWFUL CONDUCT, is withdrawn from the Committee on Occupational Safety and Health and re-referred to the Committee on Judiciary I.

ENROLLED BILLS

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

H.B. 1205, AN ACT TO FACILITATE THE IMPLEMENTATION OF THE "CLEAN SMOKESTACKS ACT" BY EXEMPTING SANITARY LANDFILLS USED FOR THE DISPOSAL OF WASTE GENERATED BY INVESTOR-OWNED PUBLIC UTILITY COAL-FIRED GENERATING UNITS THAT ARE SUBJECT TO THE "CLEAN SMOKESTACKS ACT" FROM THE REQUIREMENT THAT FRANCHISES BE OBTAINED FOR THE OPERATION OF THOSE LANDFILLS.

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

S.B. 355, AN ACT TO ALLOW THE TOWN OF WAKE FOREST TO USE TOWN LABOR FOR PHASED CONSTRUCTION OF ELECTRICAL

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DISTRIBUTION FEEDER CIRCUITS AND FOR CONSTRUCTION OF AN ELECTRIC SUBSTATION WITHOUT REGARD TO THE DOLLAR VALUE OF THE LABOR.

H.B. 703, AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO AND THE GENERAL STATUTES TO INCREASE THE MEMBERSHIP OF THE CITY OF GREENSBORO BOARD OF ALCOHOLIC CONTROL FROM THREE TO FIVE MEMBERS.

CHAPTERED BILLS

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

S.B. 122, AN ACT CONCERNING VOLUNTARY SATELLITE ANNEXATION BY THE CITIES OF GASTONIA AND LOCUST AND THE TOWNS OF BLADENBORO, PINE LEVEL, AND RANLO. (S.L. 2003-30)

S.B. 772, AN ACT TO CLARIFY THE LAW GOVERNING PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS THAT ALLOWS RETAILERS WHO ARE NOT LICENSED AS PLUMBING, HEATING, OR FIRE SPRINKLER CONTRACTORS TO SELL CERTAIN GOODS AND SERVICES TO BE INSTALLED BY LICENSEES. (S.L. 2003-31)

RULES SUSPENDED

On motion of Representative Ellis, Rule 20 is suspended in order that he might change his vote from "aye" to "no" on **H.B. 1047**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE CIVIL ACTIONS OF ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION, which was recorded on May 1, 2003.

On motion of Representative Culpepper, seconded by Representative Kiser, the House adjourns at 7:28 p.m. to reconvene May 6 at 12:00 Noon.

FIFTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 6, 2003

May 6, 2003

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

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

"God of blessing,

"How You fill our lives with the richness of Your love. We live in a Nation of freedom and prosperity. Our State is a wonderful place to call home. And we are thankful. We know, O God, that You call us to serve You in all of life and that there are times when You call us to set aside personal interest for the interest of the community, to serve the public good. The men and women gathered today in this House are about just that, decision-making that will benefit the citizens of our State. Give them a vision of a larger good than self. Remind them that their decisions also touch those in our State who are not so blessed as we, those who need the help of the community to make it in life. Guide them in voice and vote to the end that by their hard work You are served as well as the people of North Carolina.

"In Your good name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 5 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barnhart, Haire, Hilton, Insko, and Nesbitt 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. 355, AN ACT TO ALLOW THE TOWN OF WAKE FOREST TO USE TOWN LABOR FOR PHASED CONSTRUCTION OF ELECTRICAL DISTRIBUTION FEEDER CIRCUITS AND FOR CONSTRUCTION OF AN ELECTRIC SUBSTATION WITHOUT REGARD TO THE DOLLAR VALUE OF THE LABOR. (S.L. 2003-32)

H.B. 703, AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO AND THE GENERAL STATUTES TO INCREASE THE MEMBERSHIP OF THE CITY OF GREENSBORO BOARD

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OF ALCOHOLIC CONTROL FROM THREE TO FIVE MEMBERS.
(S.L. 2003-33)

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Hill, Chair, for the Committee on Agriculture:

H.B. 968, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FARM FUTURES PILOT PROGRAM THAT PROMOTES COLLABORATIVE EFFORTS AMONG FEDERAL AND STATE AGENCIES, UNIVERSITIES, NONGOVERNMENTAL ORGANIZATIONS, PRIVATE ENTERPRISE, AND LANDOWNERS TO PROTECT AND ENHANCE WORKING FARMS FOR PURPOSES OF SUPPORTING RURAL COMMUNITIES, PRODUCING SAFE AND HEALTHY FOOD AND FIBER, PROTECTING HABITAT FOR ENDANGERED AND OTHER WILDLIFE AND PLANT SPECIES, PRESERVING OPEN SPACE, IMPROVING WATER QUALITY AND GROUNDWATER RECHARGE, AND INCREASING ECONOMIC OPPORTUNITIES FOR EXISTING AND NEW FARM FAMILIES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

S.B. 731, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SIZE OF PACKAGES OF FERTILIZER THAT MAY BE SOLD WITH NUTRIENT GUARANTEES STATED IN FRACTIONAL PERCENTAGES AND TO AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT TEMPORARY RULES IN ORDER TO ESTABLISH RENTAL RATES FOR THE USE OF FACILITIES OPERATED BY THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, with a favorable report.

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

S.B. 751 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE NORTH CAROLINA FOOD, DRUG AND COSMETIC ACT, with a favorable report.

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

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S.B. 992, A BILL TO BE ENTITLED AN ACT TO PROTECT THE STATE'S MASTER SETTLEMENT AGREEMENT MONEY, 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 Earle, McMahan, and McComas (Primary Sponsors); B. Allen, G. Allen, Barbee, Bell, Bowie, Carney, Culp, Daughtry, Dockham, England, Glazier, Haire, Hall, Jones, Lucas, McLawhorn, Nye, Preston, Ray, Rayfield, Saunders, Sutton, Tolson, Walend, Warner, Warren, West, A. Williams, and G. Wilson:

H.B. 1271, A BILL TO BE ENTITLED AN ACT TO CREATE A TRAVEL AND TOURISM CAPITAL INCENTIVE GRANT PROGRAM, is referred to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

2003 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
May 5, 2003

Mr. Speaker:

Pursuant to your message received on May 2, 2003, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 397** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, AND TO IMPLEMENT A STATE BUDGET THAT ENABLES THE STATE TO PROVIDE TAX RELIEF FOR WORKING FAMILIES AND PROTECTS THE STATE'S TRIPLE-A BOND RATING, and requests conferees, the President *Pro Tempore* appoints:

Senator Garrou, Co-Chair
Senator Dalton, Co-Chair

Senator Lucas
Senator Metcalf

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Senator Hagan, Co-Chair	Senator Purcell
Senator Albertson	Senator Rand
Senator Clodfelter	Senator Reeves
Senator Dannelly	Senator Swindell
Senator Gulley	Senator Thomas
Senator Hoyle	Senator Weinstein
Senator Kerr	

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

WITHDRAWAL OF BILLS FROM CALENDAR

Pursuant to Rule 36(b)(2), the following bills are withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 867 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE NUMBER OF SIGNATURES REQUIRED OF A NEW PARTY AND OF A STATEWIDE UNAFFILIATED CANDIDATE TO ACHIEVE BALLOT ELIGIBILITY; TO REDUCE THE NUMBER OF VOTES A NEW PARTY MUST GAIN FOR A NOMINEE IN ORDER TO MAINTAIN BALLOT ELIGIBILITY; AND TO MOVE TO A DATE BEFORE THE PARTY PRIMARIES THE DEADLINES FOR FILING NEW PARTY PETITIONS AND NOMINATING NEW PARTY CANDIDATES.

H.B. 1058, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CONVICTED FELONS FROM POSSESSING ALL TYPES OF FIREARMS AND TO DELETE THE EXCEPTION THAT PERMITS CONVICTED FELONS TO POSSESS FIREARMS IN THEIR HOMES OR BUSINESSES.

Representative Culpepper moves, seconded by Representative G. Allen that the House adjourn, subject to announcements, to reconvene May 7 at 2:00 p.m.

The motion carries.

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CONFEREES REMOVED

Speaker Black removes Representative Cunningham as a conferee on Senate Committee Substitute for **H.B. 397** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, AND TO IMPLEMENT A STATE BUDGET THAT ENABLES THE STATE TO PROVIDE TAX RELIEF FOR WORKING FAMILIES AND PROTECTS THE STATE'S TRIPLE-A BOND RATING, and the Senate is so notified by Special Message.

The House stands adjourned at 2:50 p.m.

FIFTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 7, 2003

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

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

"May God be gracious to us and bless us and make His face to shine upon us, that Your way may be known upon earth, Your saving power among all nations.' (Psalm 67:1)

"God, may Your way indeed be known upon earth, among all the nations, all the peoples. As we seek to govern ourselves, to order our communal life, be a guide to those who legislate. As this House tackles tough issues of revenue shortfalls, budget reductions, program cuts and taxes, capital punishment, show these Representatives your way and give them the strength and resolve to seek that way. Give them minds that seek and are guided by Your truth. And when their day is done, O God, give them the satisfaction of sound decisions debated and enacted and Your way promoted.

"In Your grace-giving name we pray. Amen."

May 7, 2003

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

Leaves of absence are granted Speaker Black; Representatives G. Allen, Bonner, Decker, Harrell, Insko, Rayfield, and Saunders for today.

WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), **S.B. 992**, A BILL TO BE ENTITLED AN ACT TO PROTECT THE STATE'S MASTER SETTLEMENT AGREEMENT MONEY, 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 and permanent subcommittees are presented:

By Representative Adams, Chair, for the Committee on Local Government II:

S.B. 102 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A VACANCY OCCURS IN THE OFFICE OF SHERIFF OF SURRY COUNTY, THE BOARD OF COMMISSIONERS SHALL CONSULT WITH THE COUNTY EXECUTIVE COMMITTEE OF THE PARTY WITH WHICH THE SHERIFF WAS ELECTED AS A NOMINEE, AND IF THE EXECUTIVE COMMITTEE MAKES A NOMINATION WITHIN 30 DAYS, THE BOARD OF COMMISSIONERS MUST APPOINT THAT PERSON, with a favorable report.

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

S.B. 243, A BILL TO BE ENTITLED AN ACT TO NAME THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY, with a favorable report.

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

S.B. 356, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF HENDERSON TO GIVE ANNUAL NOTICE TO VIOLATORS OF THE CITY'S WEEDED LOT ORDINANCE, with a favorable report.

May 7, 2003

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

By Representatives Barnhart and Nye, Chairs, for the Appropriations Subcommittee on Health and Human Services.

H.B. 1074 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE A STATUTE TO CREATE A BUTNER ADVISORY COUNCIL SO AS TO ELECT ALL MEMBERS AT LARGE IN ONE MULTISEAT RACE AND ELIMINATE STAGGERED TERMS; TO DEFINE THE ELECTORAL JURISDICTION OF THE COUNCIL; AND TO AMEND THE LEGISLATION IN OTHER NEEDED WAYS, reported to the Standing Committee on Appropriations, with no action taken.

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

H.B. 1042, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURES FOR REVOCATION OF COUNTY AND MUNICIPAL INSPECTION PERMITS, 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 Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

H.B. 1099, A BILL TO BE ENTITLED AN ACT TO ENFORCE THE DUTY OF CITY COUNCIL MEMBERS AND COUNTY COMMISSIONERS TO VOTE ON NONPROCEDURAL ISSUES AND TO IMPOSE A SIMILAR ENFORCEABLE DUTY TO VOTE ON SCHOOL BOARD MEMBERS, 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 Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

S.B. 181 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF APEX TO USE THE PROCEDURE

May 7, 2003

AND AUTHORITY OF CHAPTER 136 OF THE NORTH CAROLINA GENERAL STATUTES IN CONDEMNATION PROCEEDINGS CONCERNING PUBLIC STREETS AND ROADS, AND TO ADOPT ORDINANCES REGULATING DEMOLITION OF HISTORIC STRUCTURES IN THE APEX HISTORIC DISTRICT, with a favorable report.

On motion of Speaker Morgan, pursuant to Rule 38(b), the bill is re-referred to the Committee on Finance.

S.B. 490, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO ALLOW THE CITY MANAGER TO SETTLE CLAIMS AGAINST THE CITY WHEN THE AMOUNT OF THE CLAIMS DO NOT EXCEED THE CITY'S INSURANCE DEDUCTIBLE, with a favorable report.

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

By Representatives Bell and G. Wilson, Chairs, for the Committee on Pensions and Retirement:

H.B. 851, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR THE PAYMENT OF ACCUMULATED INTEREST TO ALL MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM WHO RECEIVE THE RETURN OF THEIR ACCUMULATED CONTRIBUTIONS, 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. 1170, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE BENEFITS OF MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES RETIREMENT SYSTEM, 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 Appropriations.

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

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S.B. 39 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CHARTER SCHOOLS TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN; AND TO ASSESS INTEREST ON PREMIUM PAYMENTS NOT REMITTED BY CHARTER SCHOOL EMPLOYING UNITS IN A TIMELY MANNER, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 8.

S.B. 162, A BILL TO BE ENTITLED AN ACT TO REPEAL THE FAYETTEVILLE FIREMEN'S SUPPLEMENTAL RETIREMENT BENEFIT FUND, with a favorable report.

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

S.B. 276, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND, with a favorable report.

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

By Representative Adams, Chair, for the Committee on Local Government II:

S.B. 123, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF CLINTON AND LUMBERTON AND THE TOWN OF FRANKLIN TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND TO DEMOLISH THOSE BUILDINGS USING THE SAME PROCESS AUTHORIZED FOR THE DEMOLITION OF UNSAFE NON-RESIDENTIAL BUILDINGS, 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.

RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Judiciary I and re-referred to the Committee on Judiciary IV.

May 7, 2003

H.B. 911, A BILL TO BE ENTITLED AN ACT TO PROVIDE CRIME VICTIMS WITH A CAUSE OF ACTION TO RECOVER PROFITS RECEIVED AS A RESULT OF THE CRIMES COMMITTED AGAINST THEM.

S.B. 919 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE SAFETY OF VICTIMS IN SERIOUS DOMESTIC VIOLENCE CASES.

Representative Culpepper moves, seconded by Representative McLawhorn, that the House adjourn, subject to the receipt of Committee Reports, to reconvene May 8 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:

S.B. 384 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF THE DURHAM NORTHERN LOOP AND INTRASTATE IMPROVEMENT PROJECTS, 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 May 8. The Senate committee substitute bill is placed on the Unfavorable Calendar.

The House stands adjourned at 4:28 p.m.

FIFTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 8, 2003

May 8, 2003

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

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

"Creating God, when we look at Your 'heavens, the work of Your fingers, the moon and the stars that You have established; what are human beings that You are mindful of them, mortals that You care for them?' (Psalm 8:3-4)

"Yet we do know, O God, that You are mindful of us, that You do care for us. As well, we know that You expect us to care for each other as You care for us, even in the halls of government. Actions that we take show what we think of You. Even the way we spend money, shows the level of our thanksgiving to You. God, we pray for Your guidance in yet another day. Be with this House in its important work. Bless its Members.

"As another weekend approaches, we pray for Your traveling mercies for those who leave for homes away. Grant to us all days of rest and refreshment that next week might bring renewed efforts at showing our thanks to You through our work in this place.

"In Your renewing name we pray. Amen."

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

Leaves of absence are granted Representatives Barbee, Bonner, Decker, Gillespie, Hill, Insko, McAllister, McCombs, Moore, Rayfield, Saunders, Setzer, Sexton, and West for today.

ENROLLED BILLS

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

H.B. 24, AN ACT TO AUTHORIZE VETERANS ADMINISTRATION POLICE OFFICERS TO PROVIDE ASSISTANCE TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES IN THE SAME MANNER AS OTHER FEDERAL LAW ENFORCEMENT OFFICERS.

May 8, 2003

H.B. 58, AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 422, A BILL TO BE ENTITLED AN ACT TO AMEND THE ADVANCE HEALTH CARE DIRECTIVE REGISTRY LAW TO EXEMPT FROM NOTARY REQUIREMENTS ANATOMICAL GIFT INSTRUMENTS, with a favorable report.

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

By Representative Adams, Chair, for the Committee on Local Government II:

S.B. 290 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE CITY OF GREENSBORO MAY ORDER OWNERS OF RESIDENTIAL PROPERTY TO REPAIR RATHER THAN VACATE HOUSING TO MEET MINIMUM CODE STANDARDS, 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 Fox, Vice Chair, for the Committee on Wildlife Resources:

S.B. 245, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HUNTING OF COYOTES IN CONTROLLED HUNTING PRESERVES AND TO MAKE IT UNLAWFUL TO IMPORT LIVE COYOTES INTO THIS STATE, with a favorable report.

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

S.B. 825 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION

May 8, 2003

TO PROTECT CERTAIN REPTILES AND AMPHIBIANS THAT REQUIRE CONSERVATION MEASURES, 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.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Hackney and without objection, **S.B. 51**, A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOPHOLE THAT ALLOWS CORPORATIONS TO CONTINUE AVOIDING FRANCHISE TAXES is withdrawn from the Calendar and placed on the Calendar of May 13.

CALENDAR

Action is taken on the following:

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

S.B. 295 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES FOR PARAMEDICS AND THE NORTH CAROLINA COASTAL FEDERATION, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barnhart, Bell, Blust, Bordsen, Bowie, Capps, Carney, Coates, Cole, Crawford, Culp, Culpepper, Cunningham, Dickson, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hilton, Holliman, Holmes, Howard, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McComas, McGee, McHenry, McLawhorn, Michaux, Miller, Mitchell, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rhodes, Ross, Sauls, Sherrill, Stam, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, and Yongue - 87.

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Voting in the negative: Representatives Creech, Daughtridge, Hall, and Sutton - 4.

Excused absences: Representatives Barbee, Bonner, Decker, Gillespie, Hill, Insko, McAllister, McCombs, Moore, Rayfield, Saunders, Setzer, Sexton, and West - 14.

Representative Blackwood requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (88-4).

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

S.B. 39 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CHARTER SCHOOLS TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN; AND TO ASSESS INTEREST ON PREMIUM PAYMENTS NOT REMITTED BY CHARTER SCHOOL EMPLOYING UNITS IN A TIMELY MANNER.

On motion of Representative Allred, the bill is temporarily displaced.

S.B. 384 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF THE DURHAM NORTHERN AND WILMINGTON URBAN LOOPS AND OTHER INTRASTATE IMPROVEMENT PROJECTS.

Representative Miller offers Amendment No. 1 which fails of adoption by electronic vote (23-68).

The bill passes its second reading, by electronic vote (90-3), and there being no objection is read a third time.

Speaker Morgan requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (91-3).

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

S.B. 39 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CHARTER SCHOOLS TO ELECT TO

May 8, 2003

PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN; AND TO ASSESS INTEREST ON PREMIUM PAYMENTS NOT REMITTED BY CHARTER SCHOOL EMPLOYING UNITS IN A TIMELY MANNER, which was temporarily displaced, is before the Body.

Representative Allred offers Amendment No. 1 which is adopted by electronic vote (94-1).

The bill, as amended, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

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

S.B. 814 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING COMPETITIVE AND DEREGULATED OFFERINGS OF TELECOMMUNICATIONS SERVICES, 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.

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 971**, A BILL TO BE ENTITLED AN ACT REQUIRING THE CONTINUING EDUCATION OF PERSONS PRACTICING UNDER THE COSMETIC ART ACT, is withdrawn from the Committee on Ways and Means and re-referred to the Committee on Finance.

May 8, 2003

On motion of Representative Culpepper, seconded by Representative Kiser, the House adjourns at 11:34 a.m. to reconvene Monday, May 12, 2003, at 7:00 p.m.

FIFTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 12, 2003

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

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

"Almighty God:

"We praise You that You reveal Your will for our happiness. As we begin a new week in this Body of Government, we pray that the work done here will be an instrument of happiness for the people of our State. You have provided the law with which we judge all the laws of human construct. It is by Your law that we judge all the work of our hands. In this new week guide these good women and men in right paths, in Your truth, and in Your wisdom. Give them creative energy as they seek the best interest of the people of North Carolina and where their decisions are just, uphold them; where they are found wanting, reprove and correct.

"All this we ask in Your mighty name. Amen."

Speaker Black leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives Adams, Allred, Capps, Clary, Cunningham, Decker, England, Gorman, Nesbitt, Rhodes, Stiller, Womble, Wood, and Wright for today.

May 12, 2003

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

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

20301 Mail Service Center • Raleigh, NC 27699-0301

Michael F. Easley
Governor

May 8, 2003

The Honorable James Black
The Honorable Richard Morgan
Speakers of the House
NC General Assembly
Raleigh, NC 27601

Dear Speaker Black and Speaker Morgan:

Pursuant to North Carolina General Statute § 115C-10, I hereby appoint and reappoint the following to the North Carolina State Board of Education and submit their names for confirmation by the North Carolina General Assembly. Their terms will begin immediately pending confirmation and expire on March 31, 2011.

- Mr. Robert Tom Speed represents Education Region 7 and will fill the seat currently held by Mr. Ronald E. Deal - New Appointment
- Ms. Kathy A. Taft represents Education Region 1 and has served since April 1995 - Reappoint
- Mr. John A. Tate, III fills an At-Large Seat and has served since January 2003 - Reappoint

Enclosed is biographical information on these appointees. Please feel free to call on them or members of my staff if you need additional information.

May 12, 2003

With kindest regards, I remain.

Very truly yours,
S/ Michael F. Easley

Speaker Black refers the letter to the Committee on Education.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Church and Starnes, Chairs, for the Committee on Financial Institutions:

S.B. 658 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESOLVE CONFLICTING STATUTES; TO AMEND THE APPELLATE PROCEDURE BEFORE THE STATE BANKING COMMISSION; AND TO AUTHORIZE THE COMMISSIONER OF BANKS TO APPOINT A HEARING OFFICER, with a favorable report.

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

By Representative Hackney, Chair, for the Committee on Judiciary I:

S.B. 326 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW ON CHANGING THE FORMS OF BUSINESSES FOR UNEMPLOYMENT INSURANCE TAX PURPOSES AND TO INCREASE PENALTIES, SO AS TO DETER THE PRACTICE OF STATE UNEMPLOYMENT TAX AVOIDANCE (SUTA DUMPING), with a favorable report.

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

S.B. 630, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF A PROTECTIVE ORDER UNDER THE LAWS RELATING TO DOMESTIC VIOLENCE, 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.

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By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 33 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE RECIPROCAL CONCEALED HANDGUN RIGHTS TO CONCEALED HANDGUN PERMIT HOLDERS OF OTHER STATES, with a favorable report as to 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.

MESSAGES FROM THE SENATE

The following is received from the Senate:

S.B. 214 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW TERRITORY TO BE REMOVED FROM A RESEARCH AND PRODUCTION SERVICE DISTRICT, is read the first time and referred to the Committee on Finance.

ENROLLED BILLS

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

H.B. 393, AN ACT TO MODIFY THE AUTHORITY OF THE BOARD OF COUNTY COMMISSIONERS IN CERTAIN COUNTIES TO REQUIRE THE REGISTER OF DEEDS IN THE COUNTY NOT TO ACCEPT ANY DEED TRANSFERRING REAL PROPERTY FOR REGISTRATION UNLESS THE COUNTY TAX COLLECTOR CERTIFIES THAT NO DELINQUENT TAXES ARE DUE ON THAT PROPERTY.

CALENDAR

Action is taken on the following:

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

S.B. 123 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF CLINTON AND LUMBERTON AND THE TOWN OF FRANKLIN TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS

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UNSAFE AND TO DEMOLISH THOSE BUILDINGS USING THE SAME PROCESS AUTHORIZED FOR THE DEMOLITION OF UNSAFE NON-RESIDENTIAL BUILDINGS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

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

S.B. 162, A BILL TO BE ENTITLED AN ACT TO REPEAL THE FAYETTEVILLE FIREMEN'S SUPPLEMENTAL RETIREMENT BENEFIT FUND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

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

S.B. 276, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

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

S.B. 731, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SIZE OF PACKAGES OF FERTILIZER THAT MAY BE SOLD WITH NUTRIENT GUARANTEES STATED IN FRACTIONAL PERCENTAGES AND TO AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT TEMPORARY RULES IN ORDER TO ESTABLISH RENTAL RATES FOR THE USE OF FACILITIES OPERATED BY THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

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INTRODUCTION OF PAGES

Pages for the week of May 12 are introduced to the membership. They are: Oliver Buckmaster of Cumberland; James Cleveland of Mecklenburg; Corey Jones of Pender; Marquite Jordan of Wake; Sean Kishbaugh of Cumberland; Anthony Marshall of Mecklenburg; Jaculin Monroe of Cumberland; Sean Moriss of Rowan; Herman Olguin of Guilford; Kaitlin Powers of Pender; Lamar Robinson of Cumberland; Christopher Rodriguez of Cumberland; David Silcox of Henderson; Leonette Kilgo-Stockton of Mecklenburg; Raishael Tanner of Pender; Shamel Valentine of Mecklenburg; Antwoine Vinson of Sampson; Jennifer Walker of Cumberland; and Michael White of Guilford.

On motion of Representative Culpepper, seconded by Representative McAllister, the House adjourns at 7:25 p.m. to reconvene May 13 at 4:00 p.m.

SIXTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 13, 2003

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

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

"God of peace:

"How wonderful to see the happy faces of homecoming in our military families. Bless them in their transition back into the life of their home community, and especially be with the families of those who will not come home. Hold those still away from home and family in Your safety.

"God of mercy and might, all the glorious creation that surrounds us exists and is sustained by Your righteous rule. Even as we establish institutions like this House and choose women and men to govern, it is ultimately You who rule. As the process of government moves along, may Your rule be expressed in the legislation that comes from this place. Bless Speaker Black and Speaker Morgan with wisdom as they lead this Body

May 13, 2003

and give to each Representative patience and sound judgment as they seek to provide for the well-being of the people of North Carolina.

"In Your almighty name we pray. Amen."

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

Leaves of absence are granted Representatives Adams, Cunningham, Decker, McComas, and A. Williams for today.

ENROLLED BILLS

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

S.B. 731, AN ACT TO INCREASE THE SIZE OF PACKAGES OF FERTILIZER THAT MAY BE SOLD WITH NUTRIENT GUARANTEES STATED IN FRACTIONAL PERCENTAGES AND TO AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT TEMPORARY RULES IN ORDER TO ESTABLISH RENTAL RATES FOR THE USE OF FACILITIES OPERATED BY THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.

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

S.B. 162, AN ACT TO REPEAL THE FAYETTEVILLE FIREMEN'S SUPPLEMENTAL RETIREMENT BENEFIT FUND.

S.B. 276, AN ACT TO AMEND THE PROVISIONS OF THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND.

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. 394 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING A CLAIM FOR EQUITABLE DISTRIBUTION TO SURVIVE THE DEATH OF A SPOUSE WHEN THE PARTIES ARE LIVING SEPARATE AND APART AT THE TIME OF DEATH AND THE

May 13, 2003

CLAIM IS TIMELY FILED, 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.

S.B. 449 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY ADMISSIBLE EVIDENCE THAT THE PERSON WITHDRAWING BLOOD IN AN IMPAIRED DRIVING CASE IS A LICENSED PHYSICIAN, NURSE, OR AN OTHERWISE QUALIFIED PERSON, with a favorable report.

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

S.B. 539 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAW GOVERNING THE LIMITED PRACTICE OF OUT-OF-STATE ATTORNEYS-AT-LAW AND THE OPERATION OF THE COUNCIL AND DISCIPLINARY HEARING COMMISSION OF THE NORTH CAROLINA STATE BAR, with a favorable report.

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

By Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

S.B. 31, A BILL TO BE ENTITLED AN ACT TO GIVE TEACHERS CREDIT FOR THE EXCESS PERSONAL LEAVE TIME THAT THEY EARN, 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.

S.B. 931, A BILL TO BE ENTITLED AN ACT ELIMINATING THE PORTFOLIO REQUIREMENT FOR TEACHER CERTIFICATION, 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.

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By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 557, A BILL TO BE ENTITLED AN ACT REQUIRING A TAXI-CAB DRIVER TO PASS A CONTROLLED SUBSTANCE EXAMINATION BEFORE BEING LICENSED AS A TAXICAB DRIVER IN THIS STATE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 14.

S.B. 559 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MOTOR VEHICLE DEALER FRANCHISE 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 of May 14. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Gibson, Chair, for the Committee on Environment and Natural Resources:

S.B. 765 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE AREA OF WESTERN CORE SOUND THAT MAY BE LEASED FOR THE CULTIVATION OF SHELLFISH AND TO DIRECT THE DIVISION OF MARINE FISHERIES TO REPORT TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE ON THE IMPLEMENTATION OF THIS ACT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 14.

S.B. 979 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS BY WHICH A MEMBER OF THE GENERAL ASSEMBLY IS APPOINTED TO THE ATLANTIC STATES MARINE FISHERIES COMMISSION AND TO MAKE TECHNICAL, CLARIFYING, AND CONFORMING CHANGES, with a favorable report.

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

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

H.B. 918, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR SERVICE OF PROCESS IN CIVIL CASES AND TO EARMARK

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THE INCREASE TO ENSURE TIMELY SERVICE OF PROCESS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Brubaker and Saunders (Primary Sponsors); and Hackney:

H.J.R. 1272, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE REAPPOINTMENT OF JO ANNE SANFORD TO THE NORTH CAROLINA UTILITIES COMMISSION, is referred to the Committee on Public Utilities.

By Representative Alexander:

H.B. 1273, A BILL TO BE ENTITLED AN ACT TO AMEND THE FINANCE LAWS OF THE STATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Alexander:

H.B. 1274, A BILL TO BE ENTITLED AN ACT TO AMEND THE FINANCE LAWS OF THE STATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Walend:

H.B. 1275, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BILL LEE TAX CREDIT INCENTIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following is received from the Senate:

S.B. 936, A BILL TO BE ENTITLED AN ACT TO WAIVE VARIOUS DEADLINES, FEES, AND PENALTIES FOR DEPLOYED MILITARY

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PERSONNEL, 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.

S.B. 490, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO ALLOW THE CITY MANAGER TO SETTLE CLAIMS AGAINST THE CITY WHEN THE AMOUNT OF THE CLAIMS DO NOT EXCEED THE CITY'S INSURANCE DEDUCTIBLE, 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 Speaker Morgan and without objection, **S.B. 751** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE NORTH CAROLINA FOOD, DRUG AND COSMETIC ACT, is withdrawn from the Calendar and placed on the Calendar pursuant to Rule 36(b).

On motion of Representative Hall, **S.B. 243**, A BILL TO BE ENTITLED AN ACT TO NAME THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY, is withdrawn from the Calendar and placed on the Calendar of May 27.

CALENDAR (continued)

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

S.B. 102 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A VACANCY OCCURS IN THE OFFICE OF SHERIFF OF SURRY COUNTY, THE BOARD OF COMMISSIONERS SHALL CONSULT WITH THE COUNTY EXECUTIVE COMMITTEE OF THE PARTY WITH WHICH THE SHERIFF WAS ELECTED AS A NOMINEE, AND IF THE EXECUTIVE COMMITTEE MAKES A NOMINATION WITHIN 30 DAYS, THE BOARD OF COMMISSIONERS

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

The bill passes its third reading and is ordered enrolled.

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

S.B. 356, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF HENDERSON TO GIVE ANNUAL NOTICE TO VIOLATORS OF THE CITY'S WEEDED LOT ORDINANCE, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 51, A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOP-HOLE THAT ALLOWS CORPORATIONS TO CONTINUE AVOIDING FRANCHISE TAXES.

On motion of Representative Luebke and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 22.

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

S.B. 245, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HUNTING OF COYOTES IN CONTROLLED HUNTING PRESERVES AND TO MAKE IT UNLAWFUL TO IMPORT LIVE COYOTES INTO THIS STATE, passes its second reading, by electronic vote (95-16).

Representative Hill 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. 422, A BILL TO BE ENTITLED AN ACT TO AMEND THE ADVANCE HEALTH CARE DIRECTIVE REGISTRY LAW TO EXEMPT FROM NOTARY REQUIREMENTS ANATOMICAL GIFT INSTRUMENTS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

May 13, 2003

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

S.B. 814 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING COMPETITIVE AND DEREGULATED OFFERINGS OF TELECOMMUNICATIONS SERVICES.

Representative Saunders offers Amendment No. 1 which is adopted by electronic vote (109-2).

The bill, as amended, passes its second reading, by electronic vote (109-4), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Hill withdraws his objection to the third reading of **S.B. 245**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HUNTING OF COYOTES IN CONTROLLED HUNTING PRESERVES AND TO MAKE IT UNLAWFUL TO IMPORT LIVE COYOTES INTO THIS STATE, and the bill is before the Body.

Representative Ellis offers Amendment No. 1.

Speaker Morgan stops debate and attends to the following business.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Insko and Justus, Chairs, for the Committee on Health:

S.B. 704 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE TRAUMATIC BRAIN INJURY ADVISORY COUNCIL, 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 May 14. The Senate committee substitute bill is placed on the Unfavorable Calendar.

May 13, 2003

WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), **S.B. 751** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE NORTH CAROLINA FOOD, DRUG AND COSMETIC ACT, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

S.B. 245, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HUNTING OF COYOTES IN CONTROLLED HUNTING PRESERVES AND TO MAKE IT UNLAWFUL TO IMPORT LIVE COYOTES INTO THIS STATE, which was temporarily displaced with Amendment No. 1 pending, is before the Body.

Representative Ellis withdraws his amendment.

On motion of Speaker Morgan, the bill is temporarily displaced.

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

S.B. 825 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO PROTECT CERTAIN REPTILES AND AMPHIBIANS THAT REQUIRE CONSERVATION MEASURES, 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.

RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 445** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF YANCEYVILLE TO EXTEND ITS EXTRATERRITORIAL JURISDICTION OVER AN AREA EXTENDING TWO MILES BEYOND ITS PRIMARY CORPORATE LIMITS AND TO ANNEX CERTAIN TERRITORY TO THE CORPORATE LIMITS OF THE TOWN OF YANCEYVILLE, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

May 13, 2003

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 878**, 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, is withdrawn from the Committee on Finance and re-referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Finance.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 889**, A BILL TO BE ENTITLED AN ACT TO PROVIDE IN THE SAME MANNER AS FEDERAL LAW THAT A CONTROLLED SUBSTANCE ANALOGUE SHALL, TO THE EXTENT INTENDED FOR HUMAN CONSUMPTION, BE TREATED AS A CONTROLLED SUBSTANCE IN SCHEDULE I OF THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT, AND TO PROVIDE THAT THUS MAE 1, 4-BUTANEDIOL, AN ANALOGUE OF GAMMA-HYDROXYBUTRIC ACID (GHB), IS A SCHEDULE I CONTROLLED SUBSTANCE WHEN THE SUBSTANCE IS INTENDED FOR HUMAN CONSUMPTION, is withdrawn from the Committee on Health and re-referred to the Committee on Judiciary IV.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 953**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, is withdrawn from the Committee on Finance and re-referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Finance.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 694** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE IN THE SAME MANNER AS FEDERAL LAW THAT A CONTROLLED SUBSTANCE ANALOGUE SHALL, TO THE EXTENT INTENDED FOR HUMAN CONSUMPTION, BE TREATED AS A CONTROLLED SUBSTANCE IN SCHEDULE I OF THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT, is withdrawn from the Committee on Health and re-referred to the Committee on Judiciary IV.

On motion of Representative Culpepper, seconded by Representative Justice, the House adjourns at 5:26 p.m. to reconvene May 14 at 2:00 p.m.

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SIXTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 14, 2003

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

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

"God of many faces:

"How many ways we see Your handiwork all around us. In the great variety of Your creation, in the beauty of our State, in the blessing of friends and colleagues, in the opportunities laid before us to serve You and the gifts You give us to respond to those opportunities. We know that You expect great things from those upon whom You have showered these gifts of grace. In this place, O God, decisions are made each day about the life of the people of our State. Bless these Representatives with a sense of the common good. May they see the nameless and faceless, the children, the disenfranchised, as they seek the way of justice and right. May their hard work make North Carolina a happy home for all its citizens.

"In Your watchful name we pray. Amen."

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

Leaves of absence are granted Representatives Adams, Cunningham, Decker, Eddins, Ellis, Howard, Lewis, and McMahan for today. Representative Goodwin is excused for a portion of the session.

ENROLLED BILLS

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

S.B. 39, AN ACT TO AUTHORIZE CERTAIN CHARTER SCHOOLS TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE NORTH CAROLINA

May 14, 2003

TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN; AND TO ASSESS INTEREST ON PREMIUM PAYMENTS NOT REMITTED BY CHARTER SCHOOL EMPLOYING UNITS IN A TIMELY MANNER.

S.B. 422, AN ACT TO AMEND THE ADVANCE HEALTH CARE DIRECTIVE REGISTRY LAW TO EXEMPT FROM NOTARY REQUIREMENTS ANATOMICAL GIFT INSTRUMENTS.

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

S.B. 102, AN ACT TO PROVIDE THAT WHEN A VACANCY OCCURS IN THE OFFICE OF SHERIFF OF SURRY COUNTY, THE BOARD OF COMMISSIONERS SHALL CONSULT WITH THE COUNTY EXECUTIVE COMMITTEE OF THE PARTY WITH WHICH THE SHERIFF WAS ELECTED AS A NOMINEE, AND IF THE EXECUTIVE COMMITTEE MAKES A NOMINATION WITHIN 30 DAYS, THE BOARD OF COMMISSIONERS MUST APPOINT THAT PERSON.

S.B. 356, AN ACT AUTHORIZING THE CITY OF HENDERSON TO GIVE ANNUAL NOTICE TO VIOLATORS OF THE CITY'S WEDED LOT ORDINANCE.

S.B. 490, AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO ALLOW THE CITY MANAGER TO SETTLE CLAIMS AGAINST THE CITY WHEN THE AMOUNT OF THE CLAIMS DO NOT EXCEED THE CITY'S INSURANCE DEDUCTIBLE.

CHAPTERED BILLS

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

S.B. 162, AN ACT TO REPEAL THE FAYETTEVILLE FIREMEN'S SUPPLEMENTAL RETIREMENT BENEFIT FUND. (S.L. 2003-34)

S.B. 276, AN ACT TO AMEND THE PROVISIONS OF THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND. (S.L. 2003-35)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

May 14, 2003

By Representative L. Allen, Vice Chair, for the Committee on Local Government II:

S.B. 389 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REENACTING THE SUBSTANTIVE PROVISIONS OF S.L. 2000-65 RELATING TO MECKLENBURG COUNTY'S AUTHORITY TO SELL AND CONVEY REAL ESTATE, with a favorable report.

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

S.B. 417, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE FOR WAYNE COUNTY TO DESIGNATE STAGGERED TERMS FOR ITS BOARD OF COMMISSIONERS, with a favorable report.

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

S.B. 477 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY COUNCIL TO AUTHORIZE THE CITY'S HOUSING APPEALS BOARD TO HEAR PUBLIC HEALTH NUISANCES CASES, with a favorable report.

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

By Representative Munford, Chair, for the Committee on Judiciary IV:

S.B. 323 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT THE IDENTITY OF A COMPLAINING PARTY AGAINST A LICENSEE OR AN UNLICENSED GENERAL CONTRACTOR BY THE LICENSING BOARD FOR GENERAL CONTRACTORS AND TO CLARIFY WHEN THE BOARD MAY SEEK INJUNCTIVE RELIEF, with a favorable report.

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

S.B. 468, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING THE MODIFICATION AND TERMINATION OF IRREVOCABLE TRUSTS, with a favorable report.

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

May 14, 2003

By Representative C. Wilson, Chair, for the Committee on *Commerce:

S.B. 517, A BILL TO BE ENTITLED AN ACT TO REDUCE THE MINIMUM MEMBERSHIP OF THE GLOBAL TRANSPARK DEVELOPMENT COMMISSION, ALSO CALLED THE EASTERN REGION COMMISSION, with a favorable report.

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

*Upon adoption of the Permanent Rules, the name of the Committee on Economic Growth and Community Development was changed to the Committee on Commerce.

By Representative Womble, Chair, for the Committee on State Government:

S.B. 851, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON MAY BE REAPPOINTED TO THE BOARD OF DIRECTORS OF THE ARBORETUM AFTER ONE YEAR'S ABSENCE FROM THE BOARD, with a favorable report.

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

S.B. 940, A BILL TO BE ENTITLED AN ACT TO PROVIDE JOB PROTECTION FOR VOLUNTEER FIREFIGHTERS, RESCUE SQUAD WORKERS, AND EMERGENCY MEDICAL SERVICES PERSONNEL CALLED INTO THE SERVICE OF THE STATE IN RESPONSE TO A PROCLAMATION OF A STATE OF DISASTER BY THE GOVERNOR OR THE GENERAL ASSEMBLY, OR IN RESPONSE TO AN EMERGENCY SITUATION RESULTING IN THE ACTIVATION OF THE STATE EMERGENCY RESPONSE TEAM, with a favorable report.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Goodwin, Moore, and Wood:

H.B. 1276, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN OPTIONAL GRADUATED TWENTY-FIVE-YEAR RETIREMENT

May 14, 2003

PLAN FOR LOCAL GOVERNMENTS PARTICIPATING IN THE LOCAL GOVERNMENTAL EMPLOYEES RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement and, if favorable, to the Committee on Finance.

By Representatives Munford and Stam (Primary Sponsors); McHenry, Moore, and Wood:

H.B. 1277, A BILL TO BE ENTITLED AN ACT TO REPEAL THE GIFT TAX BEGINNING IN 2006, is referred to the Committee on Finance.

By Representatives Capps and Moore (Primary Sponsors); LaRoque, McHenry, K. Williams, and Wood:

H.R. 1278, A HOUSE RESOLUTION APPEALING TO THE CONGRESS OF THE UNITED STATES TO LIMIT THE APPELLATE JURISDICTION OF THE FEDERAL COURTS REGARDING THE RECITATION OF THE PLEDGE OF ALLEGIANCE IN PUBLIC SCHOOLS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Luebke:

H.B. 1279, A BILL TO BE ENTITLED AN ACT TO CONVERT THE SALES TAX PREFERENCE FOR CERTAIN FARM FACILITIES FROM AN EXEMPTION TO A REFUND, is referred to the Committee on Finance.

By Representative Luebke:

H.B. 1280, A BILL TO BE ENTITLED AN ACT TO EXTEND THE PERIOD FOR WHICH DEFERRED TAXES ARE DUE WHEN FORESTLAND NO LONGER QUALIFIES FOR PRESENT-USE VALUE CLASSIFICATION, is referred to the Committee on Finance.

By Representative Luebke:

H.B. 1281, A BILL TO BE ENTITLED AN ACT TO AMEND THE FINANCE LAWS OF THE STATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Luebke:

H.B. 1282, A BILL TO BE ENTITLED AN ACT TO AMEND THE FINANCE LAWS OF THE STATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

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By Representatives Luebke and Insko (Primary Sponsors):

H.B. 1283, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT UPPER TAX BRACKET TAXPAYERS ARE ELIGIBLE TO RECEIVE ONLY FIFTY PERCENT OF THE LEGISLATIVE TUITION GRANT, TO REQUIRE THE STATE EDUCATION ASSISTANCE AUTHORITY TO DOCUMENT THE NUMBER OF FULL-TIME EQUIVALENT UNDERGRADUATE STUDENTS ENROLLED IN PRIVATE INSTITUTIONS AND THE STATE FUNDS COLLECTED BY THOSE INSTITUTIONS FOR THOSE STUDENTS, TO AUTHORIZE THE STATE EDUCATION ASSISTANCE AUTHORITY AND THE SECRETARY OF ADMINISTRATION TO REQUEST AN AUDIT OF ANY INSTITUTION THAT FAILS TO ADHERE TO THE RULES FOR THE ADMINISTRATION OF THE LEGISLATIVE TUITION GRANTS, TO CLARIFY THAT THE GENERAL ASSEMBLY DOES NOT INTEND FOR PRIVATE COLLEGES AND UNIVERSITIES TO "BUNDLE" THE LEGISLATIVE TUITION GRANTS AND PROVIDE THOSE GRANTS TO A SELECT FEW STUDENTS, AND TO AUTHORIZE THE STATE EDUCATION ASSISTANCE AUTHORITY TO CHARGE A FEE TO PRIVATE INSTITUTIONS FOR ADMINISTERING THE LEGISLATIVE TUITION GRANTS, is referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

S.B. 245, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HUNTING OF COYOTES IN CONTROLLED HUNTING PRESERVES AND TO MAKE IT UNLAWFUL TO IMPORT LIVE COYOTES INTO THIS STATE.

Representative Gulley offers Amendment No. 2 which is adopted by electronic vote (107-1).

Representative Baker offers Amendment No. 3.

On motion of Speaker Black, the bill with Amendment No. 3 pending, is temporarily displaced.

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

S.B. 33 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE RECIPROCAL CONCEALED HANDGUN RIGHTS TO CONCEALED HANDGUN PERMIT HOLDERS OF OTHER STATES,

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passes its second reading, by electronic vote (93-15), 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.

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

S.B. 326 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW ON CHANGING THE FORMS OF BUSINESSES FOR UNEMPLOYMENT INSURANCE TAX PURPOSES AND TO INCREASE PENALTIES, SO AS TO DETER THE PRACTICE OF STATE UNEMPLOYMENT TAX AVOIDANCE (SUTA DUMPING), passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 557, A BILL TO BE ENTITLED AN ACT REQUIRING A TAXI-CAB DRIVER TO PASS A CONTROLLED SUBSTANCE EXAMINATION BEFORE BEING LICENSED AS A TAXICAB DRIVER IN THIS STATE, 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 enrolled and presented to the Governor.

S.B. 559 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MOTOR VEHICLE DEALER FRANCHISE LAWS, 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.

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

S.B. 630 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF A PROTECTIVE ORDER UNDER THE LAWS RELATING TO DOMESTIC VIOLENCE, 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 passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

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

S.B. 658 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESOLVE CONFLICTING STATUTES; TO AMEND THE APPELLATE PROCEDURE BEFORE THE STATE BANKING COMMISSION; AND TO AUTHORIZE THE COMMISSIONER OF BANKS TO APPOINT A HEARING OFFICER, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 704 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE TRAUMATIC BRAIN INJURY ADVISORY COUNCIL.

On motion of Representative Justus, the bill is withdrawn from the Calendar and placed on the Calendar of May 15.

S.B. 765 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE AREA OF WESTERN CORE SOUND THAT MAY BE LEASED FOR THE CULTIVATION OF SHELLFISH AND TO DIRECT THE DIVISION OF MARINE FISHERIES TO REPORT TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE ON THE IMPLEMENTATION OF THIS ACT, passes its second reading, by electronic vote (103-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 245, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HUNTING OF COYOTES IN CONTROLLED HUNTING PRESERVES AND TO MAKE IT UNLAWFUL TO IMPORT LIVE COYOTES INTO THIS STATE, which was temporarily displaced with Amendment No. 3 pending, is before the Body.

Amendment No. 3 is adopted by electronic vote (106-0).

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The bill, as amended, passes its third reading, by electronic vote (104-3), and is ordered sent to the Senate for concurrence in House amendments.

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. 215, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MADISON, 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.

The committee substitute changes the bill from local to public.

H.J.R. 693, A JOINT RESOLUTION COMMENDING THE ATLANTIC COAST CONFERENCE ON ITS 50TH ANNIVERSARY AND HONORING THE MEMORY OF FORMER COMMISSIONERS JAMES H. WEAVER AND ROBERT C. JAMES, with a favorable report as to the committee substitute joint 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. The original resolution is placed on the Unfavorable Calendar.

H.B. 1094, A BILL TO BE ENTITLED AN ACT AUTHORIZING LOCAL BOARDS OF HEALTH TO ADOPT RULES CONCERNING ANIMAL OPERATIONS, 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 Health.

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

May 14, 2003

By Representative L. Allen, Vice Chair, for the Committee on Local Government II:

S.B. 478, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF DURHAM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE, 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.

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 51** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ACTIVE DUTY MEMBER OF THE ARMED SERVICES WHO ATTENDS A CONSTITUENT INSTITUTION OR A COMMUNITY COLLEGE SHALL BE CHARGED ONLY THE MAXIMUM AVAILABLE TUITION ASSISTANCE AS DEFINED BY THE UNITED STATES DEPARTMENT OF DEFENSE, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Finance.

Representative Culpepper moves, seconded by Representative Justice, that the House adjourn, subject to the receipt of Messages from the Senate, to reconvene May 15 at 11:00 a.m.

The motion carries.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

Senate Committee Substitute for **H.J.R. 1161**, A JOINT RESOLUTION ENCOURAGING NASCAR TO RETAIN THE CURRENT FIVE WINSTON CUP RACES IN THIS STATE, TWO AT NORTH CAROLINA SPEEDWAY AND THREE AT LOWE'S MOTOR SPEEDWAY, AND COMMEMORATING NASCAR AND ITS PIONEERS AS NORTH CAROLINA IS THE STOCK CAR RACING CAPITAL OF THE WORLD, is returned for concurrence in the Senate committee substitute bill.

May 14, 2003

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 15.

Upon concurrence, the Senate committee substitute bill changes the title.

The House stands adjourned at 4:55 p.m.

SIXTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, May 15, 2003

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

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

"Everywhere present God:

"Come along side and walk with us through this day. Be with our every move, our every thought, our every word. Walk with these Representatives in their important work. Guide their debate and decision. In the coming weekend, walk with us in Your restorative power. Refresh and renew, rebuild and re-strengthen that we all might return next week with new energy for the tasks that lie ahead.

"God of compassion, walk with Representative Lewis and his family in their grief at the death of his grandmother and with any here who have special need of Your comforting touch in their life. And, God of growth, walk with Representative Weiss' son as he comes of age in his Bar Mitzvah this week.

"All this we pray in Your loving name. Amen."

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

May 15, 2003

Leaves of absence are granted Representatives Bell, Cunningham, Decker, Eddins, Gibson, Hill, Lewis, McMahan, Moore, Ray, and Stiller for today. Representative Goodwin is excused for a portion of the session.

ENROLLED BILLS

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

S.B. 295, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES FOR PARAMEDICS AND THE NORTH CAROLINA COASTAL FEDERATION.

S.B. 326, AN ACT TO CLARIFY THE LAW ON CHANGING THE FORMS OF BUSINESSES FOR UNEMPLOYMENT INSURANCE TAX PURPOSES AND TO INCREASE PENALTIES, SO AS TO DETER THE PRACTICE OF STATE UNEMPLOYMENT TAX AVOIDANCE (SUTA DUMPING).

S.B. 557, AN ACT REQUIRING A TAXICAB DRIVER TO PASS A CONTROLLED SUBSTANCE EXAMINATION BEFORE BEING LICENSED AS A TAXICAB DRIVER IN THIS STATE.

S.B. 658, AN ACT TO RESOLVE CONFLICTING STATUTES; TO AMEND THE APPELLATE PROCEDURE BEFORE THE STATE BANKING COMMISSION; AND TO AUTHORIZE THE COMMISSIONER OF BANKS TO APPOINT A HEARING OFFICER.

S.B. 765, AN ACT TO LIMIT THE AREA OF WESTERN CORE SOUND THAT MAY BE LEASED FOR THE CULTIVATION OF SHELLFISH AND TO DIRECT THE DIVISION OF MARINE FISHERIES TO REPORT TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE ON THE IMPLEMENTATION OF THIS ACT.

H.B. 126, AN ACT TO CLARIFY THE LAW GOVERNING EVIDENCE ADMISSIBLE IN CERTAIN JUVENILE HEARINGS.

H.B. 475, AN ACT TO AMEND THE STATUTE PERTAINING TO REGISTRATION OF BIRTH AND DEATH CERTIFICATES.

H.B. 636, AN ACT TO GIVE EFFECT TO ELECTRONIC JUDGMENT DOCKETS BY MODERNIZING LAWS REGARDING JUDGMENTS

May 15, 2003

AND REESTABLISHING THE EFFECTIVE DATE OF CIVIL JUDGMENT LIENS AND THE DATE FROM WHICH INTEREST ACCRUES ON JUDGMENTS.

H.B. 952, AN ACT TO MAKE A CLARIFYING CHANGE TO THE LAWS RELATING TO THE CONFIRMATION OF AN ARBITRATION AWARD UNDER THE FAMILY LAW ARBITRATION ACT.

H.B. 1065, AN ACT TO MODIFY THE AUTHORITY AND PROCEDURE FOR A REDEVELOPMENT COMMISSION TO CONVEY CERTAIN PROPERTY IN A DESIGNATED REDEVELOPMENT AREA.

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

S.B. 123, AN ACT TO ALLOW THE CITIES OF CLINTON AND LUMBERTON AND THE TOWN OF FRANKLIN TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND TO DEMOLISH THOSE BUILDINGS USING THE SAME PROCESS AUTHORIZED FOR THE DEMOLITION OF UNSAFE NONRESIDENTIAL BUILDINGS.

CHAPTERED BILLS

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

H.B. 24, AN ACT TO AUTHORIZE VETERANS ADMINISTRATION POLICE OFFICERS TO PROVIDE ASSISTANCE TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES IN THE SAME MANNER AS OTHER FEDERAL LAW ENFORCEMENT OFFICERS. (S.L. 2003-36)

H.B. 1205, AN ACT TO FACILITATE THE IMPLEMENTATION OF THE "CLEAN SMOKESTACKS ACT" BY EXEMPTING SANITARY LANDFILLS USED FOR THE DISPOSAL OF WASTE GENERATED BY INVESTOR-OWNED PUBLIC UTILITY COAL-FIRED GENERATING UNITS THAT ARE SUBJECT TO THE "CLEAN SMOKESTACKS ACT" FROM THE REQUIREMENT THAT FRANCHISES BE OBTAINED FOR THE OPERATION OF THOSE LANDFILLS. (S.L. 2003-37)

H.B. 58, AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS. (S.L. 2003-38)

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S.B. 102, AN ACT TO PROVIDE THAT WHEN A VACANCY OCCURS IN THE OFFICE OF SHERIFF OF SURRY COUNTY, THE BOARD OF COMMISSIONERS SHALL CONSULT WITH THE COUNTY EXECUTIVE COMMITTEE OF THE PARTY WITH WHICH THE SHERIFF WAS ELECTED AS A NOMINEE, AND IF THE EXECUTIVE COMMITTEE MAKES A NOMINATION WITHIN 30 DAYS, THE BOARD OF COMMISSIONERS MUST APPOINT THAT PERSON. (S.L. 2003-39)

S.B. 356, AN ACT AUTHORIZING THE CITY OF HENDERSON TO GIVE ANNUAL NOTICE TO VIOLATORS OF THE CITY'S WEEDED LOT ORDINANCE. (S.L. 2003-40)

S.B. 490, AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO ALLOW THE CITY MANAGER TO SETTLE CLAIMS AGAINST THE CITY WHEN THE AMOUNT OF THE CLAIMS DO NOT EXCEED THE CITY'S INSURANCE DEDUCTIBLE. (S.L. 2003-41)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 555 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT IT IS A FELONY FOR A SCHOOL SAFETY OFFICER TO HAVE SEXUAL CONTACT OR TAKE INDECENT LIBERTIES WITH A STUDENT, with a favorable report.

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

SUBCOMMITTEE REFERRAL

Representatives Baker, Clary, Crawford, Earle, Grady, Owens, Sherrill, and Wright, Chairs, for the Standing Committee on Appropriations, refer **H.B. 1074** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE A STATUTE TO CREATE A BUTNER ADVISORY COUNCIL SO AS TO ELECT ALL MEMBERS AT LARGE IN ONE MULTISEAT RACE AND ELIMINATE STAGGERED TERMS; TO DEFINE THE ELECTORAL JURISDICTION OF THE COUNCIL; AND TO AMEND THE LEGISLATION IN OTHER NEEDED WAYS, to the Appropriations Subcommittee on Health and Human Services.

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INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Tolson and Miner (Primary Sponsors); Gibson, Glazier, Goodwin, McLawhorn, Owens, Ross, and Warren:

H.B. 1284, A BILL TO BE ENTITLED AN ACT TO PROVIDE JOBS FOR THE 21ST CENTURY, is referred to the Committee on Finance.

By Representative Gibson:

H.B. 1285, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE FINANCE LAWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gibson:

H.B. 1286, A BILL TO BE ENTITLED AN ACT TO AMEND LOCAL FINANCE LAWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Alexander, Insko, and Luebke:

H.B. 1287, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA CLEAN VEHICLES PROGRAM AND TO ESTABLISH THE LOW EMISSION VEHICLE INFRASTRUCTURE FUND, is referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Finance.

By Representatives Ross and Setzer (Primary Sponsors); Glazier, Insko, and McHenry:

H.B. 1288, A BILL TO BE ENTITLED AN ACT TO EXPAND THE TAX CREDITS FOR HISTORIC REHABILITATION BY REMOVING THE SUNSET ON A PROVISION ALLOWING A PASS-THROUGH ENTITY TO ALLOCATE AMONG ITS OWNERS THE TAX CREDIT FOR INCOME-PRODUCING STRUCTURES, INCREASING THE AMOUNT THAT MAY BE ALLOCATED TO AN OWNER UNDER THIS PROVISION, AND ALLOWING BOTH HISTORIC REHABILITATION TAX CREDITS TO BE TAKEN AGAINST FRANCHISE TAX

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AND GROSS PREMIUMS TAXES, is referred to the Committee on Finance.

By Representative Hackney:

H.B. 1289, A BILL TO BE ENTITLED AN ACT AMENDING VARIOUS PROVISIONS UNDER THE PRIVATE PROTECTIVE SERVICES ACT, REDUCING THE NUMBER OF MEMBERS ON THE PRIVATE PROTECTIVE SERVICES BOARD, AUTHORIZING THE BOARD TO ESTABLISH CONTINUING EDUCATION REQUIREMENTS, AND DECREASING THE REQUIRED MINIMUM BALANCE IN THE PRIVATE PROTECTIVE SERVICES RECOVERY FUND, is referred to the Committee on Finance.

By Representatives McComas, Insko, and Luebke:

H.B. 1290, 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 Representative McComas:

H.B. 1291, A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXPENSE ATTRIBUTION LAW AS IT APPLIES TO DEDUCTIBLE DIVIDENDS, is referred to the Committee on Finance.

By Representatives Holliman and Luebke (Primary Sponsors); and Insko:

H.B. 1292, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BILL LEE ACT TIER DESIGNATION FORMULA TO ASSURE THAT ECONOMIC DEVELOPMENT EFFORTS ARE TARGETED TO TRULY DISTRESSED AREAS, is referred to the Committee on Finance.

By Representatives Miner, Owens, and Tolson:

H.B. 1293, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PERMIT CITIES AND COUNTIES TO INCUR OBLIGATIONS TO FINANCE THE PUBLIC PORTION OF CERTAIN ECONOMIC DEVELOPMENT PROJECTS, is referred to the Committee on Finance.

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By Representatives G. Allen, L. Allen, Goodwin, Miner, and Tolson:

H.B. 1294, A BILL TO BE ENTITLED AN ACT TO EXPAND THE QUALIFIED BUSINESS INVESTMENTS TAX CREDIT, is referred to the Committee on Finance.

By Representative Nesbitt:

H.B. 1295, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PAINT AND PRIMER APPLIED BY BODY SHOPS ARE SUBJECT TO THE SAME SALES TAX TREATMENT AS REPAIR PARTS INSTALLED BY REPAIR SHOPS, is referred to the Committee on Finance.

By Representatives Miller and Luebke:

H.B. 1296, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PAYMENT OF A REGISTRATION FEE TO THE ABC COMMISSION UPON THE FILING OF AN APPLICATION FOR AN ABC PERMIT BY A BUSINESS LOCATED IN AN URBAN REDEVELOPMENT AREA, is referred to the Committee on Finance.

By Representatives Glazier, Dickson, and Jones (Primary Sponsors); Bordsen, Gibson, LaRoque, and McLawhorn:

H.B. 1297, A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR MEDICAL CARE PROVIDERS TO THE EXTENT THEIR MALPRACTICE INSURANCE PREMIUMS EXCEED AN APPROPRIATE AMOUNT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Moore, Carney, Gibson, and Goodwin:

H.B. 1298, A BILL TO BE ENTITLED AN ACT TO ESTABLISH LICENSURE REQUIREMENTS FOR GLASS GLAZING CONTRACTORS, is referred to the Committee on Finance.

By Representatives Culpepper and Luebke:

H.B. 1299, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COUNTY AND MUNICIPALITY OPERATED ABANDONED AND JUNKED MOTOR VEHICLE ABATEMENT PROGRAM FUNDED WITH

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FEES COLLECTED ON THE REGISTRATION OF PRIVATE PASSENGER VEHICLES, is referred to the Committee on Finance.

By Representative Culpepper:

H.B. 1300, A BILL TO BE ENTITLED AN ACT THAT AFFECTS THE FINANCES OF NORTH CAROLINA BY IMPOSING A FEE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Fox and G. Allen (Primary Sponsors); L. Allen and Tolson:

H.B. 1301, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS THAT ARE JOINTLY UNDERTAKING A DEVELOPMENT PROJECT TO ENTER INTO AGREEMENTS TO FINANCE THE PROJECT; TO AMEND THE NORTH CAROLINA CONSTITUTION; AND TO CREATE A LOCAL OPTION PARTIAL PROPERTY TAX EXCLUSION FOR IMPROVEMENTS TO PROPERTY LOCATED IN A REDEVELOPMENT AREA, is referred to the Committee on Finance.

By Representative McComas:

H.B. 1302, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO FINANCE AND BONDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Starnes and Frye:

H.B. 1303, A BILL TO BE ENTITLED AN ACT TO EXEMPT ATHLETIC CONTESTS SPONSORED BY INCOME TAX EXEMPT PERSONS FROM THE AMUSEMENTS PRIVILEGE TAX, is referred to the Committee on Finance.

By Representative Haire:

H.B. 1304, A BILL TO BE ENTITLED AN ACT TO IMPOSE AN ADVANCE DISPOSAL FEE ON NEW AND USED MOBILE HOMES, TO REQUIRE COUNTIES TO DEVELOP PLANS THAT PROVIDE FOR THE DECONSTRUCTION OF OBSOLETE MOBILE HOMES AND THE REMOVAL OF REUSABLE OR RECYCLABLE COMPONENTS, AND TO PROVIDE FOR THE ABATEMENT OF NUISANCE OBSOLETE

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MOBILE HOMES, is referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Finance.

By Representative Earle:

H.B. 1305, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAWS REGULATING GENERAL CONTRACTORS AND TO INCREASE THE LICENSURE REQUIREMENTS FOR RESIDENTIAL BUILDING CONTRACTORS, is referred to the Committee on Judiciary IV and, if favorable, to the Committee on Finance.

By Representative Weiss:

H.B. 1306, A BILL TO BE ENTITLED AN ACT TO AMEND THE FINANCE LAWS, is referred to the Committee on Finance.

By Representative Weiss:

H.B. 1307, A BILL TO BE ENTITLED AN ACT TO AMEND THE FINANCE LAWS, is referred to the Committee on Finance.

By Representative Blust:

H.B. 1308, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TAX-EXEMPT STATUS FOR CHARITABLE AND SIMILAR ORGANIZATIONS IS CONDITIONED ON THE ORGANIZATION'S USING A MINIMUM AMOUNT OF ITS GROSS INCOME FOR ITS CHARITABLE OR SIMILAR PURPOSE, is referred to the Committee on Finance.

By Representatives Bordsen, Parmon, Insko, and Womble (Primary Sponsors); B. Allen, Bell, Bonner, Carney, Farmer-Butterfield, Hall, Hunter, Jones, Lucas, Luebke, McAllister, Michaux, Miller, Nye, Sutton, Wainwright, Warner, and Weiss:

H.B. 1309, A BILL TO BE ENTITLED AN ACT TO RESTORE THE PREVIOUS RATE OF EXCISE TAX ON LIQUOR; TO RAISE BEER AND WINE TAXES; AND TO DIRECT A PORTION OF THE PROCEEDS OF THESE TAX INCREASES TO SUBSTANCE ABUSE TREATMENT, is referred to the Committee on Finance.

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By Representative Gibson:

H.B. 1310, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TAX RATES FOR THE UNAUTHORIZED SUBSTANCES TAX AND TO CHANGE THE DEFINITION OF DEALER, is referred to the Committee on Finance.

By Representatives Gibson and Owens (Primary Sponsors):

H.B. 1311, A BILL TO BE ENTITLED AN ACT TO INCREASE THE GASOLINE AND OIL INSPECTION TAX IN ORDER TO PROVIDE ADEQUATE FUNDS TO CLEAN UP DISCHARGES OF PETROLEUM FROM LEAKING PETROLEUM UNDERGROUND STORAGE TANKS IN ORDER TO PROTECT PROPERTY VALUES, ENSURE TIMELY REIMBURSEMENT OF PERSONS WHO ENGAGE IN CLEANUPS, AND PROTECT GROUNDWATER, is referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Finance.

By Representatives Gibson and Hackney (Primary Sponsors); and Insko:

H.B. 1312, A BILL TO BE ENTITLED AN ACT TO REQUIRE A PERSON WHO GENERATES, TRANSPORTS, TREATS, STORES, OR DISPOSES OF HAZARDOUS WASTE TO NOTIFY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES PRIOR TO COMMENCING THE ACTIVITY, TO REQUIRE GENERATORS OF HAZARDOUS WASTE TO PAY A SECURITY DEPOSIT TO THE DEPARTMENT TO ENSURE COMPLIANCE WITH CLOSURE REQUIREMENTS, TO CLARIFY WHICH HAZARDOUS WASTE FEES ARE PAYABLE ON AN ANNUAL BASIS AND WHICH ARE PAYABLE ON A FISCAL YEAR BASIS, TO CLARIFY WHEN HAZARDOUS WASTE FEES ARE DUE, AND TO IMPOSE A LATE PAYMENT FEE ON DELINQUENT HAZARDOUS WASTE FEES, is referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Finance.

By Representatives Miner and Luebke (Primary Sponsors); Insko and Ross:

H.B. 1313, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO LEVY A LOCAL OPTION EXCISE TAX ON CIGARETTES

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AND OTHER TOBACCO PRODUCTS, is referred to the Committee on Finance.

By Representatives Carney and McComas (Primary Sponsors); Alexander, B. Allen, Bordsen, Clary, Crawford, Culpepper, England, Farmer-Butterfield, Gibson, Glazier, Jones, Miner, Moore, Parmon, Rapp, Rhodes, Ross, Saunders, and C. Wilson:

H.B. 1314, A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROPERTY TAX EXCLUSION FOR BROWNFIELDS PROPERTY OWNED AND REHABILITATED BY A COMMUNITY DEVELOPMENT CORPORATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Rhodes:

H.B. 1315, A BILL TO BE ENTITLED AN ACT TO EXPAND THE OPTION FOR LARGE COUNTIES TO FUND AND PROVIDE LAW ENFORCEMENT SERVICES IN UNINCORPORATED AREAS AND CONCERNING LAW ENFORCEMENT SERVICES IN UNINCORPORATED AREAS OF MECKLENBURG COUNTY, is referred to the Committee on Finance.

By Representatives Earle, Miner, and McComas (Primary Sponsors); B. Allen, G. Allen, Bell, Brubaker, Carney, Clary, Cole, Crawford, England, Gibson, Glazier, Haire, Hall, Harrell, Hunter, Lucas, McLawhorn, Nye, Rapp, Saunders, Sherrill, Sutton, Tolson, Wainwright, Warner, Warren, and A. Williams:

H.B. 1316, A BILL TO BE ENTITLED AN ACT TO CREATE A TRAVEL AND TOURISM CAPITAL INVESTMENT PROGRAM, is referred to the Committee on Finance.

By Representatives Luebke, L. Allen, Bordsen, Carney, Coates, Earle, England, Farmer-Butterfield, Glazier, Goforth, Hackney, Insko, Jeffus, C. Johnson, Jones, Miller, Nesbitt, Parmon, Rapp, Ross, and Weiss:

H.B. 1317, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN APPORTIONING CORPORATE INCOME TO THIS STATE FOR TAX PURPOSES, ONE-HALF OF THE AMOUNT OF SALES DELIVERED TO ANOTHER STATE WHERE THEY ARE NOT TAXABLE WILL BE TREATED AS SALES IN THIS STATE, is referred to the Committee on Finance.

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By Representatives Luebke, Insko, Miller, and Weiss:

H.B. 1318, A BILL TO BE ENTITLED AN ACT TO REPEAL THE BILL LEE ACT AND REPLACE IT WITH MORE EFFECTIVE INCENTIVES TO BRING PROSPERITY TO DISTRESSED AREAS OF THE STATE, is referred to the Committee on Finance.

By Representatives Luebke, Insko, and Womble:

H.B. 1319, A BILL TO BE ENTITLED AN ACT TO IMPOSE A TEMPORARY INCOME TAX SURTAX, is referred to the Committee on Finance.

By Representative Luebke:

H.B. 1320, A BILL TO BE ENTITLED AN ACT TO AMEND THE FINANCE LAWS OF THE STATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Luebke:

H.B. 1321, A BILL TO BE ENTITLED AN ACT TO AMEND THE FINANCE LAWS OF THE STATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Luebke:

H.B. 1322, A BILL TO BE ENTITLED AN ACT TO AMEND THE FINANCE LAWS OF THE STATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Luebke and McComas (Primary Sponsors); Culpepper, Farmer-Butterfield, Insko, Parmon, Ross, and Weiss:

H.B. 1323, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN INCREASE IN FEES FOR CAMA PERMITS, is referred to the Committee on Finance.

By Representatives Luebke, Farmer-Butterfield, Insko, Parmon, and Weiss:

H.B. 1324, A BILL TO BE ENTITLED AN ACT TO INCREASE CERTAIN ENVIRONMENTAL FEES FOR PERMITS AND COMPLIANCE PROGRAMS OF THE DEPARTMENT OF ENVIRONMENT

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AND NATURAL RESOURCES TO REFLECT THE DEPARTMENT'S TRUE COST OF THESE ACTIVITIES, is referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Finance.

By Representative Gibson:

H.B. 1325, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO GRANT THE GOVERNOR A LINE-ITEM VETO OF APPROPRIATIONS, TAX, AND BOND ITEMS, is referred to the Committee on Judiciary I.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 1177 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PHYSICIANS IN GOOD STANDING TO PRACTICE MEDICINE IN ANOTHER STATE MAY PRACTICE MEDICINE OR SURGERY AT A CAMP FOR THERAPEUTIC RECREATION FOR INDIVIDUALS WITH CHRONIC ILLNESSES UNDER CERTAIN RESTRICTED CONDITIONS, 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. 414, A BILL TO BE ENTITLED AN ACT TO ALLOW ROBESON COUNTY TO DELAY THE REAPPRAISAL OF PROPERTY FOR PROPERTY TAX PURPOSES BY ONE YEAR, is read the first time and referred to the Committee on Finance.

S.B. 420, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO COLLECT A TAX OF UP TO TWENTY DOLLARS ON VEHICLES RESIDENT IN THE CITY, is read the first time and referred to the Committee on Finance.

S.B. 497, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF MOUNT AIRY, TO ANNEX CERTAIN DESCRIBED PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY, AND TO MODIFY THE CITY OF MOUNT AIRY OCCUPANCY TAX PROVISIONS, is read the first time and referred to the Committee on Finance.

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S.B. 652, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN AIRPORT AUTHORITIES TO ENTER INTO INSTALLMENT CONTRACTS, is read the first time and referred to the Committee on Finance.

S.B. 977 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING THE PHYSICAL RESTRAINTS AND SECLUSION IN PUBLIC SCHOOLS STUDY COMMISSION, 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:

Senate Committee Substitute for **H.J.R. 1161**, A JOINT RESOLUTION ENCOURAGING NASCAR TO RETAIN THE CURRENT FIVE WINSTON CUP RACES IN THIS STATE, TWO AT NORTH CAROLINA SPEEDWAY AND THREE AT LOWE'S MOTOR SPEEDWAY, AND COMMEMORATING NASCAR AND ITS PIONEERS AS NORTH CAROLINA IS THE STOCK CAR RACING CAPITAL OF THE WORLD.

On motion of Representative Goodwin, the House concurs in the Senate committee substitute resolution, which changes the title, by electronic vote (99-0), and the resolution is ordered enrolled.

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. 471 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BRING STATE LAW INTO COMPLIANCE WITH RECENTLY ADOPTED FEDERAL REGULATIONS CONCERNING THE EFFECT OF VIOLATION OF RAILROAD CROSSING SAFETY AND OTHER STATE LAWS ON COMMERCIAL DRIVERS LICENSES, AND REQUIRING A NEW "S" ENDORSEMENT FOR PERSONS OPERATING SCHOOL BUSES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

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The bill is re-referred to the Committee on Finance.

S.B. 619 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A BLOOD ANALYSIS REPORT SENT DIRECTLY TO THE CLERK OF SUPERIOR COURT MAY BE USED AS THE BASIS FOR THE CIVIL REVOCATION OF A DRIVERS LICENSE, with a favorable report.

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

CALENDAR (continued)

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

S.B. 290 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE CITY OF GREENSBORO MAY ORDER OWNERS OF RESIDENTIAL PROPERTY TO REPAIR RATHER THAN VACATE HOUSING TO MEET MINIMUM CODE STANDARDS, passes its second reading by electronic vote (95-3), and there being no objection is read a third time.

Representative A. Williams requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (96-3).

On motion of Speaker Morgan and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 19.

S.B. 704 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE TRAUMATIC BRAIN INJURY ADVISORY COUNCIL.

Representative Wright offers Amendment No. 1 which is adopted by electronic vote (99-1).

The bill, as amended, passes its second reading, by electronic vote (100-0), 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.

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ENROLLED BILLS

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

H.J.R. 1161, A JOINT RESOLUTION HONORING NASCAR, ITS PIONEER RACING FAMILIES AND DRIVERS, AND NORTH CAROLINA MOTOR RACING. (RESOLUTION 2003-11)

RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 484**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PERSON, 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. 469** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CONDITIONS PLACED ON EXCLUSIVE AGENCY CONTRACTS FOR THE SALE OF LIFE INSURANCE OR FINANCIAL SERVICES ARE UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE TRADE PRACTICES, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Insurance.

On motion of Representative Culpepper, seconded by Representative Miller, the House adjourns at 11:43 a.m. to reconvene Monday, May 19, 2003, at 7:00 p.m.

SIXTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, May 19, 2003

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

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

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"God, it's Monday and things are busy around here! There are endless meetings with committees, with constituents, with lobbyists, with colleagues. There are so many ideas to consider, so many bills to be up on; and there's the budget! Can there be time enough? Give us strength, O God, for yet another week - physical endurance, mental agility, creativity, compromising spirits. Bless each of these Representatives and their staff with the gifts that they need to get the job ahead completed and with a sense that they have been a part of Your working of kingdom building. And when Friday finally comes may they be fulfilled with a week well-spent.

"In Your timeless name we pray. Amen."

Speaker Morgan leads the Body in the Pledge of Allegiance.

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

Leaves of absence are granted Representatives Alexander, Clary, Cunningham, Dockham, Hilton, McCombs, Sexton, Stiller, Sutton, and Wainwright for today. Representative McComas is excused for a portion of the session.

ENROLLED BILLS

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

S.B. 814, AN ACT TO CLARIFY THE LAW REGARDING COMPETITIVE AND DEREGULATED OFFERINGS OF TELECOMMUNICATIONS SERVICES.

H.B. 80, AN ACT TO REQUIRE THAT CERTAIN REPORTS BE MADE TO THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

H.B. 103, AN ACT TO INCREASE THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS TO CONFORM TO THE INCREASE IN THE NUMBER OF CONGRESSIONAL DISTRICTS IN THIS STATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

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H.B. 234, AN ACT TO CLARIFY THE APPLICATION PROCESS FOR COMMUNITY COLLEGE STUDENTS REQUESTING FINANCIAL ASSISTANCE.

H.B. 355, AN ACT TO OFFICIALLY DESIGNATE THE INDIANS PREVIOUSLY RECOGNIZED IN THE GENERAL STATUTES AS THE INDIANS OF PERSON COUNTY AS SAPPONY.

H.B. 461, AN ACT TO DELAY THE EFFECTIVE DATE OF THE INTERPRETER AND TRANSLITERATOR LICENSURE ACT.

H.B. 710, AN ACT TO ADD A MEMBER REPRESENTING THE OCCANEECHI BAND OF THE SAPONI NATION TO THE BOARD OF THE NORTH CAROLINA INDIAN CULTURAL CENTER.

H.B. 746, AN ACT TO AMEND AND MODERNIZE THE LAW NAMING THE INDIAN TRIBES IN THIS STATE BY ADDING CLARIFYING INFORMATION ABOUT REFERENCES TO THE LUMBEE TRIBE AND BY ADDING SECTIONS RECOGNIZING THE MEHERRIN TRIBE AND THE OCCANEECHI BAND OF THE SAPONI NATION.

H.B. 950, AN ACT TO REQUIRE THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO OBTAIN THE APPROVAL OF THE COURT BEFORE PLACING A JUVENILE COMMITTED TO THE DEPARTMENT IN A PROGRAM NOT LOCATED IN A YOUTH DEVELOPMENT CENTER OR DETENTION FACILITY.

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

H.B. 134, AN ACT AUTHORIZING THE CITY OF ROANOKE RAPIDS TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE.

H.B. 326, AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF JONESVILLE.

H.B. 480, AN ACT TO PROVIDE FOR STAGGERED FOUR-YEAR TERMS FOR ALL FIVE MEMBERS OF THE BOARD OF COMMISSIONERS OF WILKES COUNTY, RATHER THAN THE CURRENT SYSTEM WHERE FOUR OF THE MEMBERS ARE ELECTED FOR STAGGERED FOUR-YEAR TERMS AND ONE FOR A TWO-YEAR TERM.

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H.B. 512, AN ACT TO ALLOW NONRESIDENT PROPERTY OWNERS TO SERVE ON THE HISTORIC PRESERVATION COMMISSION IN THE TOWN OF NAGS HEAD.

H.B. 686, AN ACT TO EXEMPT DARE COUNTY FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS.

H.B. 750, AN ACT TO AUTHORIZE THE TOWN OF PINEBLUFF TO CONVEY TO ADJACENT PROPERTY OWNERS INTERNAL CENTER COURTS AND ALLEYS AT PRIVATE NEGOTIATED SALE.

CHAPTERED BILLS

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

S.B. 123, AN ACT TO ALLOW THE CITIES OF CLINTON AND LUMBERTON AND THE TOWN OF FRANKLIN TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND TO DEMOLISH THOSE BUILDINGS USING THE SAME PROCESS AUTHORIZED FOR THE DEMOLITION OF UNSAFE NONRESIDENTIAL BUILDINGS. (S.L. 2003-42)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittee are presented:

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

S.B. 776 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF EMPLOYEE UNDER THE WORKERS' COMPENSATION ACT, 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.

S.B. 867 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF ARSON OR OTHER UNLAWFUL BURNINGS THAT RESULT IN SERIOUS INJURY TO A FIREFIGHTER,

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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 Holliman and Sexton, Chairs, for the Committee on Insurance:

S.B. 471 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING THE SELF-INSURANCE GUARANTY ASSOCIATION, with a favorable report.

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

S.B. 769 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH RATE SETTING AND RATE-APPROVAL METHODS FOR THE BEACH PLAN HOMEOWNERS POLICY, TO PROVIDE INCENTIVES TO BEACH AND COASTAL AREA HOMEOWNERS WHO ESTABLISH AND MAINTAIN RISK PREVENTION AND RISK MITIGATION MEASURES, AND TO EXTEND THE DEADLINE FOR ISSUANCE OF THE HOMEOWNERS POLICY PRODUCT BY THE BEACH PLAN, with a favorable report.

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

By Representative Munford, Chair, for the Committee on Judiciary IV:

S.B. 693 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ENHANCED SENTENCES AS RECOMMENDED BY THE SENTENCING COMMISSION AND TO MAKE CONFORMING CHANGES, 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 Insko and Justus, Chairs, for the Committee on Health:

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S.B. 522 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD BY WHICH CERTAIN MEMBERS ON THE NORTH CAROLINA BOARD OF NURSING ARE ELECTED OR APPOINTED, TO MAKE TECHNICAL CHANGES TO THE NURSING PRACTICE ACT, AND TO REQUIRE THAT HEALTH CARE FACILITIES VERIFY THE LICENSURE STATUS OF APPLICANTS SEEKING EMPLOYMENT AS NURSES, 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 Barnhart and Nye, Chairs, for the Appropriations Subcommittee on Health and Human Services.

H.B. 1074 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE A STATUTE TO CREATE A BUTNER ADVISORY COUNCIL SO AS TO ELECT ALL MEMBERS AT LARGE IN ONE MULTISEAT RACE AND ELIMINATE STAGGERED TERMS; TO DEFINE THE ELECTORAL JURISDICTION OF THE COUNCIL; AND TO AMEND THE LEGISLATION IN OTHER NEEDED WAYS, reported to the Standing Committee on Appropriations, with a favorable recommendation and recommend that the bill be re-referred to the Committee on Finance.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Womble, Baker, Holmes, McGee, Parmon, and Sexton:

H.J.R. 1326, A JOINT RESOLUTION HONORING THE MEMORY OF LESTER EDWARD ERVIN, JR., THE FIRST AFRICAN-AMERICAN FIRE CHIEF FOR THE CITY OF WINSTON-SALEM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hill and Wright (Primary Sponsors):

H.J.R. 1327, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SAMUEL KOONCE, FORMER CIVIC LEADER, is referred to the Committee on Rules, Calendar, and Operations of the House.

May 19, 2003

MESSAGES FROM THE SENATE

The following is received from the Senate:

S.B. 676 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE BANKING LAWS OF NORTH CAROLINA, is read the first time and referred to the Committee on Financial Institutions and, if favorable, to the Committee on Finance.

CALENDAR

Action is taken on the following:

S.B. 290 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE CITY OF GREENSBORO MAY ORDER OWNERS OF RESIDENTIAL PROPERTY TO REPAIR RATHER THAN VACATE HOUSING TO MEET MINIMUM CODE STANDARDS, passes its third reading, by electronic vote (103-0), and is ordered sent to the Senate for concurrence in the House committee substitute bill.

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

S.B. 389 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REENACTING THE SUBSTANTIVE PROVISIONS OF S.L. 2000-65 RELATING TO MECKLENBURG COUNTY'S AUTHORITY TO SELL AND CONVEY REAL ESTATE 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 enrolled.

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

S.B. 417, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE FOR WAYNE COUNTY TO DESIGNATE STAGGERED TERMS FOR ITS BOARD OF COMMISSIONERS, 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 enrolled.

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

S.B. 477 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW

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THE CITY COUNCIL TO AUTHORIZE THE CITY'S HOUSING APPEALS BOARD TO HEAR PUBLIC HEALTH NUISANCES CASES, 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 enrolled.

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

S.B. 478 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITIES OF DURHAM AND MONROE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

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

S.B. 449 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY ADMISSIBLE EVIDENCE THAT THE PERSON WITHDRAWING BLOOD IN AN IMPAIRED DRIVING CASE IS A LICENSED PHYSICIAN, NURSE, OR AN OTHERWISE QUALIFIED PERSON, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

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

S.B. 539 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAW GOVERNING THE LIMITED PRACTICE OF OUT-OF-STATE ATTORNEYS-AT-LAW AND THE OPERATION OF THE COUNCIL AND DISCIPLINARY HEARING COMMISSION OF THE NORTH CAROLINA STATE BAR.

Representative Goodwin offers Amendment No. 1 which is adopted by electronic vote (107-0).

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

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

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

S.B. 979 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS BY WHICH A MEMBER OF THE GENERAL ASSEMBLY IS APPOINTED TO THE ATLANTIC STATES MARINE FISHERIES COMMISSION AND TO MAKE TECHNICAL, CLARIFYING, AND CONFORMING CHANGES, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

INTRODUCTION OF PAGES

Pages for the week of May 19 are introduced to the membership. They are: Katherine Adcock of Cumberland; Lauren Cottle of Pender; Anna Duke of Pender; Elizabeth Edwards of Rowan; Lauren Everett of Cumberland; Katherine Immler of Wayne; Heather Owen of Cleveland; Christine Pate of Wayne; Rafael Penn of Mecklenburg; and Zachary Pope of Haywood.

On motion of Representative Culpepper, seconded by Representative L. Johnson, the House adjourns at 7:32 p.m. to reconvene May 20 at 2:00 p.m.

SIXTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 20, 2003

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

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

May 20, 2003

"God of the Universe:

"As You cause the sun to rise each day, shine Your light into all we do. Open our eyes to see Your hand at work in the splendor of creation, in the wonder of human life, in the beauty of our State. Especially in the way we govern our society, with these Representatives, shine the light of Your expectation for justice and righteousness into every committee that meets, every discussion and debate, every decision they make. There are times, God, when there are cloudy issues and decision-making is a struggle; there are times when it is easiest to avoid issues or to give in to what we know is not just. In these times guide these women and men to seek Your will and the public good above all.

"We pray in the name of the God of light. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 19 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Cunningham and McCombs for today.

ENROLLED BILLS

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

S.B. 449, AN ACT TO CLARIFY ADMISSIBLE EVIDENCE THAT THE PERSON WITHDRAWING BLOOD IN AN IMPAIRED DRIVING CASE IS A LICENSED PHYSICIAN, NURSE, OR AN OTHERWISE QUALIFIED PERSON.

S.B. 979, AN ACT TO AMEND THE PROCESS BY WHICH A MEMBER OF THE GENERAL ASSEMBLY IS APPOINTED TO THE ATLANTIC STATES MARINE FISHERIES COMMISSION AND TO MAKE TECHNICAL, CLARIFYING, AND CONFORMING CHANGES.

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

S.B. 389, AN ACT REENACTING THE SUBSTANTIVE PROVISIONS OF S.L. 2000-65 RELATING TO MECKLENBURG COUNTY'S AUTHORITY TO SELL AND CONVEY REAL ESTATE.

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S.B. 417, AN ACT TO EXTEND THE DEADLINE FOR WAYNE COUNTY TO DESIGNATE STAGGERED TERMS FOR ITS BOARD OF COMMISSIONERS.

S.B. 477, AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY COUNCIL TO AUTHORIZE THE CITY'S HOUSING APPEALS BOARD TO HEAR PUBLIC HEALTH NUISANCES CASES.

CHAPTERED BILLS

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

H.B. 134, AN ACT AUTHORIZING THE CITY OF ROANOKE RAPIDS TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE. (S.L. 2003-43)

H.B. 326, AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF JONESVILLE. (S.L. 2003-44)

H.B. 480, AN ACT TO PROVIDE FOR STAGGERED FOUR-YEAR TERMS FOR ALL FIVE MEMBERS OF THE BOARD OF COMMISSIONERS OF WILKES COUNTY, RATHER THAN THE CURRENT SYSTEM WHERE FOUR OF THE MEMBERS ARE ELECTED FOR STAGGERED FOUR-YEAR TERMS AND ONE FOR A TWO-YEAR TERM. (S.L. 2003-45)

H.B. 512, AN ACT TO ALLOW NONRESIDENT PROPERTY OWNERS TO SERVE ON THE HISTORIC PRESERVATION COMMISSION IN THE TOWN OF NAGS HEAD. (S.L. 2003-46)

H.B. 686, AN ACT TO EXEMPT DARE COUNTY FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS. (S.L. 2003-47)

H.B. 750, AN ACT TO AUTHORIZE THE TOWN OF PINEBLUFF TO CONVEY TO ADJACENT PROPERTY OWNERS INTERNAL CENTER COURTS AND ALLEYS AT PRIVATE NEGOTIATED SALE. (S.L. 2003-48)

May 20, 2003

**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. 877 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE PENALTIES FOR VIOLATIONS OF THE CHILD CARE FACILITIES ACT, 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 Gibson, Chair, for the Committee on Environment and Natural Resources:

H.B. 831, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COASTAL RECREATIONAL FISHING LICENSE AND A MARINE RESOURCES RESTORATION FUND TO RESTORE, PROTECT, AND ENHANCE THE MARINE RESOURCES OF THE STATE, 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.

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

S.B. 136 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING DISSENTERS' RIGHTS WITH REGARD TO MAJORITY CONSENT ACTION, with a favorable report.

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

S.B. 439 (Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA, with a favorable report.

May 20, 2003

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 21.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 42 (Senate 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 returned for concurrence in the Senate committee substitute bill.

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

H.B. 742 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A PROPOSED ANNEXATION OF THE TOWN OF CAROLINA SHORES, 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 May 21.

H.B. 765 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN CHOWAN 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 May 21.

S.B. 317 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING FOR A TWO-YEAR MORATORIUM ON ANNEXATIONS INTO THE COUNTY OF CABARRUS BY MUNICIPALITIES LOCATED PRIMARILY OUTSIDE THE COUNTY, is read the first time and referred to the Committee on Local Government I.

CALENDAR

Action is taken on the following:

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

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H.B. 1177 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PHYSICIANS IN GOOD STANDING TO PRACTICE MEDICINE IN ANOTHER STATE MAY PRACTICE MEDICINE OR SURGERY AT A CAMP FOR THERAPEUTIC RECREATION FOR INDIVIDUALS WITH CHRONIC ILLNESSES UNDER CERTAIN RESTRICTED CONDITIONS.

On motion of Representative Brubaker, the House concurs in the Senate committee substitute bill, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor.

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

H.J.R. 693 (Committee Substitute), A JOINT RESOLUTION COMMENDING THE ATLANTIC COAST CONFERENCE ON ITS FIFTIETH ANNIVERSARY AND HONORING THE MEMORY OF FORMER COMMISSIONERS JAMES H. WEAVER AND ROBERT C. JAMES, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

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

S.B. 323 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT THE IDENTITY OF A COMPLAINING PARTY AGAINST A LICENSEE OR AN UNLICENSED GENERAL CONTRACTOR BY THE LICENSING BOARD FOR GENERAL CONTRACTORS AND TO CLARIFY WHEN THE BOARD MAY SEEK INJUNCTIVE RELIEF, 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 enrolled and presented to the Governor.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Hackney and without objection, **S.B. 394** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING A CLAIM FOR EQUITABLE DISTRIBUTION TO SURVIVE THE DEATH OF A SPOUSE WHEN THE PARTIES ARE LIVING

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SEPARATE AND APART AT THE TIME OF DEATH AND THE CLAIM IS TIMELY FILED, is withdrawn from the Calendar and placed on the Calendar of May 27.

CALENDAR (continued)

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

S.B. 468, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING THE MODIFICATION AND TERMINATION OF IRREVOCABLE TRUSTS, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

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

S.B. 517, A BILL TO BE ENTITLED AN ACT TO REDUCE THE MINIMUM MEMBERSHIP OF THE GLOBAL TRANSPARK DEVELOPMENT COMMISSION, ALSO CALLED THE EASTERN REGION COMMISSION, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

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

S.B. 555 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT IT IS A FELONY FOR A SCHOOL SAFETY OFFICER TO HAVE SEXUAL CONTACT OR TAKE INDECENT LIBERTIES WITH A STUDENT, 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 enrolled and presented to the Governor.

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

S.B. 619 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A BLOOD ANALYSIS REPORT SENT DIRECTLY TO THE CLERK OF SUPERIOR COURT MAY BE USED

May 20, 2003

AS THE BASIS FOR THE CIVIL REVOCATION OF A DRIVERS LICENSE, 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.

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

S.B. 851, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON MAY BE REAPPOINTED TO THE BOARD OF DIRECTORS OF THE ARBORETUM AFTER ONE YEAR'S ABSENCE FROM THE BOARD, passes its second reading, by electronic vote (108-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

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

S.B. 931 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ELIMINATING THE PORTFOLIO REQUIREMENT FOR TEACHER CERTIFICATION.

Representative Haire offers Amendment No. 1.

On motion of Speaker Black and without objection, the bill with pending Amendment No. 1, is temporarily displaced.

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

S.B. 940, A BILL TO BE ENTITLED AN ACT TO PROVIDE JOB PROTECTION FOR VOLUNTEER FIREFIGHTERS, RESCUE SQUAD WORKERS, AND EMERGENCY MEDICAL SERVICES PERSONNEL CALLED INTO THE SERVICE OF THE STATE IN RESPONSE TO A PROCLAMATION OF A STATE OF DISASTER BY THE GOVERNOR OR THE GENERAL ASSEMBLY, OR IN RESPONSE TO AN EMERGENCY SITUATION RESULTING IN THE ACTIVATION OF THE STATE EMERGENCY RESPONSE TEAM, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

May 20, 2003

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 931 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ELIMINATING THE PORTFOLIO REQUIREMENT FOR TEACHER CERTIFICATION, which was temporarily displaced with Amendment No. 1 pending, is before the Body.

Amendment No. 1 fails of adoption by electronic vote (26-90).

The bill passes its second reading, by electronic vote (108-6), 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.

On motion of Representative Culpepper, seconded by Representative Adams, the House adjourns at 3:24 p.m. to reconvene May 21 at 4:00 p.m.

SIXTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 21, 2003

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

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

"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.

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"And to You, the Beginning and the End, Lord of the living, Refuge of the dying, be thanks and praise for ever. Amen."

(James Martineau, England, 19th CENT., ALT.)

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 20 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Alexander, Bordsen, Cunningham, McCombs, and C. Wilson for today. Representative Wood is excused for a portion of the session.

ENROLLED BILLS

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

S.B. 245, AN ACT TO AUTHORIZE THE HUNTING OF COYOTES IN CONTROLLED HUNTING PRESERVES AND TO MAKE IT UNLAWFUL TO IMPORT LIVE COYOTES INTO THIS STATE.

S.B. 323, AN ACT TO PROTECT THE IDENTITY OF A COMPLAINING PARTY AGAINST A LICENSEE OR AN UNLICENSED GENERAL CONTRACTOR BY THE LICENSING BOARD FOR GENERAL CONTRACTORS AND TO CLARIFY WHEN THE BOARD MAY SEEK INJUNCTIVE RELIEF.

S.B. 468, AN ACT TO CLARIFY THE LAW GOVERNING THE MODIFICATION AND TERMINATION OF IRREVOCABLE TRUSTS.

S.B. 517, AN ACT TO REDUCE THE MINIMUM MEMBERSHIP OF THE GLOBAL TRANSPARK DEVELOPMENT COMMISSION, ALSO CALLED THE EASTERN REGION COMMISSION.

S.B. 555, AN ACT TO CLARIFY THAT IT IS A FELONY FOR A SCHOOL SAFETY OFFICER TO HAVE SEXUAL CONTACT OR TAKE INDECENT LIBERTIES WITH A STUDENT.

S.B. 559, AN ACT TO CLARIFY THE MOTOR VEHICLE DEALER FRANCHISE LAWS.

S.B. 619, AN ACT TO PROVIDE THAT A BLOOD ANALYSIS REPORT SENT DIRECTLY TO THE CLERK OF SUPERIOR COURT

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MAY BE USED AS THE BASIS FOR THE CIVIL REVOCATION OF A DRIVERS LICENSE.

S.B. 630, AN ACT TO CLARIFY THE DEFINITION OF A PROTECTIVE ORDER UNDER THE LAWS RELATING TO DOMESTIC VIOLENCE.

S.B. 825, AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO PROTECT CERTAIN REPTILES AND AMPHIBIANS THAT REQUIRE CONSERVATION MEASURES.

S.B. 851, AN ACT TO PROVIDE THAT A PERSON MAY BE REAPPOINTED TO THE BOARD OF DIRECTORS OF THE ARBORETUM AFTER ONE YEAR'S ABSENCE FROM THE BOARD.

S.B. 940, AN ACT TO PROVIDE JOB PROTECTION FOR VOLUNTEER FIREFIGHTERS, RESCUE SQUAD WORKERS, AND EMERGENCY MEDICAL SERVICES PERSONNEL CALLED INTO THE SERVICE OF THE STATE IN RESPONSE TO A PROCLAMATION OF A STATE OF DISASTER BY THE GOVERNOR OR THE GENERAL ASSEMBLY, OR IN RESPONSE TO AN EMERGENCY SITUATION RESULTING IN THE ACTIVATION OF THE STATE EMERGENCY RESPONSE TEAM.

H.B. 22, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE THE PORTION OF CONTRACT MAINTENANCE RESURFACING FUNDS ALLOCATED TO WIDENING EXISTING NARROW PAVEMENTS SCHEDULED FOR RESURFACING TO WIDEN ANY EXISTING NARROW PAVEMENTS AND TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE HIGHWAY TRUST FUND SECONDARY ROAD PAVING FUNDS ALLOCATED TO EACH COUNTY FOR THE ADDITIONAL PURPOSE OF SAFETY IMPROVEMENTS ON PAVED AND UNPAVED ROADS IN THE SAME COUNTY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

H.B. 510, AN ACT TO INCLUDE A VIOLATION OF G.S. 20-123.2 AS A LESSER INCLUDED OFFENSE IN A SPEEDING VIOLATION.

H.B. 689, AN ACT CONFORMING RULE 103 OF THE NORTH CAROLINA RULES OF EVIDENCE TO THE CORRESPONDING FEDERAL RULE.

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H.B. 1025, AN ACT TO AUTHORIZE THE ADDITION OF HAW RIVER STATE PARK TO THE STATE PARKS SYSTEM.

H.B. 1078, AN ACT TO AUTHORIZE THE ADDITION OF MAYO RIVER STATE PARK TO THE STATE PARKS SYSTEM.

H.B. 1134, AN ACT TO EXTEND THE DEADLINE BY WHICH COASTAL HABITAT PROTECTION PLANS MUST BE ADOPTED.

H.B. 1177, AN ACT TO PROVIDE THAT PHYSICIANS IN GOOD STANDING TO PRACTICE MEDICINE IN ANOTHER STATE MAY PRACTICE MEDICINE OR SURGERY AT A CAMP FOR THERAPEUTIC RECREATION FOR INDIVIDUALS WITH CHRONIC ILLNESSES UNDER CERTAIN RESTRICTED CONDITIONS.

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

H.B. 517, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF HOLLY SPRINGS.

H.B. 755, AN ACT AUTHORIZING THE TOWNS OF CARY AND GARNER TO ACQUIRE PROPERTY FOR THE PRESENT OR FUTURE LOCATION OR RELOCATION OF TELEPHONE, TELEGRAPH, ELECTRIC, OR OTHER LINES TO BE OPERATED BY PUBLIC UTILITIES.

H.B. 790, AN ACT REPEALING THE CHARTER FOR THE TOWN OF CASHIERS BECAUSE THE TOWN HAS BEEN INACTIVE SINCE INCORPORATION, AND INCORPORATING THE VILLAGE OF CASHIERS.

CHAPTERED BILLS

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

S.B. 389, AN ACT REENACTING THE SUBSTANTIVE PROVISIONS OF S.L. 2000-65 RELATING TO MECKLENBURG COUNTY'S AUTHORITY TO SELL AND CONVEY REAL ESTATE. (S.L. 2003-49)

S.B. 417, AN ACT TO EXTEND THE DEADLINE FOR WAYNE COUNTY TO DESIGNATE STAGGERED TERMS FOR ITS BOARD OF COMMISSIONERS. (S.L. 2003-50)

May 21, 2003

S.B. 477, AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY COUNCIL TO AUTHORIZE THE CITY'S HOUSING APPEALS BOARD TO HEAR PUBLIC HEALTH NUISANCES CASES. (S.L. 2003-51)

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Bell and G. Wilson, Chairs, for the Committee on Pensions and Retirement:

S.B. 31 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE TEACHERS CREDIT FOR THE EXCESS PERSONAL LEAVE TIME THAT THEY EARN, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representative Adams, Chair, for the Committee on Local Government II:

S.B. 492 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND AND MODERNIZE THE CHARTER OF THE CITY OF EDEN, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 22.

S.B. 494 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CARRBORO TO REQUIRE SPRINKLERS IN BARS, CLUBS, AND OTHER SIMILAR PLACES OF PUBLIC ASSEMBLY THAT HAVE GATHERINGS OF MORE THAN ONE HUNDRED PEOPLE AND SELL ALCOHOLIC BEVERAGES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 22.

S.B. 495, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF CARY TO ALLOW THE TOWN TO ACQUIRE PROPERTY FOR THE PRESENT OR FUTURE LOCATION OR RELOCATION OF TELEPHONE, TELEGRAPH, ELECTRIC, OR

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OTHER LINES TO BE OPERATED BY PUBLIC UTILITIES, with a favorable report.

On motion of Speaker Morgan, pursuant to Rule 38(b), the bill is referred to the Committee on Finance.

By Representatives Insko and Justus, Chairs, for the Committee on Health:

S.B. 388 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE NORTH CAROLINA GENERAL STATUTES IN RESPONSE TO RECENT MEDICAL ADVANCES IN SCREENING FOR THE EARLY DETECTION OF CERVICAL CANCER, 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 Walker, Chair, for the Committee on Local Government I:

S.B. 83 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF ROCKY MOUNT TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 22.

S.B. 425 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COUNTY OF CABARRUS TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE IN LIEU OF PUBLICATION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 22.

By Representatives Brubaker and Saunders, Chairs, for the Committee on Public Utilities:

H.J.R. 1272, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE REAPPOINTMENT OF JO ANNE SANFORD

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TO THE NORTH CAROLINA UTILITIES COMMISSION, with a favorable report.

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

By Representatives Decker and Pate, Chairs, for the Committee on Ways and Means:

S.B. 840 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT FOLKMOOT USA AS NORTH CAROLINA'S OFFICIAL INTERNATIONAL FESTIVAL, with a favorable report.

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

By Representatives Allred and Coates, Chairs, for the Committee on Transportation:

S.B. 1008 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REESTABLISH AND EXTEND THE VIRGINIA-NORTH CAROLINA INTERSTATE HIGH-SPEED RAIL COMMISSION, DIRECT THE COMMISSION TO STUDY ESTABLISHMENT OF AN INTERSTATE HIGH-SPEED RAIL COMPACT, AND AUTHORIZE THE COMMISSION TO HOLD REGULARLY SCHEDULED MEETINGS IN BOTH NORTH CAROLINA AND VIRGINIA, with a favorable report and recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Munford, Chair, for the Committee on Judiciary IV:

H.B. 1026, A BILL TO BE ENTITLED AN ACT TO MAKE THE PROGRAM FOR THE COLLECTION OF WORTHLESS CHECKS AVAILABLE STATEWIDE, 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.

S.B. 93, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF SPECIAL PROBATION TO REMOVE THE SIX-MONTH

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LIMITATION ON THE PERIOD OF IMPRISONMENT, with a favorable report.

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

By Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

S.B. 620 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ADDITIONAL PURCHASING FLEXIBILITY AND TO ENCOURAGE THEM TO USE THE NC E-PROCUREMENT SERVICE, 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 May 22. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 714 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC SCHOOL EMPLOYEES DO NOT LOSE PAY WHILE THEY ARE ON MILITARY DUTY, 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 May 22. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Hill, Chair, for the Committee on Agriculture:

H.B. 948, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND THE WILDLIFE RESOURCES COMMISSION WITH RESPECT TO THE REGULATION OF CERVIDS, 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.

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By Representatives Insko and Justus, Chairs, for the Committee on Health:

S.B. 648 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN AD HOC CERVICAL CANCER ELIMINATION TASK FORCE TO THE ADVISORY COMMITTEE ON CANCER COORDINATION AND CONTROL, 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 May 22. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGE FROM THE SENATE

2003 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
May 20, 2003

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. 384** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF THE DURHAM NORTHERN LOOP AND INTRASTATE IMPROVEMENT PROJECTS, and requests conferees. The President *Pro Tempore* appoints:

Senator Gulley, Chair
Senator Clodfelter
Senator Shaw
Senator Rand
Senator Garrou
Senator Rucho

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

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Speaker Morgan appoints Representative Luebke, Chair; Representatives Barnhart, Dickson, McComas, McGee and Parmon as conferees on the part of the House and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

H.B. 742 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A PROPOSED ANNEXATION OF THE TOWN OF CAROLINA SHORES.

On motion of Representative Hill, the House concurs in the Senate committee substitute bill, by electronic vote (109-0), and the bill is ordered enrolled.

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

H.B. 765 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN CHOWAN COUNTY.

On motion of Representative Culpepper, the House concurs in the Senate committee substitute bill, by electronic vote (109-0), and the bill is ordered enrolled.

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

S.B. 439 (Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA.

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

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

S.B. 471 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING THE SELF-INSURANCE GUARANTY ASSOCIATION, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

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The bill passes its third reading and is ordered enrolled and presented to the Governor.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Speaker Morgan, pursuant to Rule 38(a), **S.B. 867** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF ARSON OR OTHER UNLAWFUL BURNINGS THAT RESULT IN SERIOUS INJURY TO A FIREFIGHTER, is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

CALENDAR (continued)

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

S.B. 522 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD BY WHICH CERTAIN MEMBERS ON THE NORTH CAROLINA BOARD OF NURSING ARE ELECTED OR APPOINTED, TO MAKE TECHNICAL CHANGES TO THE NURSING PRACTICE ACT, AND TO REQUIRE THAT HEALTH CARE FACILITIES VERIFY THE LICENSURE STATUS OF APPLICANTS SEEKING EMPLOYMENT AS NURSES, passes its second reading, by electronic vote (114-0).

Representative Michaux 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. 693 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ENHANCED SENTENCES AS RECOMMENDED BY THE SENTENCING COMMISSION AND TO MAKE CONFORMING CHANGES, passes its second reading, by electronic vote (110-3).

Representative Michaux 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. 769 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH RATE SETTING AND RATE-APPROVAL METHODS FOR THE BEACH PLAN HOMEOWNERS POLICY, TO PROVIDE INCENTIVES TO BEACH AND COASTAL AREA HOMEOWNERS

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WHO ESTABLISH AND MAINTAIN RISK PREVENTION AND RISK MITIGATION MEASURES, AND TO EXTEND THE DEADLINE FOR ISSUANCE OF THE HOMEOWNERS POLICY PRODUCT BY THE BEACH PLAN.

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

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

S.B. 776 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF EMPLOYEE UNDER THE WORKERS' COMPENSATION ACT, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

On motion of Representative Culpepper, seconded by Representative Baker, the House adjourns at 5:02 p.m. to reconvene May 22 at 12:00 Noon.

SIXTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 22, 2003

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

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

"How lovely is your dwelling place, O Lord of hosts.' (Psalm 84:1)

"Renewing God, Your rain comes and refreshes the earth. So bring this House and these Representatives to those times of Your renewing watering. When the committee meetings don't go as they would like, water them with your patience; when they disagree, soak them with Your open mindedness and willingness to seek compromise; when they debate, shower them with mutual respect; when the week gets them down, when frustration builds, quench them with weekend days of uplifting rest. Continue to pour Your

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restorative power into the recovery of Representative Cunningham, and bring us all, God, to a renewed resolve to serve You in all we do.

"In Your re-creating name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Cunningham, Hill, Howard, McCombs, and West for today. Representatives Brubaker and Hackney are excused for a portion of the session.

ENROLLED BILLS

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

S.B. 471, AN ACT TO AMEND THE LAWS GOVERNING THE SELF-INSURANCE GUARANTY ASSOCIATION.

S.B. 539, AN ACT AMENDING THE LAW GOVERNING THE LIMITED PRACTICE OF OUT-OF-STATE ATTORNEYS-AT-LAW AND THE OPERATION OF THE COUNCIL AND DISCIPLINARY HEARING COMMISSION OF THE NORTH CAROLINA STATE BAR.

S.B. 704, AN ACT TO ESTABLISH THE TRAUMATIC BRAIN INJURY ADVISORY COUNCIL.

H.B. 462, AN ACT TO INCLUDE DULY LICENSED MARRIAGE AND FAMILY THERAPISTS UNDER THE INSURANCE 'FREEDOM OF CHOICE' LAW AND UNDER THE PROFESSIONAL CORPORATIONS ACT.

H.B. 744, AN ACT TO REQUIRE INSURERS TO INFORM COVERED PERSONS ABOUT ASSISTANCE AVAILABLE FROM THE MANAGED CARE PATIENT ASSISTANCE PROGRAM.

H.B. 913, AN ACT AUTHORIZING THE NORTH CAROLINA UTILITIES COMMISSION TO DETERMINE A TIME IN WHICH FINAL RULES CONCERNING THE DESIGNATION OF A UNIVERSAL SERVICE PROVIDER FOR TELEPHONE SERVICE SHALL BE ADOPTED.

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

S.B. 290, AN ACT TO CLARIFY THAT THE CITY OF GREENSBORO MAY ORDER OWNERS OF RESIDENTIAL PROPERTY TO REPAIR RATHER THAN VACATE HOUSING TO MEET MINIMUM CODE STANDARDS.

S.B. 478, AN ACT AUTHORIZING THE CITIES OF DURHAM AND MONROE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE.

H.B. 742, AN ACT TO IMPLEMENT A PROPOSED ANNEXATION OF THE TOWN OF CAROLINA SHORES.

H.B. 765, AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN CHOWAN COUNTY.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Miller, Chair, for the Committee on Science and Technology:

H.B. 1256, A BILL TO BE ENTITLED AN ACT TO DIRECT THE SECRETARY OF COMMERCE TO ESTABLISH A DNA DATABANK FOR THE VOLUNTARY SUBMISSION BY INDIVIDUALS OF DNA SAMPLES LINKED WITH THE INDIVIDUAL'S MEDICAL RECORD, 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.

By Representative Adams, Chair, for the Committee on Local Government II:

S.B. 124 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CITY OF LUMBERTON FROM CERTAIN STATUTORY REQUIREMENTS RELATING TO THE CONSTRUCTION OF BUILDINGS TO BE USED BY INDUSTRIES LOCATING TO THE

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CITY, 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 Walker, Chair, for the Committee on Local Government I:

S.B. 57 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF CAROLINA BEACH AND WRIGHTSVILLE BEACH TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

On motion of Speaker Black, pursuant to Rule 38(b), the House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 90 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CLEVELAND COUNTY SANITARY BOARD TO SET COMPENSATION FOR ITS MEMBERS, 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.

The House committee substitute changes the bill from local to public.

By Representative Ross, Vice Chair, for the Committee on Judiciary I:

S.B. 912 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF SEXUAL BATTERY, with a favorable report.

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

By Representatives G. Allen, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

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H.B. 163 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF KINGS MOUNTAIN TO ANNEX CERTAIN PROPERTIES OWNED BY THE TOWN, with a favorable report.

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

H.B. 705, A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE TOWN OF MATTHEWS ALL THE TERRITORY REMAINING IN ITS SPHERE OF INFLUENCE, with a favorable report.

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

H.B. 1118 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE SIGNS TO BE POSTED WARNING OF THE POSSIBLE DANGERS OF CONSUMPTION OF ALCOHOL DURING PREGNANCY, with a favorable report.

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

H.B. 1260, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FEES THAT THE BOARD OF EXAMINERS FOR SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS MAY ASSESS FOR CERTAIN FEES, with a favorable report.

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

S.B. 181 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF APEX TO USE THE PROCEDURE AND AUTHORITY OF CHAPTER 136 OF THE NORTH CAROLINA GENERAL STATUTES IN CONDEMNATION PROCEEDINGS CONCERNING PUBLIC STREETS AND ROADS, AND TO ADOPT ORDINANCES REGULATING DEMOLITION OF HISTORIC STRUCTURES IN THE APEX HISTORIC DISTRICT, with a favorable report.

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

S.B. 214 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW TERRITORY TO BE REMOVED FROM A RESEARCH AND PRODUCTION SERVICE DISTRICT, with a favorable report.

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

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S.B. 288, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE POLK COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS BOARD OF EDUCATION, with a favorable report.

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

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 745 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE MEMBERSHIP OF THE NORTH CAROLINA INDIAN CULTURAL CENTER BOARD, 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.

H.B. 987 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE FISHERIES DIRECTOR TO ISSUE PROCLAMATIONS THAT BECOME EFFECTIVE IMMEDIATELY UPON ISSUANCE AND TO MAKE OTHER TECHNICAL, CLARIFYING, AND CONFORMING CHANGES, 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.

H.B. 1003 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO STATE GOVERNMENT INFORMATION TECHNOLOGY SECURITY, is returned for concurrence in one Senate amendment.

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

Senate Committee Substitute for **H.B. 1159** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MILITARY DRIVERS LICENSE EXPIRATION PROCEDURE WITHIN THE DIVISION OF MOTOR VEHICLES, 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.

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Upon concurrence, the Senate committee substitute bill changes the title.

S.B. 277 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM PROPERTY TAX EDUCATIONAL PROPERTY HELD BY A NONPROFIT ENTITY FOR A PUBLIC OR PRIVATE UNIVERSITY OR COMMUNITY COLLEGE LOCATED IN NORTH CAROLINA, is read the first time and referred to the Committee on Finance.

S.B. 934, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A REGISTRATION FEE FOR THE AUTHORIZATION OF A PRIVATE FACILITY TO SERVE DWI OFFENDERS, 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. 42 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT MODIFYING THE FELONY AND MISDEMEANOR OFFENSES RELATED TO CONDUCTING CERTAIN UNAUTHORIZED SOUND AND VIDEO RECORDINGS.

On motion of Representative Goodwin, 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.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Insko and without objection, **S.B. 494** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CARRBORO TO REQUIRE SPRINKLERS IN BARS, CLUBS, AND OTHER SIMILAR PLACES OF PUBLIC ASSEMBLY THAT HAVE GATHERINGS OF MORE THAN ONE HUNDRED PEOPLE AND SELL ALCOHOLIC BEVERAGES, 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.

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S.B. 83 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF ROCKY MOUNT TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE, 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. 425 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COUNTY OF CABARRUS TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE IN LIEU OF PUBLICATION, 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. 492 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND AND MODERNIZE THE CHARTER OF THE CITY OF EDEN, 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 Speaker Black and without objection, **S.B. 769** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH RATE SETTING AND RATE-APPROVAL METHODS FOR THE BEACH PLAN HOMEOWNERS POLICY, TO PROVIDE INCENTIVES TO BEACH AND COASTAL AREA HOMEOWNERS WHO ESTABLISH AND MAINTAIN RISK PREVENTION AND RISK MITIGATION MEASURES, AND TO EXTEND THE DEADLINE FOR ISSUANCE OF THE HOMEOWNERS POLICY PRODUCT BY THE BEACH PLAN, is withdrawn from the Calendar of May 27 and placed 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.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

CALENDAR (continued)

S.B. 522 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD BY WHICH CERTAIN

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MEMBERS ON THE NORTH CAROLINA BOARD OF NURSING ARE ELECTED OR APPOINTED, TO MAKE TECHNICAL CHANGES TO THE NURSING PRACTICE ACT, AND TO REQUIRE THAT HEALTH CARE FACILITIES VERIFY THE LICENSURE STATUS OF APPLICANTS SEEKING EMPLOYMENT AS NURSES.

Representative K. Williams offers Amendment No. 1 which is adopted by electronic vote (108-0).

The bill, as amended, passes its second reading, by electronic vote (111-0), 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.

S.B. 693 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ENHANCED SENTENCES AS RECOMMENDED BY THE SENTENCING COMMISSION AND TO MAKE CONFORMING CHANGES.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its third reading, by electronic vote (109-0), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill.

S.B. 51, A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOP-HOLE THAT ALLOWS CORPORATIONS TO CONTINUE AVOIDING FRANCHISE TAXES.

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

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

S.B. 136 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING DISSENTERS' RIGHTS WITH REGARD TO MAJORITY CONSENT ACTION, 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 passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 620 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ADDITIONAL PURCHASING FLEXIBILITY AND TO ENCOURAGE THEM TO USE THE NC E-PROCUREMENT SERVICE.

Representative Warner offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (111-0), 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.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Allred and Coates, Chairs, for the Committee on Transportation:

S.B. 38, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE DEPARTMENT OF TRANSPORTATION AS THE STATE AGENCY RESPONSIBLE FOR FIXED GUIDEWAY TRANSIT SAFETY, PURSUANT TO FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, 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.

CALENDAR (continued)

S.B. 648 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN AD HOC CERVICAL CANCER

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ELIMINATION TASK FORCE TO THE ADVISORY COMMITTEE ON
CANCER COORDINATION AND CONTROL.

On motion of Representative Justus and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 28.

S.B. 714 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC SCHOOL EMPLOYEES DO NOT LOSE PAY WHILE THEY ARE ON MILITARY DUTY.

On motion of Representative L. Johnson, the bill is withdrawn from the Calendar and placed on the Calendar of May 27.

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1074** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE A STATUTE TO CREATE A BUTNER ADVISORY COUNCIL SO AS TO ELECT ALL MEMBERS AT LARGE IN ONE MULTISEAT RACE AND ELIMINATE STAGGERED TERMS; TO DEFINE THE ELECTORAL JURISDICTION OF THE COUNCIL; AND TO AMEND THE LEGISLATION IN OTHER NEEDED WAYS, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Finance.

On motion of Representative Culpepper, seconded by Representative Sherrill, the House adjourns at 1:09 p.m. to reconvene Monday, May 26, 2003, at 7:00 p.m.

SIXTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 26, 2003

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

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

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"God of the nations:

"On this Memorial Day we gather in this House of State, but our minds are not on the affairs of State. Today our thoughts are filled with thanksgiving for all those men and women who have served our nation over the years, giving their lives that freedom might be a reality for us.

"Especially we remember those who gave their lives recently in Afghanistan and Iraq. May we never forget the price they paid that our Nation and the world might be a better place. We also remember today the family and friends of former Senator Bob Martin as they grieve his death, and we give thanks for his devotion to serving North Carolina.

"God, even as we remember those who have died, You send us reminders that You are a God always making the world new. We give You thanks for the new life of Abram Hilton, and we celebrate with Representative Mark and Allison Hilton for this gift in their life.

"And God, we ask Your blessing on all the work ahead in this place for the new week. May we ever seek to be the kind of State and Nation worthy of the sacrifice of so many lives.

"In Your mighty name we pray. Amen."

Speaker Black leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 22 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives L. Allen, Cunningham, and McCombs 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. 234, AN ACT TO CLARIFY THE APPLICATION PROCESS FOR COMMUNITY COLLEGE STUDENTS REQUESTING FINANCIAL ASSISTANCE. (S.L. 2003-52)

May 26, 2003

H.B. 950, AN ACT TO REQUIRE THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO OBTAIN THE APPROVAL OF THE COURT BEFORE PLACING A JUVENILE COMMITTED TO THE DEPARTMENT IN A PROGRAM NOT LOCATED IN A YOUTH DEVELOPMENT CENTER OR DETENTION FACILITY. (S.L. 2003-53)

H.B. 746, AN ACT TO AMEND AND MODERNIZE THE LAW NAMING THE INDIAN TRIBES IN THIS STATE BY ADDING CLARIFYING INFORMATION ABOUT REFERENCES TO THE LUMBEE TRIBE AND BY ADDING SECTIONS RECOGNIZING THE MEHERRIN TRIBE AND THE OCCANEECHI BAND OF THE SAPONI NATION. (S.L. 2003-54)

H.B. 710, AN ACT TO ADD A MEMBER REPRESENTING THE OCCANEECHI BAND OF THE SAPONI NATION TO THE BOARD OF THE NORTH CAROLINA INDIAN CULTURAL CENTER. (S.L. 2003-55)

H.B. 461, AN ACT TO DELAY THE EFFECTIVE DATE OF THE INTERPRETER AND TRANSLITERATOR LICENSURE ACT. (S.L. 2003-56)

H.B. 103, AN ACT TO INCREASE THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS TO CONFORM TO THE INCREASE IN THE NUMBER OF CONGRESSIONAL DISTRICTS IN THIS STATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 2003-57)

H.B. 80, AN ACT TO REQUIRE THAT CERTAIN REPORTS BE MADE TO THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES. (S.L. 2003-58)

H.B. 636, AN ACT TO GIVE EFFECT TO ELECTRONIC JUDGMENT DOCKETS BY MODERNIZING LAWS REGARDING JUDGMENTS AND REESTABLISHING THE EFFECTIVE DATE OF CIVIL JUDGMENT LIENS AND THE DATE FROM WHICH INTEREST ACCRUES ON JUDGMENTS. (S.L. 2003-59)

H.B. 475, AN ACT TO AMEND THE STATUTE PERTAINING TO REGISTRATION OF BIRTH AND DEATH CERTIFICATES. (S.L. 2003-60)

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H.B. 952, AN ACT TO MAKE A CLARIFYING CHANGE TO THE LAWS RELATING TO THE CONFIRMATION OF AN ARBITRATION AWARD UNDER THE FAMILY LAW ARBITRATION ACT. (S.L. 2003-61)

H.B. 126, AN ACT TO CLARIFY THE LAW GOVERNING EVIDENCE ADMISSIBLE IN CERTAIN JUVENILE HEARINGS. (S.L. 2003-62)

S.B. 658, AN ACT TO RESOLVE CONFLICTING STATUTES; TO AMEND THE APPELLATE PROCEDURE BEFORE THE STATE BANKING COMMISSION; AND TO AUTHORIZE THE COMMISSIONER OF BANKS TO APPOINT A HEARING OFFICER. (S.L. 2003-63)

S.B. 765, AN ACT TO LIMIT THE AREA OF WESTERN CORE SOUND THAT MAY BE LEASED FOR THE CULTIVATION OF SHELLFISH AND TO DIRECT THE DIVISION OF MARINE FISHERIES TO REPORT TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE ON THE IMPLEMENTATION OF THIS ACT. (S.L. 2003-64)

S.B. 557, AN ACT REQUIRING A TAXICAB DRIVER TO PASS A CONTROLLED SUBSTANCE EXAMINATION BEFORE BEING LICENSED AS A TAXICAB DRIVER IN THIS STATE. (S.L. 2003-65)

H.B. 1065, AN ACT TO MODIFY THE AUTHORITY AND PROCEDURE FOR A REDEVELOPMENT COMMISSION TO CONVEY CERTAIN PROPERTY IN A DESIGNATED REDEVELOPMENT AREA. (S.L. 2003-66)

S.B. 326, AN ACT TO CLARIFY THE LAW ON CHANGING THE FORMS OF BUSINESSES FOR UNEMPLOYMENT INSURANCE TAX PURPOSES AND TO INCREASE PENALTIES, SO AS TO DETER THE PRACTICE OF STATE UNEMPLOYMENT TAX AVOIDANCE (SUTA DUMPING). (S.L. 2003-67)

S.B. 295, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES FOR PARAMEDICS AND THE NORTH CAROLINA COASTAL FEDERATION. (S.L. 2003-68)

S.B. 39, AN ACT TO AUTHORIZE CERTAIN CHARTER SCHOOLS TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR

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MEDICAL PLAN; AND TO ASSESS INTEREST ON PREMIUM PAYMENTS NOT REMITTED BY CHARTER SCHOOL EMPLOYING UNITS IN A TIMELY MANNER. (S.L. 2003-69)

S.B. 422, AN ACT TO AMEND THE ADVANCE HEALTH CARE DIRECTIVE REGISTRY LAW TO EXEMPT FROM NOTARY REQUIREMENTS ANATOMICAL GIFT INSTRUMENTS. (S.L. 2003-70)

S.B. 731, AN ACT TO INCREASE THE SIZE OF PACKAGES OF FERTILIZER THAT MAY BE SOLD WITH NUTRIENT GUARANTEES STATED IN FRACTIONAL PERCENTAGES AND TO AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT TEMPORARY RULES IN ORDER TO ESTABLISH RENTAL RATES FOR THE USE OF FACILITIES OPERATED BY THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES. (S.L. 2003-71)

H.B. 393, AN ACT TO MODIFY THE AUTHORITY OF THE BOARD OF COUNTY COMMISSIONERS IN CERTAIN COUNTIES TO REQUIRE THE REGISTER OF DEEDS IN THE COUNTY NOT TO ACCEPT ANY DEED TRANSFERRING REAL PROPERTY FOR REGISTRATION UNLESS THE COUNTY TAX COLLECTOR CERTIFIES THAT NO DELINQUENT TAXES ARE DUE ON THAT PROPERTY. (S.L. 2003-72)

H.B. 517, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF HOLLY SPRINGS. (S.L. 2003-73)

H.B. 755, AN ACT AUTHORIZING THE TOWNS OF CARY AND GARNER TO ACQUIRE PROPERTY FOR THE PRESENT OR FUTURE LOCATION OR RELOCATION OF TELEPHONE, TELEGRAPH, ELECTRIC, OR OTHER LINES TO BE OPERATED BY PUBLIC UTILITIES. (S.L. 2003-74)

H.B. 790, AN ACT REPEALING THE CHARTER FOR THE TOWN OF CASHIERS BECAUSE THE TOWN HAS BEEN INACTIVE SINCE INCORPORATION, AND INCORPORATING THE VILLAGE OF CASHIERS. (S.L. 2003-75)

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 63**, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT SO THAT VACANCIES IN THE

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OFFICE OF SHERIFF OF RICHMOND COUNTY WILL BE FILLED IN ACCORDANCE WITH G.S. 162-5, is returned for concurrence in the Senate committee substitute bill.

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

Upon concurrence, the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 283** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE REAL PROPERTY WARRANTY COMPANIES TO CARRY CONTRACTUAL LIABILITY POLICIES; REQUIRE MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES TO USE A SPECIFIC FORMAT ON ALL WRITTEN MATERIALS SUBMITTED; MANDATE ALL REQUIRED SUBMISSIONS TO THE DEPARTMENT OF INSURANCE TO BE IN A SPECIFIC FORMAT IF IN WRITING; REQUIRE WARRANTY COMPANIES TO COMPLY WITH ARTICLE 1 OF CHAPTER 58 OF THE GENERAL STATUTES; DEFINE MECHANICAL BREAKDOWN SERVICE AGREEMENTS AND REQUIRE ALL MECHANICAL BREAKDOWN SERVICE AGREEMENT COMPANIES TO COMPLY WITH ARTICLE 1 OF CHAPTER 58 OF THE GENERAL STATUTES AND WITH THE RULES REGARDING MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES; AND PROVIDE THAT A BAD CHECK CONSTITUTES NONPAYMENT OF PREMIUM OF A MOTOR VEHICLE LIABILITY INSURANCE POLICY, is returned for concurrence in the Senate committee substitute bill.

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

Upon concurrence, the Senate committee substitute bill changes the title.

Speaker Black rules the Senate committee substitute bill to be material, thus constituting its first reading.

H.B. 358 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE DAMAGE AMOUNTS ON DEFINED MOTOR VEHICLE ACCIDENTS, is returned for concurrence in the Senate committee substitute bill.

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

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H.B. 907 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE COUNCIL FOR THE DEAF AND THE HARD OF HEARING, TO INCREASE THE MEMBERS ON THE COUNCIL, AND TO CHANGE THE APPOINTING AUTHORITY FOR TWO OF THE MEMBERS APPOINTED TO THE COUNCIL, is returned for concurrence in the Senate committee substitute bill.

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

Senate Committee Substitute for **H.B. 978** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA VETERINARY BOARD TO ENTER INTO AGREEMENTS WITH ORGANIZATIONS THAT HAVE DEVELOPED PROGRAMS FOR IMPAIRED VETERINARY PERSONNEL, is returned for concurrence in the Senate committee substitute bill.

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

Upon concurrence, the Senate committee substitute bill changes the title.

H.B. 1175 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING FAIR HOUSING ORGANIZATIONS TO FILE COMPLAINTS WITH THE STATE HUMAN RELATIONS COMMISSION, is returned for concurrence in the Senate committee substitute bill.

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

S.B. 475, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTIES TO THE TOWN OF DALLAS, is read the first time and referred to the Committee on Finance.

S.J.R. 1021, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE REAPPOINTMENT OF JO ANNE SANFORD TO THE UTILITIES COMMISSION, is read the first time and referred to the Committee on Public Utilities.

WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), **S.B. 912** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF SEXUAL

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BATTERY, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Appropriations.

On motion of Representative Culpepper, seconded by Representative Justice, the House adjourns at 7:05 p.m. to reconvene May 27 at 2:00 p.m.

SIXTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 27, 2003

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

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

"Just and righteous God:

"We gather again in this holiday week to be about the important work of governance. May our remembrances and thanksgiving of yesterday for those who have served our country with their lives not be limited to that one day. As always we ask for Your blessing on the work done in this House, in the meetings of committees, in office and hallway conversations, in floor debate. God, You have blessed this State with bountiful resources, natural and fiscal. From the creation of humankind, You charge us, Your creatures, to keep and till Your good earth and to care for our neighbor. As work continues this week on the important workings of a budget, guide these leaders that the decisions made about how to use our State's fiscal resources will be the best decisions for the good of the whole State, its land and people; and be reflective of Your justice and righteousness.

"In Your watchful name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 26 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Cunningham, Hilton, Munford, and Warner for today.

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ENROLLED BILLS

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

S.B. 136, AN ACT TO CLARIFY THE LAW GOVERNING DISSENTERS' RIGHTS WITH REGARD TO MAJORITY CONSENT ACTION.

S.B. 769, AN ACT TO ESTABLISH RATE SETTING AND RATE-APPROVAL METHODS FOR THE BEACH PLAN HOMEOWNERS POLICY, TO PROVIDE INCENTIVES TO BEACH AND COASTAL AREA HOMEOWNERS WHO ESTABLISH AND MAINTAIN RISK PREVENTION AND RISK MITIGATION MEASURES, AND TO EXTEND THE DEADLINE FOR ISSUANCE OF THE HOMEOWNERS POLICY PRODUCT BY THE BEACH PLAN.

H.B. 42, AN ACT MODIFYING THE FELONY AND MISDEMEANOR OFFENSES RELATED TO CONDUCTING CERTAIN UNAUTHORIZED SOUND AND VIDEO RECORDINGS.

H.B. 421, AN ACT TO MAKE VETERANS DAY A HOLIDAY FOR SCHOOL PERSONNEL.

H.B. 1158, AN ACT TO AMEND THE LAW SPECIFYING THE TYPE OF PISTOLS THAT MAY BE USED FOR HUNTING.

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

S.B. 83, AN ACT AUTHORIZING THE CITY OF ROCKY MOUNT TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE.

S.B. 425, AN ACT AUTHORIZING THE COUNTY OF CABARRUS TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE IN LIEU OF PUBLICATION.

S.B. 492, AN ACT TO AMEND AND MODERNIZE THE CHARTER OF THE CITY OF EDEN.

H.B. 124, AN ACT ADOPTING A PROTEST PETITION REQUIREMENT FOR DURHAM COUNTY.

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H.B. 520, AN ACT AMENDING THE CHARTER OF THE TOWN OF OAK ISLAND.

H.B. 651, AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY MANAGER TO MAKE DECISIONS REGARDING ROUTINE TRAFFIC CONTROL MEASURES.

CHAPTERED BILLS

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

S.B. 290, AN ACT TO CLARIFY THAT THE CITY OF GREENSBORO MAY ORDER OWNERS OF RESIDENTIAL PROPERTY TO REPAIR RATHER THAN VACATE HOUSING TO MEET MINIMUM CODE STANDARDS. (S.L. 2003-76)

S.B. 478, AN ACT AUTHORIZING THE CITIES OF DURHAM AND MONROE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE. (S.L. 2003-77)

H.B. 742, AN ACT TO IMPLEMENT A PROPOSED ANNEXATION OF THE TOWN OF CAROLINA SHORES. (S.L. 2003-78)

H.B. 765, AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN CHOWAN COUNTY. (S.L. 2003-79)

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. 629 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS FOR SUBORDINATION AGREEMENTS, 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.

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S.B. 708 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS ON PROSPECTIVE MEMBERS OF VOLUNTEER FIRE DEPARTMENTS, 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 May 28. The Senate committee substitute bill is placed on the Unfavorable Calendar.

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

S.B. 251 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE PRACTICE OF THE "REBIRTHING" TECHNIQUE, 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.

S.B. 315 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO CONTRACTS OF MINORS FOR ARTISTIC OR CREATIVE SERVICES, 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. 647 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE STATEWIDE AN ACT CURRENTLY APPLICABLE TO MECKLENBURG AND CATAWBA COUNTIES AND CHARLOTTE AND RALEIGH THAT DEEMS 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 Allred and Coates, Chairs, for the Committee on Transportation:

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S.B. 777, A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW WITH REGARD TO THE MANUFACTURE, SALE, AND DISTRIBUTION OF TRAILERS AND SEMITRAILERS, 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 Holliman and Setzer, Chairs, for the Committee on Insurance:

S.B. 887 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MANDATE INSURANCE COVERAGE FOR SURVEILLANCE TESTS FOR WOMEN AGE TWENTY-FIVE AND OLDER AND AT RISK FOR OVARIAN CANCER, with a favorable report.

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

S.B. 962, A BILL TO BE ENTITLED AN ACT TO REQUIRE BAIL BONDSMEN TO SUBMIT AFFIDAVITS STATING THAT THERE ARE NO PREMIUMS OWED TO FORMER INSURERS AND THAT ALL FORFEITURES OR JUDGMENTS ARE SATISFIED OR DISCHARGED, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 28.

By Representative Gibson, Chair, for the Committee on Environment and Natural Resources:

H.B. 1028, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A GENERAL PERMIT FOR THE CONSTRUCTION OF RIPRAP SILLS FOR WETLAND ENHANCEMENT AND SHORELINE PROTECTION IN ESTUARINE AND PUBLIC TRUST WATERS, 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.

S.B. 959, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSION FOR HEALTH SERVICES TO ADOPT RULES REGARDING MONITORING OF COASTAL RECREATION WATERS

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IN ORDER TO IMPLEMENT THE FEDERAL BEACHES ENVIRONMENTAL ASSESSMENT AND COASTAL HEALTH ACT OF 2000, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 28.

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 669 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE CIVIL REMEDY FOR PROTECTION OF ANIMALS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, 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.

WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), **H.J.R. 1272**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE REAPPOINTMENT OF JO ANNE SANFORD TO THE NORTH CAROLINA UTILITIES COMMISSION, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Public Utilities.

INTRODUCTION OF PAGES

Pages for the week of May 26 are introduced to the membership. They are: Heather Clayton of Rowan; Tiffany Correll of Forsyth; Courtney Curry of Gaston; Martin Dalton of Gaston; Jordan Davis of Rutherford; Tyler Dickson of Gaston; Cherelle Dunston of Warren; Katie Gardner of Rowan; Nina Jackson of Sampson; Jacquinta McRae of Robeson; Virginia Moye of Wayne; Lesli Oakley of Wake; Qua'Shonda Patterson of Gaston; Michael Sabetti of Cleveland; Shira Sattin of New Hanover; Charlotte Saunders of Rowan; Kolenya Stanley of Cherokee; Aaron West of Chatham; Traisha White of Rutherford; Leigh Williamson of Wake; and Augustus Willis IV of Craven.

CALENDAR

Action is taken on the following:

May 27, 2003

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

H.B. 745 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE MEMBERSHIP OF THE NORTH CAROLINA INDIAN CULTURAL CENTER BOARD.

On motion of Representative Sutton, the House does not concur in the Senate committee substitute bill, by electronic vote (114-0), and conferees are requested.

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

H.B. 987 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE FISHERIES DIRECTOR TO ISSUE PROCLAMATIONS THAT BECOME EFFECTIVE IMMEDIATELY UPON ISSUANCE AND TO MAKE OTHER TECHNICAL, CLARIFYING, AND CONFORMING CHANGES.

On motion of Representative Gibson, the House concurs in the Senate committee substitute bill, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

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

H.B. 1003 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO STATE GOVERNMENT INFORMATION TECHNOLOGY SECURITY.

On motion of Representative Tolson, the House concurs in the Senate amendment, by electronic vote (114-0), 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. 1159**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MILITARY DRIVERS LICENSE EXPIRATION PROCEDURE WITHIN THE DIVISION OF MOTOR VEHICLES.

On motion of Representative Dickson, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (115-0), and the bill is ordered enrolled and presented to the Governor.

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CONFEREES APPOINTED

Speaker Morgan appoints the following conferees on Senate Committee Substitute for **H.B. 745**, A BILL TO BE ENTITLED AN ACT TO REVISE THE MEMBERSHIP OF THE NORTH CAROLINA INDIAN CULTURAL CENTER BOARD: Representative Sutton, Chair; Representatives Yongue, Setzer, and K. Williams.

The Senate is so notified by Special Message.

CALENDAR (continued)

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

H.B. 163 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF KINGS MOUNTAIN TO ANNEX CERTAIN PROPERTIES OWNED BY THE TOWN.

Representative Moore offers Amendment No. 1 which is adopted, by electronic vote (115-0).

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, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

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Excused absences: Representatives Brubaker, Cunningham, Hilton, Munford, and Warner - 5.

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

H.B. 705, A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE TOWN OF MATTHEWS ALL THE TERRITORY REMAINING IN ITS SPHERE OF INFLUENCE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Cunningham, Hilton, Munford, and Warner - 5.

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

S.B. 181 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF APEX TO USE THE PROCEDURE AND AUTHORITY OF CHAPTER 136 OF THE NORTH CAROLINA GENERAL STATUTES IN CONDEMNATION PROCEEDINGS CONCERNING PUBLIC STREETS AND ROADS, AND TO ADOPT ORDINANCES REGULATING DEMOLITION OF HISTORIC STRUCTURES IN THE APEX HISTORIC DISTRICT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred,

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Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Cunningham, Hilton, Munford, and Warner - 5.

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

S.B. 288, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE POLK COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS BOARD OF EDUCATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

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Excused absences: Representatives Brubaker, Cunningham, Hilton, Munford, and Warner - 5.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Hall and without objection, **S.B. 243**, A BILL TO BE ENTITLED AN ACT TO NAME THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY, is withdrawn from the Calendar and placed on the Calendar of June 24.

CALENDAR (continued)

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

House Committee Substitute for **S.B. 124**, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CITY OF LUMBERTON FROM CERTAIN STATUTORY REQUIREMENTS RELATING TO THE CONSTRUCTION OF BUILDINGS TO BE USED BY INDUSTRIES LOCATING TO THE CITY, 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 for concurrence in the House committee substitute bill.

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

H.B. 1118 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE SIGNS TO BE POSTED WARNING OF THE POSSIBLE DANGERS OF CONSUMPTION OF ALCOHOL DURING PREGNANCY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Nesbitt, Nye, Owens, Parmon,

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Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Cunningham, Hilton, Munford, and Warner - 5.

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

H.B. 1260, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FEES THAT THE BOARD OF EXAMINERS FOR SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS MAY ASSESS FOR CERTAIN FEES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Barbee, Barnhart, Bell, Blackwood, Bonner, Bordsen, Bowie, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Gulley, Hackney, Haire, Hall, Harrell, Hill, Holliman, Holmes, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Moore, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, A. Williams, K. Williams, G. Wilson, Womble, Wright, and Yongue - 102.

Voting in the negative: Representatives Allred, Baker, Blust, Creech, Ellis, Grady, Howard, LaRoque, Mitchell, Stiller, West, and Wood - 12.

Excused absences: Representatives Brubaker, Cunningham, Hilton, Munford, and Warner - 5.

Representative Moore requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (101-13).

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WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Culpepper and without objection, **S.B. 840** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT FOLKMOOT USA AS NORTH CAROLINA'S OFFICIAL INTERNATIONAL FESTIVAL, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 457**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF JACKSONVILLE, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Insko and Justus, Chairs, for the Committee on Health:

S.B. 519 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE PREVENTION AND CONTROL OF LEAD POISONING IN CHILDREN, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 28.

On motion of Representative Culpepper, seconded by Representative McCombs, the House adjourns at 2:54 p.m. to reconvene May 27 at 2:00 p.m.

SIXTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 28, 2003

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

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

"O God, You clothe the sky with light, and ocean depths with darkness. You work Your mighty wonders among us. Claim us for Your purposes, that all we do, however mundane, however important, might be done to Your glory. God of all life, the work that is done in this place by these good women and men is important not because of them but because of the way it orders the public life of our State. Bless each of these Representatives with a sense of Your purpose for the communal life we live and guide their decision-making for its good. Through their efforts may the people and communities of our State be blessed.

"In Your wise name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 27 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Cunningham, Warner, and C. Wilson for today.

ENROLLED BILLS

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

S.B. 776, AN ACT TO CLARIFY THE DEFINITION OF EMPLOYEE UNDER THE WORKERS' COMPENSATION ACT.

S.B. 931, AN ACT ELIMINATING THE PORTFOLIO REQUIREMENT FOR TEACHER CERTIFICATION.

H.B. 278, AN ACT TO AMEND THE LAW REGARDING EXAMINATIONS FOR LICENSURE TO PRACTICE CHIROPRACTIC.

H.B. 987, AN ACT TO AUTHORIZE THE FISHERIES DIRECTOR TO ISSUE PROCLAMATIONS THAT BECOME EFFECTIVE IMMEDIATELY UPON ISSUANCE AND TO MAKE OTHER TECHNICAL, CLARIFYING, AND CONFORMING CHANGES.

H.B. 1003, AN ACT RELATING TO STATE GOVERNMENT INFORMATION TECHNOLOGY SECURITY.

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H.B. 1159, AN ACT TO ESTABLISH A MILITARY DRIVERS LICENSE EXPIRATION PROCEDURE WITHIN THE DIVISION OF MOTOR VEHICLES AND TO ALLOW THE DIVISION OF MOTOR VEHICLES TO ISSUE CONFIDENTIAL LICENSE PLATES AND DRIVERS LICENSES TO AGENTS OF THE DEPARTMENT OF DEFENSE.

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

H.B. 68, AN ACT TO AUTHORIZE THE TOWN OF SPRING LAKE AND THE CITY OF NEWTON TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS.

CHAPTERED BILLS

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

S.B. 83, AN ACT AUTHORIZING THE CITY OF ROCKY MOUNT TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE. (S.L. 2003-80)

S.B. 425, ACT AUTHORIZING THE COUNTY OF CABARRUS TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE IN LIEU OF PUBLICATION. (S.L. 2003-81)

S.B. 492, AN ACT TO AMEND AND MODERNIZE THE CHARTER OF THE CITY OF EDEN. (S.L. 2003-82)

H.B. 124, AN ACT ADOPTING A PROTEST PETITION REQUIREMENT FOR DURHAM COUNTY. (S.L. 2003-83)

H.B. 520, AN ACT AMENDING THE CHARTER OF THE TOWN OF OAK ISLAND. (S.L. 2003-84)

H.B. 651, AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY MANAGER TO MAKE DECISIONS REGARDING ROUTINE TRAFFIC CONTROL MEASURES. (S.L. 2003-85)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittee are presented:

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

S.B. 439 (Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA, 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.

S.B. 692 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN INFORMATION CONCERNING PLANS TO RESPOND TO TERRORIST ACTIVITY ARE NOT SUBJECT TO THE PUBLIC RECORDS OR OPEN MEETINGS LAWS, with a favorable report.

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

By Representative Adams, Chair, for the Committee on Local Government II:

S.B. 292, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF RALEIGH TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE FOR CERTAIN PUBLIC HEARINGS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 29.

By Representatives Bonner, Hilton, and Wood, Chairs, for the Committee on Education:

S.B. 424 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN A 1997 LAW CONCERNING TUITION WAIVERS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, 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.

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S.B. 993 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ABILITY OF THE STATE BOARD OF EDUCATION TO SAFEGUARD SCHOOLCHILDREN THROUGH AUTOMATIC REVOCATION OF TEACHER CERTIFICATES UPON CONVICTION OF CERTAIN CRIMES, AND THE USE OF INVESTIGATIVE SERVICES AS NEEDED, with a favorable report.

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

By Representatives Holliman and Setzer, Chairs, for the Committee on Insurance:

S.B. 771 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE USE OF A PERSON'S CREDIT HISTORY FOR DISCOUNTING RATES ON AUTOMOBILE AND HOMEOWNERS' INSURANCE AND TO PROHIBIT THE USE OF A PERSON'S CREDIT HISTORY AS A SOLE BASIS FOR TERMINATING INSURANCE COVERAGE OR SUBJECTING A POLICY TO CONSENT TO RATE, 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. 775 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONDITIONALLY REQUIRE INSURERS TO PROVIDE INFORMATION REGARDING POLICY PROVISIONS AND POLICY LIMITS PRIOR TO LITIGATION WHEN REQUESTED IN WRITING BY THE PERSONS WHO HAVE CLAIMS, OTHER THAN MEDICAL MALPRACTICE CLAIMS, SUBJECT TO INSURANCE POLICIES AND TO GIVE THESE INSURERS THE OPTION OF INITIATING PRELITIGATION MEDIATION OF THE CLAIMS, 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 Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

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S.B. 840 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT FOLKMOOT USA AS NORTH CAROLINA'S OFFICIAL INTERNATIONAL FESTIVAL, 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 Insko and Justus, Chairs, for the Committee on Health:

S.B. 897 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM PRIOR AUTHORIZATION REQUIREMENTS FOR PRESCRIPTION DRUGS UNDER THE MEDICAID PROGRAM ANTIHEMOPHILIC DRUGS PRESCRIBED FOR THE TREATMENT OF HEMOPHILIA AND BLOOD DISORDERS, with a favorable report.

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

By Representatives Bowie and McAllister, Chairs, for the Education Subcommittee on Universities, with approval of standing committee Chairs for report to be made directly to the floor of the House:

S.B. 706, A BILL TO BE ENTITLED AN ACT TO ALLOW UNC-WILMINGTON TO ADD BLEACHERS TO AN EXISTING ATHLETIC STADIUM WITHOUT HAVING TO CONSTRUCT ADDITIONAL PLUMBING FACILITIES, 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 referred to the Committee on State Government.

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

MESSAGES FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute for **H.B. 679** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF RALEIGH TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES

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PRIOR TO DEVELOPMENT AND ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS, AND TO ALLOW WAKE COUNTY TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT, 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 May 29.

Upon concurrence, the Senate committee substitute bill changes the title.

CALENDAR

Action is taken on the following:

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

Senate Committee Substitute for **H.B. 63**, A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT SO THAT VACANCIES IN THE OFFICE OF SHERIFF OF RICHMOND COUNTY WILL BE FILLED IN ACCORDANCE WITH G.S. 162-5.

On motion of Representative Goodwin, the House concurs in the Senate committee substitute bill, 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.

Senate Committee Substitute for **H.B. 283** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE REAL PROPERTY WARRANTY COMPANIES TO CARRY CONTRACTUAL LIABILITY POLICIES; REQUIRE MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES TO USE A SPECIFIC FORMAT ON ALL WRITTEN MATERIALS SUBMITTED; MANDATE ALL REQUIRED SUBMISSIONS TO THE DEPARTMENT OF INSURANCE TO BE IN A SPECIFIC FORMAT IF IN WRITING; REQUIRE WARRANTY COMPANIES TO COMPLY WITH ARTICLE 1 OF CHAPTER 58 OF THE GENERAL STATUTES; DEFINE MECHANICAL BREAKDOWN SERVICE AGREEMENTS AND REQUIRE ALL MECHANICAL BREAKDOWN SERVICE AGREEMENT COMPANIES TO COMPLY WITH ARTICLE 1 OF CHAPTER 58 OF THE GENERAL STATUTES

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AND WITH THE RULES REGARDING MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES; AND PROVIDE THAT A BAD CHECK CONSTITUTES NONPAYMENT OF PREMIUM OF A MOTOR VEHICLE LIABILITY INSURANCE POLICY.

On motion of Representative Nye, the House does not concur in the material Senate committee substitute bill by the following vote, and conferees are requested.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Cunningham, Warner, and C. Wilson - 3.

Representative Allred requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (114-0).

Speaker Black appoints Representatives Nye, Holliman, and Setzer as conferees on the part of the House and the Senate is so notified by Special Message.

H.B. 358 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE DAMAGE AMOUNTS ON DEFINED MOTOR VEHICLE ACCIDENTS.

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On motion of Representative Starnes, the House concurs in the Senate committee substitute bill, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor.

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

H.B. 907 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE COUNCIL FOR THE DEAF AND THE HARD OF HEARING, TO INCREASE THE MEMBERS ON THE COUNCIL, AND TO CHANGE THE APPOINTING AUTHORITY FOR TWO OF THE MEMBERS APPOINTED TO THE COUNCIL.

On motion of Representative Alexander, the House does not concur in the Senate committee substitute bill, by electronic vote (115-0), and conferees are requested.

Speaker Black appoints Representatives Alexander, Insko, Jeffus, Justus, England, and Munford as conferees on the part of the House and the Senate is so notified by Special Message.

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

Senate Committee Substitute for **H.B. 978** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA VETERINARY BOARD TO ENTER INTO AGREEMENTS WITH ORGANIZATIONS THAT HAVE DEVELOPED PROGRAMS FOR IMPAIRED VETERINARY PERSONNEL.

On motion of Representative Cole, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (112-0), and the bill is ordered enrolled and presented to the Governor.

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

H.B. 1175, A BILL TO BE ENTITLED AN ACT ALLOWING FAIR HOUSING ORGANIZATIONS TO FILE COMPLAINTS WITH THE STATE HUMAN RELATIONS COMMISSION.

On motion of Representative Michaux, the House concurs in the Senate committee substitute bill, by electronic vote (115-0), and the bill is ordered enrolled and presented to the Governor.

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

S.B. 38 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE DEPARTMENT OF TRANSPORTATION AS THE STATE AGENCY RESPONSIBLE FOR FIXED GUIDEWAY TRANSIT SAFETY, TO AMEND THE DEPARTMENT OF TRANSPORTATION LOGO SIGNS PROGRAM TO AUTHORIZE ATTRACTION LOGO SIGNS, TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ADOPT TEMPORARY RULES CONCERNING LOGO SIGNS, TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO AUTOMATE ITS 511 TRAVELER INFORMATION PHONE SYSTEM, AND TO REVISE THE LAW CONCERNING HIGH OCCUPANCY VEHICLE (HOV) LANES.

On motion of Speaker Black and without objection, the bill is temporarily displaced.

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

S.B. 90 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW SANITARY DISTRICT BOARDS TO SET COMPENSATION FOR ITS MEMBERS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

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

S.B. 93, 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, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

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

S.B. 388 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE NORTH CAROLINA GENERAL STATUTES IN RESPONSE TO RECENT MEDICAL ADVANCES IN SCREENING FOR THE EARLY DETECTION OF CERVICAL CANCER, passes its

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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 the House committee substitute bill.

S.B. 394 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING A CLAIM FOR EQUITABLE DISTRIBUTION TO SURVIVE THE DEATH OF A SPOUSE WHEN THE PARTIES ARE LIVING SEPARATE AND APART AT THE TIME OF DEATH AND THE CLAIM IS TIMELY FILED.

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (116-0).

The bill, as amended, passes its second reading, by electronic vote (116-0).

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

S.B. 714 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC SCHOOL EMPLOYEES DO NOT LOSE PAY WHILE THEY ARE ON MILITARY DUTY.

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

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

S.B. 877 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE PENALTIES FOR VIOLATIONS OF THE CHILD CARE FACILITIES ACT, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Stam removes his objection to the third reading of **S.B. 394** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING A CLAIM FOR EQUITABLE DISTRIBUTION TO SURVIVE

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THE DEATH OF A SPOUSE WHEN THE PARTIES ARE LIVING SEPARATE AND APART AT THE TIME OF DEATH AND THE CLAIM IS TIMELY FILED, and the bill is before the Body.

The bill passes its third reading and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill.

CALENDAR (continued)

H.B. 163 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF KINGS MOUNTAIN TO ANNEX CERTAIN PROPERTIES OWNED BY THE TOWN.

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: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: Representative Allred.

Excused absences: Representatives Cunningham, Warner, and C. Wilson - 3.

H.B. 705, A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE TOWN OF MATTHEWS ALL THE TERRITORY REMAINING IN ITS SPHERE OF INFLUENCE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Baker, Barbee, Barnhart,

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Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtride, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: Representative Allred.

Excused absences: Representatives Cunningham, Warner, and C. Wilson - 3.

S.B. 181 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF APEX TO USE THE PROCEDURE AND AUTHORITY OF CHAPTER 136 OF THE NORTH CAROLINA GENERAL STATUTES IN CONDEMNATION PROCEEDINGS CONCERNING PUBLIC STREETS AND ROADS, AND TO ADOPT ORDINANCES REGULATING DEMOLITION OF HISTORIC STRUCTURES IN THE APEX HISTORIC DISTRICT, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtride, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

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Voting in the negative: Representative Allred.

Excused absences: Representatives Cunningham, Warner, and C. Wilson - 3.

S.B. 288, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE POLK COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS BOARD OF EDUCATION, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: Representative Allred.

Excused absences: Representatives Cunningham, Warner, and C. Wilson - 3.

H.B. 1118 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE SIGNS TO BE POSTED WARNING OF THE POSSIBLE DANGERS OF CONSUMPTION OF ALCOHOL DURING PREGNANCY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle,

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Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Cunningham, Warner, and C. Wilson - 3.

H.B. 1260, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FEES THAT THE BOARD OF EXAMINERS FOR SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS MAY ASSESS FOR CERTAIN FEES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Barbee, Barnhart, Bell, Blackwood, Bonner, Bordsen, Bowie, Brubaker, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Goforth, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justus, Kiser, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, A. Williams, K. Williams, G. Wilson, Womble, Wright, and Yongue - 98.

Voting in the negative: Representatives Baker, Blust, Capps, Creech, Eddins, Gorman, Hilton, Justice, LaRoque, Mitchell, Moore, Rhodes, Starnes, Stiller, West, and Wood - 16.

Excused absences: Representatives Cunningham, Warner, and C. Wilson - 3.

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Representative Allred requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (97-17).

S.B. 519 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE PREVENTION AND CONTROL OF LEAD POISONING IN CHILDREN, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

Representative Carney requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (115-0).

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 648 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN AD HOC CERVICAL CANCER ELIMINATION TASK FORCE TO THE ADVISORY COMMITTEE ON CANCER COORDINATION AND CONTROL.

Representative Wright offers Amendment No. 1 which is adopted by electronic vote (113-0).

The bill, as amended, passes its second reading, by electronic vote (114-0).

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

S.B. 708 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CRIMINAL BACKGROUND CHECKS ON PROSPECTIVE MEMBERS OF FIRE DEPARTMENTS, passes its second reading, by electronic vote (112-2), 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.

S.B. 959, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSION FOR HEALTH SERVICES TO ADOPT RULES REGARDING MONITORING OF COASTAL RECREATION WATERS IN ORDER TO IMPLEMENT THE FEDERAL BEACHES ENVIRONMENTAL ASSESSMENT AND COASTAL HEALTH ACT OF 2000, passes

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its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 962, A BILL TO BE ENTITLED AN ACT TO REQUIRE BAIL BONDSMEN TO SUBMIT AFFIDAVITS STATING THAT THERE ARE NO PREMIUMS OWED TO FORMER INSURERS AND THAT ALL FORFEITURES OR JUDGMENTS ARE SATISFIED OR DISCHARGED, 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.

BILL PLACED ON CALENDAR

Representative Culpepper gives notice, pursuant to Rule 36(b), and **S.B. 840** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT FOLKMOOT USA AS NORTH CAROLINA'S OFFICIAL INTERNATIONAL FESTIVAL AND ADOPTING THE CAROLINA LILY AS THE OFFICIAL WILDFLOWER OF NORTH CAROLINA, is placed on today's Calendar for immediate consideration.

The bill passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 32(a), **S.B. 993** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ABILITY OF THE STATE BOARD OF EDUCATION TO SAFEGUARD SCHOOL-CHILDREN THROUGH AUTOMATIC REVOCATION OF TEACHER CERTIFICATES UPON CONVICTION OF CERTAIN CRIMES, AND THE USE OF INVESTIGATIVE SERVICES AS NEEDED, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Finance.

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WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Insko withdraws her objection to the third reading of **S.B. 648** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN AD HOC CERVICAL CANCER ELIMINATION TASK FORCE TO THE ADVISORY COMMITTEE ON CANCER COORDINATION AND CONTROL, and the bill is before the Body.

The bill passes its third reading and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill.

CALENDAR (continued)

S.B. 38 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE DEPARTMENT OF TRANSPORTATION AS THE STATE AGENCY RESPONSIBLE FOR FIXED GUIDEWAY TRANSIT SAFETY, TO AMEND THE DEPARTMENT OF TRANSPORTATION LOGO SIGNS PROGRAM TO AUTHORIZE ATTRACTION LOGO SIGNS, TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ADOPT TEMPORARY RULES CONCERNING LOGO SIGNS, TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO AUTOMATE ITS 511 TRAVELER INFORMATION PHONE SYSTEM, AND TO REVISE THE LAW CONCERNING HIGH OCCUPANCY VEHICLE (HOV) LANES, which was temporarily displaced, is before the Body.

On motion of Representative Crawford and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 29.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives Insko and Justus, Chairs, for the Committee on Health:

S.B. 503 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE LAWS RELATING TO THE ATTENDANCE AGES AND ELIGIBILITY OF STUDENTS FOR NORTH CAROLINA SCHOOLS FOR THE DEAF, with a favorable report as to the House

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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.

On motion of Representative Culpepper, seconded by Representative Howard, the House adjourns at 3:22 p.m. to reconvene May 29 at 11:00 a.m.

SEVENTIETH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 29, 2003

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

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

"God of life, it has been an eventful week - Memorial Day remembrances of those who have died in the service of our Nation; the loss of a friend to many, former Senator Bob Martin; the celebration of new members in the families of Representatives Hilton and Lewis; plenty of hard work in committees and offices; floor debates and votes. In the midst of all this we pause to remember that You are God and that You constantly make all things new. Even in the halls of government You are there - calling, challenging, expecting, guiding. In the way we govern ourselves You call us to a new justice and righteousness with a view to the needs of our State. Bless these Representatives with minds and hearts which strive for Your ways in their work that our State might be a better place because of their work. As another weekend nears, we pray for safe travel, time for family, time for rest, and most important, time for You."

"In Your giving name we pray. 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.

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Leaves of absence are granted Representatives Clary, Cunningham, Daughtry, Gibson, Gillespie, Haire, McComas, West, C. Wilson, and G. Wilson for today.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following report from standing committee is presented:

By Representatives Michaux and Stam, Chairs, for the Committee on Election Law and Campaign Finance Reform:

H.B. 43, A BILL TO BE ENTITLED AN ACT TO REQUIRE NEW PARTY CANDIDATES TO PAY FILING FEES ON A SIMILAR BASIS TO MAJOR PARTY CANDIDATES, 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 MESSAGE FROM THE SENATE

**2003 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
May 28, 2003

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. 693** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ENHANCED SENTENCES AS RECOMMENDED BY THE SENTENCING COMMISSION AND TO MAKE CONFORMING CHANGES.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

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MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 825 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ANY PRIVATE OR PUBLIC INSTITUTION THAT OFFERS A POSTSECONDARY DEGREE TO PROVIDE MENINGOCOCCAL AND HEPATITIS B IMMUNIZATION INFORMATION TO NEWLY ENROLLED STUDENTS IF THE INSTITUTION HAS A RESIDENTIAL CAMPUS, 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 June 2.

Upon concurrence, the Senate committee substitute bill changes the title.

H.B. 883 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO TEMPORARILY WAIVE CERTAIN REQUIREMENTS OF THE MENTAL HEALTH COMMITMENT STATUTES TO FURTHER MENTAL HEALTH REFORM EFFORTS, 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 June 2.

CALENDAR

Action is taken on the following:

H.B. 679 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF RALEIGH TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT AND ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS, AND TO ALLOW WAKE COUNTY TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT.

On motion of Representative Weiss, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (85-19), and the bill is ordered enrolled.

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S.B. 292, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF RALEIGH TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE FOR CERTAIN PUBLIC HEARINGS.

Representative Hill offers Amendment No. 1 which is adopted, by electronic vote (108-0). This amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (106-0). The caption having been amended, the bill remains on the Calendar.

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

S.B. 214 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW TERRITORY TO BE REMOVED FROM A RESEARCH AND PRODUCTION SERVICE DISTRICT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, A. Williams, K. Williams, Womble, Wright, and Yongue - 105.

Voting in the negative: Representatives Daughtridge, Moore, and Wood - 3.

Excused absences: Representatives Clary, Cunningham, Daughtry, Gibson, Gillespie, Haire, McComas, West, C. Wilson, and G. Wilson - 10.

S.B. 38 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE DEPARTMENT OF TRANSPORTATION AS THE STATE AGENCY RESPONSIBLE FOR FIXED GUIDEWAY TRANSIT SAFETY, TO AMEND THE DEPARTMENT OF TRANSPORTATION LOGO SIGNS PROGRAM TO AUTHORIZE ATTRACTION

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LOGO SIGNS, TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ADOPT TEMPORARY RULES CONCERNING LOGO SIGNS, TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO AUTOMATE ITS 511 TRAVELER INFORMATION PHONE SYSTEM, AND TO REVISE THE LAW CONCERNING HIGH OCCUPANCY VEHICLE (HOV) LANES, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

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

S.B. 629 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS FOR SUBORDINATION AGREEMENTS, passes its second reading, by electronic vote (109-0).

Representative Stam 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. 887 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MANDATE INSURANCE COVERAGE FOR SURVEILLANCE TESTS FOR WOMEN AGE TWENTY-FIVE AND OLDER AND AT RISK FOR OVARIAN CANCER, passes its second reading, by electronic vote (109-0).

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

ENROLLED BILLS

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

S.B. 93, AN ACT TO AMEND THE DEFINITION OF SPECIAL PROBATION TO REMOVE THE SIX-MONTH LIMITATION ON THE PERIOD OF IMPRISONMENT.

S.B. 519, AN ACT TO AMEND THE LAW REGARDING THE PREVENTION AND CONTROL OF LEAD POISONING IN CHILDREN.

S.B. 522, AN ACT TO CHANGE THE METHOD BY WHICH CERTAIN MEMBERS ON THE NORTH CAROLINA BOARD OF

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NURSING ARE ELECTED OR APPOINTED, TO MAKE TECHNICAL CHANGES TO THE NURSING PRACTICE ACT, AND TO REQUIRE THAT HEALTH CARE FACILITIES VERIFY THE LICENSURE STATUS OF APPLICANTS SEEKING EMPLOYMENT AS NURSES.

S.B. 620, AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ADDITIONAL PURCHASING FLEXIBILITY AND TO ENCOURAGE THEM TO USE THE NC E-PROCUREMENT SERVICE.

S.B. 959, AN ACT TO AUTHORIZE THE COMMISSION FOR HEALTH SERVICES TO ADOPT RULES REGARDING MONITORING OF COASTAL RECREATION WATERS IN ORDER TO IMPLEMENT THE FEDERAL BEACHES ENVIRONMENTAL ASSESSMENT AND COASTAL HEALTH ACT OF 2000.

S.B. 962, AN ACT TO REQUIRE BAIL BONDSMEN TO SUBMIT AFFIDAVITS STATING THAT THERE ARE NO PREMIUMS OWED TO FORMER INSURERS AND THAT ALL FORFEITURES OR JUDGMENTS ARE SATISFIED OR DISCHARGED.

H.B. 55, AN ACT TO AUTHORIZE FIRE DEPARTMENTS TO HONOR RETIRING OR DECEASED FIREFIGHTERS BY AWARDING THEIR FIRE HELMETS TO THEM OR TO A SURVIVING RELATIVE.

H.B. 352, AN ACT TO AMEND THE LAW REGARDING DRUG SCREENING AND ASSESSMENT OF A CRIMINAL DEFENDANT FOR CHEMICAL DEPENDENCY, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION.

H.B. 358, AN ACT TO INCREASE THE DAMAGE AMOUNTS ON DEFINED MOTOR VEHICLE ACCIDENTS.

H.B. 560, AN ACT TO DISAPPROVE THE ADMINISTRATIVE RULES GOVERNING LIFE INSURANCE REPLACEMENT.

H.B. 821, AN ACT TO SIMPLIFY THE PROCESS OF FILLING A VACANCY ON A PARTY TICKET.

H.B. 829, AN ACT TO ADOPT THE NAIC MODEL STANDARD NONFORFEITURE LAW FOR INDIVIDUAL DEFERRED ANNUITIES.

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H.B. 864, AN ACT INCREASING THE EFFICIENCY OF GUARANTEED ENERGY SAVINGS CONTRACTS FOR STATE GOVERNMENTAL UNITS.

H.B. 900, AN ACT MODIFYING THE DEFINITION OF "RESTAURANT" FOR ABC PERMITS.

H.B. 978, AN ACT ALLOWING THE NORTH CAROLINA VETERINARY MEDICAL BOARD TO ENTER INTO AGREEMENTS WITH ORGANIZATIONS THAT HAVE DEVELOPED PROGRAMS FOR IMPAIRED VETERINARY PERSONNEL.

H.B. 1048, AN ACT TO MAKE REVISIONS TO THE JUVENILE CODE AS RECOMMENDED BY THE NORTH CAROLINA JUVENILE COURT IMPROVEMENT PROJECT.

H.B. 1175, AN ACT ALLOWING FAIR HOUSING ORGANIZATIONS TO FILE COMPLAINTS WITH THE STATE HUMAN RELATIONS COMMISSION.

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

S.B. 181, AN ACT AUTHORIZING THE TOWN OF APEX TO USE THE PROCEDURE AND AUTHORITY OF CHAPTER 136 OF THE NORTH CAROLINA GENERAL STATUTES IN CONDEMNATION PROCEEDINGS CONCERNING PUBLIC STREETS AND ROADS, AND TO ADOPT ORDINANCES REGULATING DEMOLITION OF HISTORIC STRUCTURES IN THE APEX HISTORIC DISTRICT.

S.B. 288, AN ACT TO AUTHORIZE POLK COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS BOARD OF EDUCATION.

H.B. 63, AN ACT TO REPEAL A LOCAL ACT AND TO PROVIDE THAT VACANCIES IN THE OFFICE OF SHERIFF OF RICHMOND COUNTY WILL BE FILLED IN ACCORDANCE WITH G.S. 162-5.1.

CHAPTERED BILLS

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

May 29, 2003

H.B. 68, AN ACT TO AUTHORIZE THE TOWN OF SPRING LAKE AND THE CITY OF NEWTON TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS. (S.L. 2003-86)

RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 657** (Committee Substitute), A BILL TO BE ENTITLED AN ACT IMPOSING RESTRICTIONS ON THE USE AND OPERATION OF TANNING FACILITIES AND EQUIPMENT, is withdrawn from the Committee on Health 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, **S.B. 706** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW UNC-WILMINGTON TO ADD BLEACHERS TO AN EXISTING SOFTBALL FIELD WITHOUT HAVING TO CONSTRUCT ADDITIONAL PLUMBING FACILITIES, is withdrawn from the Committee on State Government and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, seconded by Representative McGee, the House adjourns at 11:47 a.m. to reconvene Monday, June 2, 2003, at 6:00 p.m.

SEVENTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Monday, June 2, 2003

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by Speaker Morgan.

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

"Holy God, the Ruler of the Universe, You love what is right and true, just and righteous. Lead us each day in Your ways that we may live to praise You and proclaim Your greatness. In this new week in the busy work of the House give to each of these Representatives clear and creative minds that their work may be joy rather than burden. May partisanship be

June 2, 2003

tempered with reason, and decisions be made with the good of the people of North Carolina in mind. Bless Speaker Morgan and Speaker Black with wisdom in their leadership.

"God of all comfort, we remember today the family of former Representative Robie Nash as they grieve his death. May Your peace be theirs.

"In Your strong and mighty name we pray. Amen."

Speaker Morgan leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 29 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Brubaker, Cunningham, Dockham, Nesbitt, Sauls, Stiller, G. Wilson, and Wright for today.

ENROLLED BILLS

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

H.B. 344, AN ACT REQUIRING THE MOTOR FLEET MANAGEMENT DIVISION TO USE BEST MANAGEMENT PRACTICES IN OPERATING THE CENTRAL MOTOR POOL, TO USE A FORMULA TO DETERMINE THE MOST COST-EFFECTIVE REPLACEMENT OF VEHICLES, AND TO REPORT SEMIANNUALLY TO THE GENERAL ASSEMBLY ON THE COST SAVINGS RESULTING FROM USE OF THE FORMULA.

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

S.B. 124, AN ACT TO EXEMPT THE CITY OF LUMBERTON FROM CERTAIN STATUTORY REQUIREMENTS RELATING TO THE CONSTRUCTION OF BUILDINGS TO BE USED BY INDUSTRIES LOCATING TO THE CITY.

H.B. 13, AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN TRANSYLVANIA COUNTY AND

June 2, 2003

TO REQUIRE WRITTEN PERMISSION BEFORE HUNTING ON THE LAND OF ANOTHER IN TRANSYLVANIA COUNTY.

H.B. 153, AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S GARBAGE AND TRASH ORDINANCE, AUTHORIZING THE CITY TO TAKE REMEDIAL ACTION REGARDING THE GARBAGE AND TRASH ORDINANCE WITHOUT FURTHER NOTICE THAT CALENDAR YEAR, AND CLARIFYING THE LANGUAGE AS TO WHAT CONSTITUTES A CHRONIC VIOLATOR UNDER THE CITY'S CURRENT ORDINANCE REGARDING OVERGROWN VEGETATION.

H.B. 187, AN ACT TO PROVIDE THAT THE DISTRIBUTION OF THE PROCEEDS FROM THE TOWN OF NORWOOD AND CITY OF ALBEMARLE ABC SYSTEMS SHALL BE IN ACCORDANCE WITH GENERAL LAW.

H.B. 197, AN ACT TO ALLOW THE BLADEN COUNTY BOARD OF EDUCATION TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE.

H.B. 214, AN ACT MAKING THE TAX COLLECTOR OF MADISON COUNTY AN APPOINTED OFFICE RATHER THAN AN ELECTED OFFICE.

H.B. 295, AN ACT TO AUTHORIZE THE TOWN OF BEECH MOUNTAIN TO REGULATE GOLF CARTS AND UTILITY VEHICLES.

H.B. 396, AN ACT TO CHANGE THE NAME OF THE EDGEcombe COUNTY SCHOOL SYSTEM.

H.B. 499, AN ACT AMENDING THE CHARTER OF THE TOWN OF LANDIS TO EXTEND THE MAYOR'S AND ALDERMEN'S TERMS OF OFFICE FROM TWO TO FOUR YEARS.

H.B. 582, AN ACT AUTHORIZING CLAY COUNTY TO ENGAGE IN JOINT DEVELOPMENT ACTIVITIES WITH A CONTIGUOUS COUNTY IN AN ADJOINING STATE.

H.B. 679, AN ACT AUTHORIZING THE CITY OF RALEIGH TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT AND ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS, AND TO

June 2, 2003

ALLOW WAKE COUNTY AND THE TOWN OF RUTHERFORDTON TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT.

CHAPTERED BILLS

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

H.B. 355, AN ACT TO OFFICIALLY DESIGNATE THE INDIANS PREVIOUSLY RECOGNIZED IN THE GENERAL STATUTES AS THE INDIANS OF PERSON COUNTY AS SAPPONY. (S.L. 2003-87)

S.B. 181, AN ACT AUTHORIZING THE TOWN OF APEX TO USE THE PROCEDURE AND AUTHORITY OF CHAPTER 136 OF THE NORTH CAROLINA GENERAL STATUTES IN CONDEMNATION PROCEEDINGS CONCERNING PUBLIC STREETS AND ROADS, AND TO ADOPT ORDINANCES REGULATING DEMOLITION OF HISTORIC STRUCTURES IN THE APEX HISTORIC DISTRICT. (S.L. 2003-88)

S.B. 288, AN ACT TO AUTHORIZE POLK COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS BOARD OF EDUCATION. (S.L. 2003-89)

H.B. 63, AN ACT TO REPEAL A LOCAL ACT AND TO PROVIDE THAT VACANCIES IN THE OFFICE OF SHERIFF OF RICHMOND COUNTY WILL BE FILLED IN ACCORDANCE WITH G.S. 162-5.1. (S.L. 2003-90)

S.B. 814, AN ACT TO CLARIFY THE LAW REGARDING COMPETITIVE AND DEREGULATED OFFERINGS OF TELECOMMUNICATIONS SERVICES. (S.L. 2003-91)

S.B. 979, AN ACT TO AMEND THE PROCESS BY WHICH A MEMBER OF THE GENERAL ASSEMBLY IS APPOINTED TO THE ATLANTIC STATES MARINE FISHERIES COMMISSION AND TO MAKE TECHNICAL, CLARIFYING, AND CONFORMING CHANGES. (S.L. 2003-92)

S.B. 468, AN ACT TO CLARIFY THE LAW GOVERNING THE MODIFICATION AND TERMINATION OF IRREVOCABLE TRUSTS. (S.L. 2003-93)

June 2, 2003

S.B. 517, AN ACT TO REDUCE THE MINIMUM MEMBERSHIP OF THE GLOBAL TRANSPARK DEVELOPMENT COMMISSION, ALSO CALLED THE EASTERN REGION COMMISSION. (S.L. 2003-94)

S.B. 449, AN ACT TO CLARIFY ADMISSIBLE EVIDENCE THAT THE PERSON WITHDRAWING BLOOD IN AN IMPAIRED DRIVING CASE IS A LICENSED PHYSICIAN, NURSE, OR AN OTHERWISE QUALIFIED PERSON. (S.L. 2003-95)

S.B. 245, AN ACT TO AUTHORIZE THE HUNTING OF COYOTES IN CONTROLLED HUNTING PRESERVES AND TO MAKE IT UNLAWFUL TO IMPORT LIVE COYOTES INTO THIS STATE. (S.L. 2003-96)

S.B. 323, AN ACT TO PROTECT THE IDENTITY OF A COMPLAINTING PARTY AGAINST A LICENSEE OR AN UNLICENSED GENERAL CONTRACTOR BY THE LICENSING BOARD FOR GENERAL CONTRACTORS AND TO CLARIFY WHEN THE BOARD MAY SEEK INJUNCTIVE RELIEF. (S.L. 2003-97)

S.B. 555, AN ACT TO CLARIFY THAT IT IS A FELONY FOR A SCHOOL SAFETY OFFICER TO HAVE SEXUAL CONTACT OR TAKE INDECENT LIBERTIES WITH A STUDENT. (S.L. 2003-98)

H.B. 913, AN ACT AUTHORIZING THE NORTH CAROLINA UTILITIES COMMISSION TO DETERMINE A TIME IN WHICH FINAL RULES CONCERNING THE DESIGNATION OF A UNIVERSAL SERVICE PROVIDER FOR TELEPHONE SERVICE SHALL BE ADOPTED. (S.L. 2003-99)

S.B. 825, AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO PROTECT CERTAIN REPTILES AND AMPHIBIANS THAT REQUIRE CONSERVATION MEASURES. (S.L. 2003-100)

H.B. 689, AN ACT CONFORMING RULE 103 OF THE NORTH CAROLINA RULES OF EVIDENCE TO THE CORRESPONDING FEDERAL RULE. (S.L. 2003-101)

S.B. 851, AN ACT TO PROVIDE THAT A PERSON MAY BE REAPPOINTED TO THE BOARD OF DIRECTORS OF THE ARBORETUM AFTER ONE YEAR'S ABSENCE FROM THE BOARD. (S.L. 2003-102)

S.B. 940, AN ACT TO PROVIDE JOB PROTECTION FOR VOLUNTEER FIREFIGHTERS, RESCUE SQUAD WORKERS, AND

June 2, 2003

EMERGENCY MEDICAL SERVICES PERSONNEL CALLED INTO THE SERVICE OF THE STATE IN RESPONSE TO A PROCLAMATION OF A STATE OF DISASTER BY THE GOVERNOR OR THE GENERAL ASSEMBLY, OR IN RESPONSE TO AN EMERGENCY SITUATION RESULTING IN THE ACTIVATION OF THE STATE EMERGENCY RESPONSE TEAM. (S.L. 2003-103)

S.B. 619, AN ACT TO PROVIDE THAT A BLOOD ANALYSIS REPORT SENT DIRECTLY TO THE CLERK OF SUPERIOR COURT MAY BE USED AS THE BASIS FOR THE CIVIL REVOCATION OF A DRIVERS LICENSE. (S.L. 2003-104)

H.B. 744, AN ACT TO REQUIRE INSURERS TO INFORM COVERED PERSONS ABOUT ASSISTANCE AVAILABLE FROM THE MANAGED CARE PATIENT ASSISTANCE PROGRAM. (S.L. 2003-105)

H.B. 1078, AN ACT TO AUTHORIZE THE ADDITION OF MAYO RIVER STATE PARK TO THE STATE PARKS SYSTEM. (S.L. 2003-106)

S.B. 630, AN ACT TO CLARIFY THE DEFINITION OF A PROTECTIVE ORDER UNDER THE LAWS RELATING TO DOMESTIC VIOLENCE. (S.L. 2003-107)

H.B. 1025, AN ACT TO AUTHORIZE THE ADDITION OF HAW RIVER STATE PARK TO THE STATE PARKS SYSTEM. (S.L. 2003-108)

H.B. 1177, AN ACT TO PROVIDE THAT PHYSICIANS IN GOOD STANDING TO PRACTICE MEDICINE IN ANOTHER STATE MAY PRACTICE MEDICINE OR SURGERY AT A CAMP FOR THERAPEUTIC RECREATION FOR INDIVIDUALS WITH CHRONIC ILLNESSES UNDER CERTAIN RESTRICTED CONDITIONS. (S.L. 2003-109)

H.B. 510, AN ACT TO INCLUDE A VIOLATION OF G.S. 20-123.2 AS A LESSER INCLUDED OFFENSE IN A SPEEDING VIOLATION. (S.L. 2003-110)

H.B. 1134, AN ACT TO EXTEND THE DEADLINE BY WHICH COASTAL HABITAT PROTECTION PLANS MUST BE ADOPTED. (S.L. 2003-111)

H.B. 22, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE THE PORTION OF CONTRACT MAINTENANCE RESURFACING FUNDS ALLOCATED TO WIDENING

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EXISTING NARROW PAVEMENTS SCHEDULED FOR RESURFACING TO WIDEN ANY EXISTING NARROW PAVEMENTS AND TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE HIGHWAY TRUST FUND SECONDARY ROAD PAVING FUNDS ALLOCATED TO EACH COUNTY FOR THE ADDITIONAL PURPOSE OF SAFETY IMPROVEMENTS ON PAVED AND UNPAVED ROADS IN THE SAME COUNTY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE. (S.L. 2003-112)

S.B. 559, AN ACT TO CLARIFY THE MOTOR VEHICLE DEALER FRANCHISE LAWS. (S.L. 2003-113)

S.B. 704, AN ACT TO ESTABLISH THE TRAUMATIC BRAIN INJURY ADVISORY COUNCIL. (S.L. 2003-114)

S.B. 471, AN ACT TO AMEND THE LAWS GOVERNING THE SELF-INSURANCE GUARANTY ASSOCIATION. (S.L. 2003-115)

S.B. 539, AN ACT AMENDING THE LAW GOVERNING THE LIMITED PRACTICE OF OUT-OF-STATE ATTORNEYS-AT-LAW AND THE OPERATION OF THE COUNCIL AND DISCIPLINARY HEARING COMMISSION OF THE NORTH CAROLINA STATE BAR. (S.L. 2003-116)

H.B. 462, AN ACT TO INCLUDE DULY LICENSED MARRIAGE AND FAMILY THERAPISTS UNDER THE INSURANCE 'FREEDOM OF CHOICE' LAW AND UNDER THE PROFESSIONAL CORPORATIONS ACT. (S.L. 2003-117)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Goodwin, Vice Chair, for the Committee on Judiciary II:

H.B. 1006, A BILL TO BE ENTITLED AN ACT TO GRANT GREATER CONSUMER PROTECTION TO RESIDENTS OF MANUFACTURED HOUSING IN NORTH CAROLINA, with a favorable report as to the committee substitute bill, unfavorable as to the original bill and

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recommendation that the committee substitute bill be re-referred to the Committee on Finance.

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

By Representative Munford, Chair, for the Committee on Judiciary IV:

S.B. 293 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING SALES REPRESENTATIVE COMMISSIONS, 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.

S.B. 549 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT THE REVISED UNIFORM PRINCIPAL AND INCOME ACT, 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.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Coates, Luebke, Mitchell, and Rhodes:

H.J.R. 1328, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF REVERENDS ADOLPHEUS NUSSMAN AND GOTTFRIED ARENDS ON THE 200TH ANNIVERSARY OF THE NORTH CAROLINA SYNOD OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Dickson, Lewis, Lucas, and Sauls:

H.J.R. 1329, A JOINT RESOLUTION HONORING THE TOWN OF LILLINGTON ON THE OCCASION OF THE TOWN'S CENTENNIAL

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AND HONORING THE MEMORY OF GENERAL ALEXANDER LILLINGTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

**2003 GENERAL ASSEMBLY
FIRST SESSION**

SPECIAL MESSAGE FROM THE SENATE

Senate Chamber
May 29, 2003

Mr. Speaker:

Pursuant to your message received on May 28, 2003, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 283** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE REAL PROPERTY WARRANTY COMPANIES TO CARRY CONTRACTUAL LIABILITY POLICIES; REQUIRE MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES TO USE A SPECIFIC FORMAT ON ALL WRITTEN MATERIALS SUBMITTED; MANDATE ALL REQUIRED SUBMISSIONS TO THE DEPARTMENT OF INSURANCE TO BE IN A SPECIFIC FORMAT IF IN WRITING; REQUIRE WARRANTY COMPANIES TO COMPLY WITH ARTICLE 1 OF CHAPTER 58 OF THE GENERAL STATUTES; DEFINE MECHANICAL BREAKDOWN SERVICE AGREEMENTS AND REQUIRE ALL MECHANICAL BREAKDOWN SERVICE AGREEMENT COMPANIES TO COMPLY WITH ARTICLE 1 OF CHAPTER 58 OF THE GENERAL STATUTES AND WITH THE RULES REGARDING MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES; AND PROVIDE THAT A BAD CHECK CONSTITUTES NONPAYMENT OF PREMIUM OF A MOTOR VEHICLE LIABILITY INSURANCE POLICY, and requests conferees, the President Pro Tempore appoints:

Senator Soles, Chair
Senator Hoyle
Senator Carpenter

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

June 2, 2003

**2003 GENERAL ASSEMBLY
FIRST SESSION**

SPECIAL MESSAGE FROM THE SENATE

Senate Chamber
May 29, 2003

Mr. Speaker:

Pursuant to your message received on May 27, 2003, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 745**, A BILL TO BE ENTITLED AN ACT TO REVISE THE MEMBERSHIP OF THE NORTH CAROLINA INDIAN CULTURAL CENTER BOARD, and requests conferees, the President Pro Tempore appoints:

Senator Kinnaird, Chair
Senator Dorsett
Senator Weinstein
Senator Stevens

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

**2003 GENERAL ASSEMBLY
FIRST SESSION**

SPECIAL MESSAGE FROM THE SENATE

Senate Chamber
May 29, 2003

Mr. Speaker:

Pursuant to your message received on May 28, 2003, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 907** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE COUNCIL FOR THE DEAF AND THE HARD OF HEARING, TO INCREASE THE MEMBERS ON THE COUNCIL, AND TO CHANGE THE APPOINTING AUTHORITY

June 2, 2003

FOR TWO OF THE MEMBERS APPOINTED TO THE COUNCIL, and requests conferees, the President Pro Tempore appoints:

Senator Dannelly, Chair
Senator Lucas
Senator Purcell
Senator Kinnaird
Senator Forrester
Senator Rand

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

**2003 GENERAL ASSEMBLY
FIRST SESSION**

SPECIAL MESSAGE FROM THE SENATE

Senate Chamber
May 29, 2003

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. 693** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ENHANCED SENTENCES AS RECOMMENDED BY THE SENTENCING COMMISSION AND TO MAKE CONFORMING CHANGES, and requests conferees. The President Pro Tempore appoints:

Senator Thomas, Chair
Senator Hartsell
Senator Moore

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

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

June 2, 2003

Speaker Morgan appoints Representatives Munford, Jeffus and Stiller as conferees on the part of the House and the Senate is so notified by Special Message.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 253**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND RELATED SUBSTANTIVE CHANGES TO THE CONTINUING CARE RETIREMENT (CCR) LAWS TO ELIMINATE THE UNNECESSARY PROVISION ALLOWING FOR ACCREDITED BUT UNLICENSED PROVIDERS OF CCR SERVICES; CHANGE REFERENCES FROM "FACILITY" TO "PROVIDER" WHERE APPROPRIATE TO ACCOMMODATE THE SITUATION WHERE AN ENTITY OPERATES MORE THAN ONE FACILITY; CHANGE "FORECAST" TO "FORECASTED" WHERE FOUND; CHANGE THE OPERATING RESERVES STATUTE BY REWORDING SOME PROVISIONS TECHNICALLY; CHANGE REFERENCES TO "REGISTRATION" OF A FACILITY TO "LICENSURE"; MAKE GENDER NEUTRAL CHANGES TO THE CCR LAWS; CLARIFY THAT A PROVIDER MUST HOLD SEMI-ANNUAL MEETINGS WITH THE RESIDENTS OF EACH FACILITY OPERATED BY THE PROVIDER; AND MAKE OTHER TECHNICAL AND CONFORMING CHANGES TO ARTICLE 64, 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. 273 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT EMPLOYEES WHO RECEIVE VACCINATION AGAINST SMALLPOX INCIDENT TO THE ADMINISTRATION OF SMALLPOX COUNTERMEASURES BY HEALTH PROFESSIONALS UNDER SECTION 304 OF THE FEDERAL HOMELAND SECURITY ACT OF 2002 AND ANY HOUSEHOLD MEMBERS LIVING IN THE HOMES OF THESE VACCINATED EMPLOYEES WILL BE COVERED FOR ADVERSE MEDICAL REACTIONS DUE TO THE VACCINATION, is returned for concurrence in the Senate committee substitute bill.

June 2, 2003

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

H.B. 609 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE LAWS PERTAINING TO THE AMUSEMENT DEVICE SAFETY ACT 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.

Senate Committee Substitute for **H.B. 627** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO EXPEND FUNDS ON ROADS OUTSIDE THE CORPORATE LIMITS, 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 June 3.

Upon concurrence, the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 706**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF CHARLOTTE TO ALLOW THE CITY TO PURCHASE APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT FOR PUBLIC TRANSIT PURPOSES FROM PERSONS OR ENTITIES THAT HAVE RECENTLY MET STATE BIDDING LAW REQUIREMENTS AND PROVIDED APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT TO THE FEDERAL GOVERNMENT, STATE OF NORTH CAROLINA, OR ANOTHER 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 of June 3.

Upon concurrence, the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 735** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF DURHAM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S REFUSE AND DEBRIS ORDINANCE WITHOUT

June 2, 2003

FURTHER NOTICE THAT CALENDAR YEAR AND AUTHORIZING THE CITY OF DURHAM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE WITHOUT FURTHER NOTICE THAT CALENDAR YEAR, 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 June 3.

Upon concurrence, the Senate committee substitute bill changes the title.

H.B. 776 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO GIVE THE CITY MANAGER GREATER AUTHORITY TO APPROVE CERTAIN CONTRACTS, 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 June 3.

H.B. 1024 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ADOPTING THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT FOR 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.

Speaker Morgan rules the Senate committee substitute bill to be material, thus constituting its first reading.

Senate Committee Substitute for **H.B. 1063** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE OPERATORS OF CHILD CARE FACILITIES TO DISCUSS THE DIVISION OF CHILD DEVELOPMENT'S SUMMARY OF THE LAWS RELATING TO CHILD CARE FACILITIES WITH PARENTS, TO REQUIRE THE DIVISION OF CHILD DEVELOPMENT TO INCLUDE IN ITS SUMMARY A STATEMENT ON HOW PARENTS MAY OBTAIN INFORMATION ON INDIVIDUAL CHILD CARE FACILITIES, AND TO REQUIRE CHILD CARE FACILITIES TO POST THE SUMMARY IN A PROMINENT PLACE, is returned for concurrence in the Senate committee substitute bill.

June 2, 2003

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

Upon concurrence, the Senate committee substitute bill changes the title.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 825** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ANY PRIVATE OR PUBLIC INSTITUTION THAT OFFERS A POSTSECONDARY DEGREE TO PROVIDE MENINGOCOCCAL AND HEPATITIS B IMMUNIZATION INFORMATION TO NEWLY ENROLLED STUDENTS IF THE INSTITUTION HAS A RESIDENTIAL CAMPUS.

On motion of Representative Bowie, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (102-0), and the bill is ordered enrolled and presented to the Governor.

Representative Bowie requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (103-0).

H.B. 883 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO TEMPORARILY WAIVE CERTAIN REQUIREMENTS OF THE MENTAL HEALTH COMMITMENT STATUTES TO FURTHER MENTAL HEALTH REFORM EFFORTS.

On motion of Representative Insko and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 4.

S.B. 292, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF RALEIGH AND THE TOWN OF LAKE WACCAMAW TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE FOR CERTAIN PUBLIC HEARINGS.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in the House amendment.

S.B. 214 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW TERRITORY TO BE REMOVED FROM A RESEARCH AND PRODUCTION SERVICE DISTRICT.

June 2, 2003

On motion of Representative Michaux and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 3.

S.B. 629 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS FOR SUBORDINATION AGREEMENTS.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (105-0).

The bill, as amended, passes its third reading, by electronic vote (105-0), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill.

Representative Gibson requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (106-0).

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Culpepper and without objection, **S.B. 887** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MANDATE INSURANCE COVERAGE FOR SURVEILLANCE TESTS FOR WOMEN AGE TWENTY-FIVE AND OLDER AND AT RISK FOR OVARIAN CANCER, is withdrawn from the Calendar and placed on the Calendar of June 3.

On motion of Representative Culpepper and without objection, **S.B. 424** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING TUITION WAIVERS AND TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY WHETHER TO EXTEND THESE TUITION WAIVERS, is withdrawn from the Calendar and placed on the Calendar of June 5.

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 996** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PREVENT THE NEGATIVE SECONDARY EFFECTS CAUSED BY SEXUALLY EXPLICIT CONDUCT ON PREMISES LICENSED BY THE ALCOHOLIC BEVERAGE CONTROL COMMISSION, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Rules, Calendar, and Operations of the House.

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CALENDAR (continued)

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

S.B. 647 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE STATEWIDE AN ACT CURRENTLY APPLICABLE TO MECKLENBURG AND CATAWBA COUNTIES AND CHARLOTTE AND RALEIGH THAT DEEMS THE CREATION OF A SELF-FUNDED RISK PROGRAM AS THE PURCHASE OF INSURANCE FOR THE PURPOSE OF WAIVING GOVERNMENTAL IMMUNITY, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

Representative Goforth requests and is granted permission to be recoded as voting "aye". The adjusted vote total is (105-0).

On motion of Speaker Morgan and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 3.

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

S.B. 669 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE CIVIL REMEDY FOR PROTECTION OF ANIMALS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO AUTHORIZE THE GENERAL STATUTES COMMISSION TO STUDY THE NEED TO REGULATE "PUPPY MILLS", passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

On motion of Speaker Morgan and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 3.

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

S.B. 771 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF A PERSON'S CREDIT HISTORY AS A SOLE BASIS FOR TERMINATING INSURANCE COVERAGE OR SUBJECTING A POLICY TO CONSENT TO RATE.

On motion of Representative Wainwright and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 3.

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

June 2, 2003

S.B. 775 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONDITIONALLY REQUIRE INSURERS TO PROVIDE INFORMATION REGARDING POLICY LIMITS PRIOR TO LITIGATION WHEN REQUESTED IN WRITING BY THE PERSONS WHO HAVE CLAIMS, OTHER THAN MEDICAL MALPRACTICE CLAIMS, SUBJECT TO NONFLEET PRIVATE PASSENGER AUTOMOBILE INSURANCE POLICIES AND TO GIVE THESE INSURERS THE OPTION OF INITIATING PRELITIGATION MEDIATION OF THE CLAIMS.

Representative Holliman offers Amendment No. 1 which is adopted by electronic vote (108-0).

The bill, as amended, passes its second reading, by electronic vote (108-0), 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.

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

S.B. 777 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW WITH REGARD TO THE MANUFACTURE, SALE, AND DISTRIBUTION OF TRAILERS AND SEMITRAILERS, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

On motion of Speaker Morgan and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 3.

INTRODUCTION OF PAGES

Pages for the week of June 2 are introduced to the membership. They are: Elizabeth Beavers of Rockingham; Duncan Briley of Columbus; Alec Brinn of Nash; Montrell Brown of Wake; Laura Buckley of Cabarrus; Jennifer Carpenter of Wake; Allison Clark of Pitt; Gardner Culpepper of Chowan; Camry Curtis of Wake; Adam Edgerton of Johnston; Cameron Falkner of Vance; Lucas Keller of Caldwell; William Pruden of Chowan; Bobbi Ruffin of Alamance; Amanda Shearin of Wake; Hannah Skinner of Pitt; Clint Starnes of Caldwell; Scotty Sykes of Chowan; Travis Thompson of Wake; Krystle Wiggins of Gates; Emily Wilbourne of Harnett; and Tempe Williamson of Franklin.

June 2, 2003

Representative Culpepper moves, seconded by Representative Bowie, that the House adjourn, subject to the receipt of Committee Reports, to reconvene June 3 at 2:00 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.J.R. 366 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 3.

The House stands adjourned at 7:35 p.m.

SEVENTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 3, 2003

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

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

"God of comfort and strength:

"Revive us when we are weary, sharpen our minds when we are dull, inform us when we are doing something stupid, reprove us when we fall short. Sometimes around the House work moves swiftly and easily, sometimes things get muddled and mired. In both, O God, bless these good

June 3, 2003

Representatives with the highest principles of Your justice and righteousness and give them the wisdom to know when to stand firm and when to compromise. And when the day is done, may they each have a sense that somehow Your will has been done and the people served.

"In Your tireless name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 2 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Cunningham, Rapp, and G. Wilson for today. Representatives Ellis and Gibson 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 Gibson, Chair, for the Committee on Environment and Natural Resources:

S.B. 627, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE BY WHICH COASTAL HABITAT PROTECTION PLANS MUST BE ADOPTED, 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.

SUBCOMMITTEE REFERRAL

Representatives Bonner, Hilton, Warner and Wood, Chairs for the Standing Committee on Education, refer **S.B. 886** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO ADOPT POLICIES TO ALLOW FOR THE OUTDOOR USE DURING THE SCHOOL DAY OF ARTICLES OF SUN-PROTECTIVE CLOTHING AND TO ALLOW PUPILS TO USE SUN-SCREEN DURING THE SCHOOL DAY WITHOUT A PHYSICIAN'S NOTE OR PRESCRIPTION, to the Education Subcommittee on Pre-School, Elementary and Secondary Education.

June 3, 2003

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 201** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE BOARD OF ELECTIONS TO NOTIFY EACH CANDIDATE BEFORE THE BALLOT IS PRINTED HOW THAT CANDIDATE'S NAME WILL APPEAR ON THE BALLOT, 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. 276** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE AND TECHNICAL AMENDMENTS IN THE LAWS CONCERNING INSURANCE COMPANY SOLVENCY, 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. 357 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON THAT ACCEPTS CREDIT, CHARGE, OR DEBIT CARDS FOR THE TRANSACTION OF BUSINESS FROM PRINTING MORE THAN FIVE DIGITS OF A CREDIT, CHARGE, OR DEBIT CARD ACCOUNT NUMBER OR AN EXPIRATION DATE ON A SALES RECEIPT AND TO PROHIBIT A PERSON FROM SELLING A CASH REGISTER OR OTHER MACHINE OR DEVICE THAT ELECTRONICALLY PRINTS RECEIPTS OF CREDIT, CHARGE, OR DEBIT CARD TRANSACTIONS THAT CANNOT BE PROGRAMMED OR OPERATED TO PRODUCE A RECEIPT WITH FIVE OR FEWER DIGITS OF THE CREDIT, CHARGE, OR DEBIT CARD ACCOUNT NUMBER AND NO EXPIRATION DATE PRINTED ON THE RECEIPT, is returned for concurrence in the Senate committee substitute bill.

June 3, 2003

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

H.B. 478 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE NORTH CAROLINA CHILD ALERT NOTIFICATION (NC CAN) SYSTEM AND TO RENAME THAT SYSTEM THE AMBER ALERT 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 of June 4.

H.B. 1093, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE NORTH CAROLINA INSURANCE GUARANTY ASSOCIATION ACT, is returned for concurrence in the Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 4.

S.B. 76 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF MISENHEIMER, is read the first time and referred to the Committee on Finance.

S.B. 89 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LAKE LURE MARINE COMMISSION, is read the first time and referred to the Committee on Finance.

S.B. 97 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, is read the first time and referred to the Committee on Finance.

S.B. 725 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PERMIT CITIES AND COUNTIES TO INCUR OBLIGATIONS TO FINANCE THE PUBLIC PORTION OF CERTAIN ECONOMIC DEVELOPMENT PROJECTS, 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:

June 3, 2003

S.J.R. 366 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

Senate Committee Substitute for **H.B. 627** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO EXPEND FUNDS ON ROADS OUTSIDE THE CORPORATE LIMITS.

On motion of Representative Adams, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (114-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 706**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF CHARLOTTE TO ALLOW THE CITY TO PURCHASE APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT FOR PUBLIC TRANSIT PURPOSES FROM PERSONS OR ENTITIES THAT HAVE RECENTLY MET STATE BIDDING LAW REQUIREMENTS AND PROVIDED APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT TO THE FEDERAL GOVERNMENT, STATE OF NORTH CAROLINA, OR ANOTHER STATE.

On motion of Representative Saunders, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (113-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 735** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF DURHAM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S REFUSE AND DEBRIS ORDINANCE WITHOUT FURTHER NOTICE THAT CALENDAR YEAR AND AUTHORIZING THE CITY OF DURHAM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE WITHOUT FURTHER NOTICE THAT CALENDAR YEAR.

June 3, 2003

On motion of Representative Michaux, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (115-0), and the bill is ordered enrolled.

H.B. 776, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO GIVE THE CITY MANAGER GREATER AUTHORITY TO APPROVE CERTAIN CONTRACTS.

On motion of Representative Adams, the House concurs in the Senate committee substitute bill, by electronic vote (111-0), and the bill is ordered enrolled.

S.B. 214 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW TERRITORY TO BE REMOVED FROM A RESEARCH AND PRODUCTION SERVICE DISTRICT, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor by Special Message.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Guley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Munford, Nesbitt, Nye, Owens, Parmon, Preston, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, Womble, Wright, and Yongue - 108.

Voting in the negative: Representatives Daughtridge, LaRoque, Moore, Pate, Setzer, Starnes, and Wood - 7.

Excused absences: Representatives Cunningham, Rapp, and G. Wilson - 3.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Saunders and without objection, **S.B. 777** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO

June 3, 2003

AMEND THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW WITH REGARD TO THE MANUFACTURE, SALE, AND DISTRIBUTION OF TRAILERS AND SEMITRAILERS, is withdrawn from the Calendar and re-referred to the Committee on Finance.

CALENDAR (continued)

S.B. 647 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE STATEWIDE AN ACT CURRENTLY APPLICABLE TO MECKLENBURG AND CATAWBA COUNTIES AND CHARLOTTE AND RALEIGH THAT DEEMS THE CREATION OF A SELF-FUNDED RISK PROGRAM AS THE PURCHASE OF INSURANCE FOR THE PURPOSE OF WAIVING GOVERNMENTAL IMMUNITY, passes its third reading, by electronic vote (115-0), and is ordered enrolled and presented to the Governor.

Representative Sexton requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (116-0).

S.B. 669 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE CIVIL REMEDY FOR PROTECTION OF ANIMALS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO AUTHORIZE THE GENERAL STATUTES COMMISSION TO STUDY THE NEED TO REGULATE "PUPPY MILLS", passes its third reading, by electronic vote (114-1), and is ordered sent to the Senate for concurrence in the House committee substitute bill.

S.B. 887 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MANDATE INSURANCE COVERAGE FOR SURVEILLANCE TESTS FOR WOMEN AGE TWENTY-FIVE AND OLDER AND AT RISK FOR OVARIAN CANCER.

Representative Wright offers Amendment No. 1 which is adopted by electronic vote (116-0).

The bill, as amended, passes its third reading, by electronic vote (116-0), and is ordered sent to the Senate for concurrence in the House amendment.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Tolson and without objection, **S.B. 503** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE LAWS RELATING TO THE ATTENDANCE AGES AND

June 3, 2003

ELIGIBILITY OF STUDENTS FOR NORTH CAROLINA SCHOOLS FOR THE DEAF, is withdrawn from the Calendar and placed on the Calendar of June 5.

ENROLLED BILLS

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

H.B. 825, AN ACT TO REQUIRE ANY PRIVATE OR PUBLIC INSTITUTION THAT OFFERS A POSTSECONDARY DEGREE TO PROVIDE MENINGOCOCCAL DISEASE IMMUNIZATION INFORMATION TO STUDENTS IF THE INSTITUTION HAS A RESIDENTIAL CAMPUS.

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

H.B. 89, AN ACT TO REPEAL A LOCAL ACT APPLYING TO FORSYTH COUNTY CONCERNING FIRE AND RESCUE DISTRICTS, SO THE GENERAL LAW WILL APPLY.

H.B. 351, AN ACT TO AUTHORIZE THE CITY OF SALISBURY TO ADOPT AND ENFORCE ORDINANCES RELATING TO PARKING.

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

S.J.R. 366, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION. (RESOLUTION 2003-12)

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

S.B. 214, AN ACT TO ALLOW TERRITORY TO BE REMOVED FROM A RESEARCH AND PRODUCTION SERVICE DISTRICT.

CHAPTERED BILLS

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

June 3, 2003

S.B. 124, AN ACT TO EXEMPT THE CITY OF LUMBERTON FROM CERTAIN STATUTORY REQUIREMENTS RELATING TO THE CONSTRUCTION OF BUILDINGS TO BE USED BY INDUSTRIES LOCATING TO THE CITY. (S.L. 2003-118)

H.B. 13, AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN TRANSYLVANIA COUNTY AND TO REQUIRE WRITTEN PERMISSION BEFORE HUNTING ON THE LAND OF ANOTHER IN TRANSYLVANIA COUNTY. (S.L. 2003-119)

H.B. 153, AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S GARBAGE AND TRASH ORDINANCE, AUTHORIZING THE CITY TO TAKE REMEDIAL ACTION REGARDING THE GARBAGE AND TRASH ORDINANCE WITHOUT FURTHER NOTICE THAT CALENDAR YEAR, AND CLARIFYING THE LANGUAGE AS TO WHAT CONSTITUTES A CHRONIC VIOLATOR UNDER THE CITY'S CURRENT ORDINANCE REGARDING OVERGROWN VEGETATION. (S.L. 2003-120)

H.B. 187, AN ACT TO PROVIDE THAT THE DISTRIBUTION OF THE PROCEEDS FROM THE TOWN OF NORWOOD AND CITY OF ALBEMARLE ABC SYSTEMS SHALL BE IN ACCORDANCE WITH GENERAL LAW. (S.L. 2003-121)

H.B. 197, AN ACT TO ALLOW THE BLADEN COUNTY BOARD OF EDUCATION TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE. (S.L. 2003-122)

H.B. 214, AN ACT MAKING THE TAX COLLECTOR OF MADISON COUNTY AN APPOINTED OFFICE RATHER THAN AN ELECTED OFFICE. (S.L. 2003-123)

H.B. 295, AN ACT TO AUTHORIZE THE TOWN OF BEECH MOUNTAIN TO REGULATE GOLF CARTS AND UTILITY VEHICLES. (S.L. 2003-124)

H.B. 396, AN ACT TO CHANGE THE NAME OF THE EDGECOMBE COUNTY SCHOOL SYSTEM. (S.L. 2003-125)

H.B. 499, AN ACT AMENDING THE CHARTER OF THE TOWN OF LANDIS TO EXTEND THE MAYOR'S AND ALDERMEN'S TERMS OF OFFICE FROM TWO TO FOUR YEARS. (S.L. 2003-126)

June 3, 2003

H.B. 582, AN ACT AUTHORIZING CLAY COUNTY TO ENGAGE IN JOINT DEVELOPMENT ACTIVITIES WITH A CONTIGUOUS COUNTY IN AN ADJOINING STATE. (S.L. 2003-127)

H.B. 679, AN ACT AUTHORIZING THE CITY OF RALEIGH TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT AND ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS, AND TO ALLOW WAKE COUNTY AND THE TOWN OF RUTHERFORDTON TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT. (S.L. 2003-128)

CALENDAR (continued)

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

S.B. 251 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE PRACTICE OF THE "REBIRTHING" TECHNIQUE.

Representative Kiser offers Amendment No. 1 which is adopted by electronic vote (115-0).

The bill, as amended, passes its second reading, by electronic vote (116-0), 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.

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. 1328, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF REVERENDS ADOLPHEUS NUSSMAN AND GOTTFRIED ARENDS ON THE 200TH ANNIVERSARY OF THE NORTH CAROLINA SYNOD OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA, with a favorable report.

June 3, 2003

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 4.

By Representative Hall, Chair, for the Committee on Alcoholic Beverage Control:

S.B. 19 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING TOWNSHIP ABC ELECTIONS IN CERTAIN TOWNSHIPS, with a favorable report.

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

CALENDAR (continued)

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

S.B. 315 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO CONTRACTS OF MINORS FOR ARTISTIC, CREATIVE, OR ATHLETIC SERVICES, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

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

S.B. 439 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA, passes its second reading, by electronic vote (82-33).

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

SPECIAL MESSAGE TO THE SENATE

Speaker Black orders a Special Message be sent to the Senate informing that Honorable Body that the House stands ready to receive them in Joint Session.

SPECIAL MESSAGE FROM THE SENATE

2003 GENERAL ASSEMBLY FIRST SESSION

June 3, 2003

Senate Chamber
June 3, 2003

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that pursuant to **S.J.R. 365** (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF ROBERT TOM SPEED, KATHY A. TAFT, AND JOHN A. TATE, III TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body for confirmation of appointments to the State Board of Education.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

JOINT SESSION

Pursuant to resolution heretofore adopted, and exchange of messages, the Sergeant-at-Arms announces the arrival of the Senate at the door of the House.

Speaker Black directs the admittance of that Honorable Body. The President of the Senate, the Honorable Beverly E. Perdue, is seated to the right of the Speaker and presented the gavel.

The Joint Session is called to order by the President of the Senate.

The President of the Senate instructs the Reading Clerk of the Senate to call the roll to determine a quorum and the following Senators answer present:

Senators Albertson, Apodaca, Ballantine, Basnight, Berger, Bingham, Blake, Brock, Carrington, Clodfelter, Dalton, Dannelly, Dorsett, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Hargett, Hartsell, Holloman, Horton, Hoyle, Jenkins, Kerr, Kinnaird, Lucas, Malone, Metcalf, Moore, Pittenger, Purcell, Rand, Reeves, Rucho, Shaw, Shubert, Sloan, Smith, Soles, Stevens, Swindell, Thomas, Tillman, Webster, and Weinstein - 47.

The President of the Senate directs an electronic vote to be taken of the House of Representatives to determine a quorum and the following Representatives are recorded as present:

June 3, 2003

Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Daughtridge, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stillier, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, Womble, Wood, Wright and Yongue - 113.

Speaker Black and Speaker Morgan are also present.

A quorum of each Chamber being declared present, the Joint Session proceeds with its business.

STATE BOARD OF EDUCATION CONFIRMATION

S.J.R. 365 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF ROBERT TOM SPEED, KATHY A. TAFT, AND JOHN A. TATE, III TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION, is before the Senate for immediate consideration.

Senator Lucas moves that the nominations listed in the resolution be confirmed.

The resolution passes its second reading with forty-seven Senators voting in the affirmative.

The resolution passes its third reading and is ordered sent to the House of Representatives by Special Message.

The President of the Senate announces that the Senate has confirmed the appointments of the Governor to the State Board of Education and relinquishes the gavel to Speaker Black.

June 3, 2003

Speaker Black of the House receives the resolution from the Senate by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.J.R. 365 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF ROBERT TOM SPEED, KATHY A. TAFT, AND JOHN A. TATE, III TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION.

The resolution is placed on the Calendar.

Representatives Bonner, Hilton, Warner and Wood send forth the following report for the Committee on Education:

COMMITTEE REPORT

June 3, 2003

The Speakers and Members of the House
North Carolina General Assembly
State Legislative Building
Raleigh, North Carolina 27601

Dear Mr. Speakers and Members of the House,

In compliance with the provisions of G.S. 115C-10-11, requiring appointees to the North Carolina State Board of Education to be confirmed by the General Assembly, Governor Easley has submitted Mr. Robert Tom Speed, Ms. Kathy A. Taft, and Mr. John A. Tate, III for confirmation.

The House Committee on Education has considered the appointments and makes the following recommendations to the General Assembly:

That the appointment of Mr. Robert Tom Speed, to the North Carolina State Board of Education for a term to expire March 31, 2011, be confirmed.

That the appointment of Ms. Kathy A. Taft, to the North Carolina State Board of Education for a term to expire March 31, 2011, be confirmed.

June 3, 2003

That the appointment of Mr. John A. Tate, III, to the North Carolina State Board of Education for a term to expire March 31, 2011, be confirmed.

Respectfully submitted,

S/ Donald Bonner, Co-Chair
House Education Committee

S/ Mark Hilton, Co-Chair
House Education Committee

S/ Alex Warner, Co-Chair
House Education Committee

S/ Steve Wood, Co-Chair
House Education Committee

S.J.R. 365 (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF ROBERT TOM SPEED, KATHY A. TAFT, AND JOHN A. TATE, III TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

Speaker Black announces the confirmation of Robert Tom Speed, Kathy A. Taft, and John A. Tate, III, to the State Board of Education by the Senate and the House of Representatives.

Speaker Black directs that the Principal Clerks of the House of Representatives and the Senate notify the Governor of the actions taken by the General Assembly sitting in Joint Session today.

On motion of Senator Basnight, seconded by Representative G. Allen, the Joint Session is dissolved and the Senate returns to its Chamber.

The House resumes its business.

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. 232 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MILLS RIVER, reported without prejudice 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 Finance.

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

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.J.R. 1024, A JOINT RESOLUTION COMMEMORATING THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM ON THE OCCASION OF ITS FORTIETH ANNIVERSARY AND HONORING THOSE WHO HELPED CREATE THE COMMUNITY COLLEGE SYSTEM, is placed on the Calendar for immediate consideration.

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

The resolution passes its third reading and is ordered enrolled.

CALENDAR (continued)

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

S.B. 692 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN INFORMATION CONCERNING PLANS TO RESPOND TO TERRORIST ACTIVITY ARE NOT SUBJECT TO THE PUBLIC RECORDS OR OPEN MEETINGS LAWS, passes its second reading, by electronic vote (104-1), 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.

ENROLLED BILLS

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

S.J.R. 365, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF ROBERT TOM SPEED, KATHY A. TAFT, AND JOHN A. TATE, III TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION. (RESOLUTION 2003-13)

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CALENDAR (continued)

S.B. 771 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF A PERSON'S CREDIT HISTORY AS A SOLE BASIS FOR TERMINATING INSURANCE COVERAGE OR SUBJECTING A POLICY TO CONSENT TO RATE, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

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

S.B. 897 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM PRIOR AUTHORIZATION REQUIREMENTS FOR PRESCRIPTION DRUGS UNDER THE MEDICAID PROGRAM ANTIHEMOPHILIC DRUGS PRESCRIBED FOR THE TREATMENT OF HEMOPHILIA AND BLOOD DISORDERS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

On motion of Representative Culpepper, seconded by Representative Sherrill, the House adjourns at 4:46 p.m. to reconvene June 4 at 2:00 p.m.

SEVENTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 4, 2003

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

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

"Patient God:

"How You must sometimes shake Your head in bewilderment at us, Your creatures. Sometimes we just don't get it. You call us to do justice,

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love kindness and walk humbly with You. But we often prefer our own way - sometimes unjust, sometimes unkind and often prideful. Yet like a parent You love us and welcome us home again and again when we wander. Bless the work of this House, O God. May it humbly reflect a desire to do justice and love kindness. Guide Speaker Morgan and Speaker Black in their leadership and all these Representatives in the important decisions they make each day.

"In Your caring name we pray. 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 Alexander, Culp, Cunningham, Walend, and G. Wilson for today.

ENROLLED BILLS

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

S.B. 33, AN ACT TO PROVIDE RECIPROCAL CONCEALED HANDGUN RIGHTS TO CONCEALED HANDGUN PERMIT HOLDERS OF OTHER STATES.

S.B. 38, AN ACT TO DESIGNATE THE DEPARTMENT OF TRANSPORTATION AS THE STATE AGENCY RESPONSIBLE FOR FIXED GUIDEWAY TRANSIT SAFETY, TO AMEND THE DEPARTMENT OF TRANSPORTATION LOGO SIGNS PROGRAM TO AUTHORIZE ATTRACTION LOGO SIGNS, TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ADOPT TEMPORARY RULES CONCERNING LOGO SIGNS, TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO AUTOMATE ITS 511 TRAVELER INFORMATION PHONE SYSTEM, AND TO REVISE THE LAW CONCERNING HIGH OCCUPANCY VEHICLE (HOV) LANES.

S.B. 90, AN ACT TO ALLOW SANITARY DISTRICT BOARDS TO SET COMPENSATION FOR ITS MEMBERS.

S.B. 388, AN ACT TO UPDATE THE NORTH CAROLINA GENERAL STATUTES IN RESPONSE TO RECENT MEDICAL ADVANCES IN SCREENING FOR THE EARLY DETECTION OF CERVICAL CANCER.

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S.B. 647, AN ACT TO MAKE STATEWIDE AN ACT CURRENTLY APPLICABLE TO MECKLENBURG AND CATAWBA COUNTIES AND CHARLOTTE AND RALEIGH THAT DEEMS THE CREATION OF A SELF-FUNDED RISK PROGRAM AS THE PURCHASE OF INSURANCE FOR THE PURPOSE OF WAIVING GOVERNMENTAL IMMUNITY.

S.B. 648, AN ACT TO ESTABLISH AN AD HOC CERVICAL CANCER ELIMINATION TASK FORCE TO THE ADVISORY COMMITTEE ON CANCER COORDINATION AND CONTROL.

S.B. 692, AN ACT TO PROVIDE THAT CERTAIN INFORMATION CONCERNING PLANS TO RESPOND TO TERRORIST ACTIVITY ARE NOT SUBJECT TO THE PUBLIC RECORDS OR OPEN MEETINGS LAWS.

S.B. 708, AN ACT TO ALLOW CRIMINAL BACKGROUND CHECKS ON PROSPECTIVE MEMBERS OF FIRE DEPARTMENTS.

S.B. 877, AN ACT TO ENHANCE PENALTIES FOR VIOLATIONS OF THE CHILD CARE FACILITIES ACT.

S.B. 897, AN ACT TO EXEMPT FROM PRIOR AUTHORIZATION REQUIREMENTS FOR PRESCRIPTION DRUGS UNDER THE MEDICAID PROGRAM ANTIHEMOPHILIC DRUGS PRESCRIBED FOR THE TREATMENT OF HEMOPHILIA AND BLOOD DISORDERS.

H.B. 304, AN ACT TO PROVIDE THAT A DEFENDANT CONVICTED OF MISDEMEANOR STALKING WHO IS SENTENCED TO A COMMUNITY PUNISHMENT SHALL BE PLACED ON SUPERVISED PROBATION IN ADDITION TO ANY OTHER PUNISHMENT IMPOSED BY THE COURT.

H.B. 869, AN ACT TO ADVANCE THE DATE FOR REPORTING MAILED ABSENTEE AND ONE-STOP VOTES BY PRECINCT FROM 2006 TO 2004 FOR THOSE COUNTIES CAPABLE OF DOING SO.

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

H.B. 627, AN ACT TO AUTHORIZE THE CITY OF GREENSBORO AND THE TOWN OF KERNERSVILLE TO EXPEND FUNDS ON ROADS OUTSIDE THE CORPORATE LIMITS.

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H.B. 735, AN ACT AUTHORIZING THE CITY OF DURHAM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S REFUSE AND DEBRIS ORDINANCE WITHOUT FURTHER NOTICE THAT CALENDAR YEAR.

H.B. 776, AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO GIVE THE CITY MANAGER GREATER AUTHORITY TO APPROVE CERTAIN CONTRACTS.

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

S.J.R. 1024, A JOINT RESOLUTION COMMEMORATING THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM ON THE OCCASION OF ITS FORTIETH ANNIVERSARY AND HONORING THOSE WHO HELPED CREATE THE COMMUNITY COLLEGE SYSTEM. (RESOLUTION 2003-14)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Church and Starnes, Chairs, for the Committee on Financial Institutions:

S.B. 502, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A DEPUTY TO GAIN ACCESS TO THE CONTENTS OF A DECEDENT'S SAFE-DEPOSIT BOX, 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.

S.B. 676 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE BANKING LAWS 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.

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By Representative Hackney, Chair, for the Committee on Judiciary I:

S.B. 925 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAWS TO PREVENT SECURITIES FRAUD AND TO CLARIFY THE PROHIBITION ON STATE CONTRACTS 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, 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 G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 684, A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATUTORY FRAMEWORK FOR THE FINANCING OF CAPITAL FACILITIES BY THE STATE, TO AUTHORIZE THE ISSUANCE OF SPECIAL INDEBTEDNESS TO FINANCE THE CONSTRUCTION OF A NEW PSYCHIATRIC HOSPITAL IN BUTNER, AND TO AUTHORIZE THE ISSUANCE OF SPECIAL OBLIGATION BONDS FOR THE CONSTRUCTION OF THE NEW PSYCHIATRIC HOSPITAL, 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 Barbee, Chair, for the Committee on Wildlife Resources:

S.B. 167 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERMITTING WEAPONS ON THE HOWELL WOODS NATURE CENTER PROPERTY OF JOHNSTON COMMUNITY COLLEGE FOR HUNTING PURPOSES, with a favorable report.

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

By Representatives Holliman and Setzer, Chairs, for the Committee on Insurance:

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Senate Committee Substitute for **H.B. 276** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE AND TECHNICAL AMENDMENTS IN THE LAWS CONCERNING INSURANCE COMPANY SOLVENCY, 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:

H.B. 805, A BILL TO BE ENTITLED AN ACT TO EFFECTIVELY RECRUIT AND RETAIN TEACHERS FOR THE NORTH CAROLINA PUBLIC SCHOOLS, reported without prejudice as to the committee substitute bill, unfavorable as to the original bill, and recommendation that the committee substitute bill be re-referred to the Education Subcommittee on Pre-School, Elementary and Secondary Education.

The committee substitute bill is re-referred to the Education Subcommittee on Pre-School, Elementary and Secondary Education. The original bill is placed on the Unfavorable Calendar.

S.B. 494 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CARRBORO TO REQUIRE SPRINKLERS IN BARS, CLUBS, AND OTHER SIMILAR PLACES OF PUBLIC ASSEMBLY THAT HAVE GATHERINGS OF MORE THAN ONE HUNDRED PEOPLE AND SELL ALCOHOLIC BEVERAGES, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to Senate Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

S.B. 706 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW UNC-WILMINGTON TO ADD BLEACHERS TO AN EXISTING SOFTBALL FIELD WITHOUT HAVING TO CONSTRUCT ADDITIONAL PLUMBING FACILITIES, 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.

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MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 236 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE DIVIDEND RECEIVED DEDUCTION FOR REGULATED INVESTMENT COMPANIES AND REAL ESTATE INVESTMENT TRUSTS TO ENSURE THAT ALL DIVIDENDS ARE TREATED UNIFORMLY, TO EXTEND FOR TWO YEARS THE DEPARTMENT OF REVENUE'S AUTHORITY TO OUTSOURCE THE COLLECTION OF IN-STATE TAX DEBTS, TO AMEND THE MOTOR FUEL TAX LAWS, AND TO MAKE VARIOUS ADMINISTRATIVE CHANGES IN THE TAX LAWS, is read the first time and referred to the Committee on Finance.

S.B. 800 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FEES THAT THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS MAY ASSESS AND MAKE CHANGES TO THE MASSAGE AND BODYWORK THERAPY LAWS, is read the first time and referred to the Committee on Finance.

BILL RECALLED FROM ENROLLING

On motion of Representative Saunders and without objection, **H.B. 706** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF CHARLOTTE AND THE GENERAL STATUTES ESTABLISHING A REGIONAL PUBLIC TRANSPORTATION AUTHORITY TO ALLOW THE CITY AND A REGIONAL PUBLIC TRANSPORTATION AUTHORITY TO PURCHASE APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT FOR PUBLIC TRANSIT PURPOSES FROM PERSONS OR ENTITIES THAT HAVE RECENTLY MET STATE BIDDING LAW REQUIREMENTS AND PROVIDED APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT TO THE FEDERAL GOVERNMENT, THE STATE OF NORTH CAROLINA, OR ANOTHER STATE, is recalled from Enrolling.

Having voted with the prevailing side, Representative Saunders moves that the vote by which the House concurred in the Senate committee substitute bill be reconsidered.

The motion carries by electronic vote (113-0).

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The Senate committee substitute changes the bill from local to public.

On motion of Representative Saunders, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (112-2), and the bill is ordered enrolled and presented to the Governor.

CALENDAR

Action is taken on the following:

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

H.B. 1024 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ADOPTING THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT FOR NORTH CAROLINA.

On motion of Representative Goodwin, the House concurs in the 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: Speaker Morgan; Representatives Adams, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culpepper, Daughtridge, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Alexander, Culp, Cunningham, Walend, and G. Wilson - 5.

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

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Senate Committee Substitute for **H.B. 253**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND RELATED SUBSTANTIVE CHANGES TO THE CONTINUING CARE RETIREMENT (CCR) LAWS TO ELIMINATE THE UNNECESSARY PROVISION ALLOWING FOR ACCREDITED BUT UNLICENSED PROVIDERS OF CCR SERVICES; CHANGE REFERENCES FROM "FACILITY" TO "PROVIDER" WHERE APPROPRIATE TO ACCOMMODATE THE SITUATION WHERE AN ENTITY OPERATES MORE THAN ONE FACILITY; CHANGE "FORECAST" TO "FORECASTED" WHERE FOUND; CHANGE THE OPERATING RESERVES STATUTE BY REWORDING SOME PROVISIONS TECHNICALLY; CHANGE REFERENCES TO "REGISTRATION" OF A FACILITY TO "LICENSURE"; MAKE GENDER NEUTRAL CHANGES TO THE CCR LAWS; CLARIFY THAT A PROVIDER MUST HOLD SEMI-ANNUAL MEETINGS WITH THE RESIDENTS OF EACH FACILITY OPERATED BY THE PROVIDER; AND MAKE OTHER TECHNICAL AND CONFORMING CHANGES TO ARTICLE 64.

On motion of Representative Setzer, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (112-0), and the bill is ordered enrolled and presented to the Governor.

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

H.B. 273 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT EMPLOYEES WHO RECEIVE VACCINATION AGAINST SMALLPOX INCIDENT TO THE ADMINISTRATION OF SMALLPOX COUNTERMEASURES BY HEALTH PROFESSIONALS UNDER SECTION 304 OF THE FEDERAL HOMELAND SECURITY ACT OF 2002 AND ANY HOUSEHOLD MEMBERS LIVING IN THE HOMES OF THESE VACCINATED EMPLOYEES WILL BE COVERED FOR ADVERSE MEDICAL REACTIONS DUE TO THE VACCINATION.

On motion of Representative Glazier, the House concurs in the Senate committee substitute bill, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 478 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE NORTH CAROLINA CHILD ALERT NOTIFICATION (NC CAN) SYSTEM AND TO RENAME THAT SYSTEM THE AMBER ALERT SYSTEM.

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On motion of Representative Decker, the House concurs in the Senate committee substitute bill, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor.

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

H.B. 609 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE LAWS PERTAINING TO THE AMUSEMENT DEVICE SAFETY ACT OF NORTH CAROLINA.

On motion of Representative Baker, the House concurs in the Senate committee substitute bill, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor.

WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), **H.B. 684** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATUTORY FRAMEWORK FOR THE FINANCING OF CAPITAL FACILITIES BY THE STATE AND TO AUTHORIZE THE ISSUANCE OF SPECIAL INDEBTEDNESS TO FINANCE THE CONSTRUCTION OF A NEW PSYCHIATRIC HOSPITAL TO BE LOCATED IN BUTNER, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Appropriations.

CALENDAR (continued)

H.B. 883 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO TEMPORARILY WAIVE CERTAIN REQUIREMENTS OF THE MENTAL HEALTH COMMITMENT STATUTES TO FURTHER MENTAL HEALTH REFORM EFFORTS.

On motion of Representative Insko, the House concurs in the Senate committee substitute bill, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

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

Senate Committee Substitute for **H.B. 1063** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE OPERATORS OF CHILD CARE FACILITIES TO DISCUSS THE DIVISION OF CHILD DEVELOPMENT'S SUMMARY OF THE LAWS RELATING TO CHILD CARE FACILITIES WITH PARENTS, TO REQUIRE THE DIVISION

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OF CHILD DEVELOPMENT TO INCLUDE IN ITS SUMMARY A STATEMENT ON HOW PARENTS MAY OBTAIN INFORMATION ON INDIVIDUAL CHILD CARE FACILITIES, AND TO REQUIRE CHILD CARE FACILITIES TO POST THE SUMMARY IN A PROMINENT PLACE.

On motion of Representative McLawhorn, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 1093, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE NORTH CAROLINA INSURANCE GUARANTY ASSOCIATION ACT.

On motion of Representative Culpepper, the House concurs in the Senate amendment, by electronic vote (110-0), and the bill is ordered enrolled and presented to the Governor.

S.B. 439 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA, passes its third reading, by electronic vote (57-54), and is ordered sent to the Senate for concurrence in the House committee substitute bill.

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. 154, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PERFORM DNA ANALYSIS ON UNTESTED SEXUAL ASSAULT KITS LOCATED IN LAW ENFORCEMENT DEPARTMENTS ACROSS NORTH CAROLINA AND TO PROVIDE THE STATE BUREAU OF INVESTIGATION CRIME LABORATORY SUFFICIENT FUNDS TO PERFORM DNA ANALYSIS OF EVIDENCE TO ASSIST LAW ENFORCEMENT AND PROSECUTORS IN CONVICTING CRIMINALS, reported without prejudice 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.

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

S.B. 437, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LICENSING BOARD OF GENERAL CONTRACTORS TO ESTABLISH TEMPORARY RULES THAT ALLOW A LICENSEE TO BID AND CONTRACT DIRECTLY WITH THE OWNER OF A PUBLIC BUILDING PROJECT IN CERTAIN CIRCUMSTANCES, 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 Hunter, Chair, for the Committee on Children, Youth and Families:

S.B. 319 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CABARRUS COUNTY DEMONSTRATION WORK OVER WELFARE PROGRAM, 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.

CALENDAR (continued)

H.J.R. 1328, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF REVERENDS ADOLPHEUS NUSSMAN AND GOTTFRIED ARENDS ON THE 200TH ANNIVERSARY OF THE NORTH CAROLINA SYNOD OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA, 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.

On motion of Representative Culpepper, seconded by Representative Wright, the House adjourns at 3:34 p.m. to reconvene June 5 at 1:00 p.m.

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SEVENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 5, 2003

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

The following prayer is offered by the Reverend Chad Neal, Fuquay-Varina Presbyterian Church, Fuquay-Varina, North Carolina.

"Gracious and loving God:

"I pray that You would be with those gathered here this day. Bless them and guide them. Give them wisdom to see beyond the rhetoric, to see the truth of the issues at hand, and the impact it will have on the lives of the people they serve. Give them the courage to make difficult decisions. Let Your hand be upon them as they do their work. Speak to them and through them.

"O God, on this day - may faithfulness be chosen over politics. May truth be chosen over pretence. May charity be chosen over all else.

"O God, be present in this time and in this place. 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, Brubaker, Cunningham, Decker, Holmes, Sauls, Saunders, Stiller, Walend, West, G. Wilson, and Wood for today. Representative Fox is excused for a portion of the session.

ENROLLED BILLS

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

S.B. 394, AN ACT ALLOWING A CLAIM FOR EQUITABLE DISTRIBUTION TO SURVIVE THE DEATH OF A SPOUSE WHEN THE PARTIES ARE LIVING SEPARATE AND APART AT THE TIME OF DEATH AND THE CLAIM IS TIMELY FILED.

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H.B. 116, AN ACT TO AMEND THE LAW GOVERNING NOTICE OF TERMINATION OF FARM MACHINERY AGREEMENTS.

H.B. 253, AN ACT TO MAKE TECHNICAL CHANGES TO THE CONTINUING CARE RETIREMENT (CCR) LAWS.

H.B. 273, AN ACT TO ENSURE THAT EMPLOYEES WHO RECEIVE VACCINATION AGAINST SMALLPOX INCIDENT TO THE ADMINISTRATION OF SMALLPOX COUNTERMEASURES BY HEALTH PROFESSIONALS UNDER SECTION 304 OF THE FEDERAL HOMELAND SECURITY ACT OF 2002 AND ANY HOUSEHOLD MEMBERS LIVING IN THE HOMES OF THESE VACCINATED EMPLOYEES WILL BE COVERED FOR ADVERSE MEDICAL REACTIONS DUE TO THE VACCINATION.

H.B. 478, AN ACT TO AMEND THE LAW REGARDING THE NORTH CAROLINA CHILD ALERT NOTIFICATION (NC CAN) SYSTEM AND TO RENAME THAT SYSTEM THE AMBER ALERT SYSTEM.

H.B. 609, AN ACT TO ENHANCE LAWS PERTAINING TO THE AMUSEMENT DEVICE SAFETY ACT OF NORTH CAROLINA.

H.B. 706, AN ACT AMENDING THE CHARTER OF THE CITY OF CHARLOTTE AND THE GENERAL STATUTES ESTABLISHING A REGIONAL PUBLIC TRANSPORTATION AUTHORITY TO ALLOW THE CITY AND A REGIONAL PUBLIC TRANSPORTATION AUTHORITY TO PURCHASE APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT FOR PUBLIC TRANSIT PURPOSES FROM PERSONS OR ENTITIES THAT HAVE RECENTLY MET STATE BIDDING LAW REQUIREMENTS AND PROVIDED APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT TO THE FEDERAL GOVERNMENT, THE STATE OF NORTH CAROLINA, OR ANOTHER STATE.

H.B. 727, AN ACT TO CLARIFY THAT MEMBERS OF THE SOIL AND WATER CONSERVATION COMMISSION ARE AUTHORIZED TO HOLD OFFICE CONCURRENTLY WITH OTHER ELECTIVE OR APPOINTIVE OFFICES.

H.B. 883, AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO TEMPORARILY WAIVE CERTAIN REQUIREMENTS OF THE MENTAL HEALTH COMMITMENT STATUTES TO FURTHER MENTAL HEALTH REFORM EFFORTS.

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H.B. 925, AN ACT TO ALLOW COUNTY APPEAL IN JUVENILE "PAY ORDER" CASES.

H.B. 941, AN ACT PROVIDING FOR THE ANALYSIS OF THE STATE'S LEGACY INFORMATION TECHNOLOGY SYSTEMS.

H.B. 1063, AN ACT TO REQUIRE OPERATORS OF CHILD CARE FACILITIES TO PROVIDE TO PARENTS THE DIVISION OF CHILD DEVELOPMENT'S SUMMARY OF THE LAWS RELATING TO CHILD CARE FACILITIES, TO REQUIRE THE DIVISION OF CHILD DEVELOPMENT TO INCLUDE IN ITS SUMMARY A STATEMENT ON HOW PARENTS MAY OBTAIN INFORMATION ON INDIVIDUAL CHILD CARE FACILITIES, AND TO REQUIRE CHILD CARE FACILITIES TO POST THE SUMMARY IN A PROMINENT PLACE.

H.B. 1093, AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE NORTH CAROLINA INSURANCE GUARANTY ASSOCIATION ACT.

H.B. 1181, AN ACT REQUIRING THE REINSPECTION OF WORKPLACES WHERE WILLFUL SERIOUS VIOLATIONS HAVE BEEN FOUND.

H.B. 1201, AN ACT TO PROMOTE WATER CONSERVATION BY EXPANDING THE DEFINITION OF CONTIGUOUS PREMISES TO INCLUDE MANUFACTURED HOMES AND MANUFACTURED HOME PARKS.

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

S.B. 292, AN ACT AUTHORIZING THE CITY OF RALEIGH AND THE TOWN OF LAKE WACCAMAW TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE FOR CERTAIN PUBLIC HEARINGS.

CHAPTERED BILLS

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

H.B. 89, AN ACT TO REPEAL A LOCAL ACT APPLYING TO FORSYTH COUNTY CONCERNING FIRE AND RESCUE DISTRICTS, SO THE GENERAL LAW WILL APPLY. (S.L. 2003-129)

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H.B. 351, AN ACT TO AUTHORIZE THE CITY OF SALISBURY TO ADOPT AND ENFORCE ORDINANCES RELATING TO PARKING. (S.L. 2003-130)

H.B. 421, AN ACT TO MAKE VETERANS DAY A HOLIDAY FOR SCHOOL PERSONNEL. (S.L. 2003-131)

H.B. 627, AN ACT TO AUTHORIZE THE CITY OF GREENSBORO AND THE TOWN OF KERNERSVILLE TO EXPEND FUNDS ON ROADS OUTSIDE THE CORPORATE LIMITS. (S.L. 2003-132)

H.B. 735, AN ACT AUTHORIZING THE CITY OF DURHAM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S REFUSE AND DEBRIS ORDINANCE WITHOUT FURTHER NOTICE THAT CALENDAR YEAR. (S.L. 2003-133)

H.B. 776, AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO GIVE THE CITY MANAGER GREATER AUTHORITY TO APPROVE CERTAIN CONTRACTS. (S.L. 2003-134)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Allred and Coates, Chairs, for the Committee on Transportation:

H.B. 921, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO EXPEDITE THE COMPLETION OF CERTAIN HIGHWAY CORRIDORS TO AID IN RURAL ECONOMIC DEVELOPMENT, with a favorable report as to the committee substitute resolution, which changes the title, unfavorable as to the original bill and recommendation that the committee substitute resolution be re-referred to the Appropriations Subcommittee on Transportation.

The committee substitute resolution is re-referred to the Appropriations Subcommittee on Transportation. The original bill is placed on the Unfavorable Calendar.

H.B. 1230, A BILL TO BE ENTITLED AN ACT TO ALLOW RAIL CORRIDORS HELD BY THE DEPARTMENT OF TRANSPORTATION TO BE USED AS LINEAR PARKS, TRAILS, OR RECREATIONAL CORRIDORS, with a favorable report as to the committee substitute bill,

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which changes the title, unfavorable as to the original bill and recommendation that the committee substitute bill be re-referred to the Appropriations Subcommittee on Transportation.

The committee substitute bill is re-referred to the Appropriations Subcommittee on Transportation. The original bill is placed on the Unfavorable Calendar.

S.B. 232 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY TO FUND THE ESTABLISHMENT OF BIKEWAYS AND TRAILS, 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.

The committee substitute changes the bill from local to public.

By Representatives Holliman and Setzer, Chairs, for the Committee on Insurance:

H.B. 1049, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA PSYCHOLOGY BOARD TO ALLOW LICENSED PSYCHOLOGICAL ASSOCIATES TO ENGAGE IN THE PRACTICE OF PSYCHOLOGY WITHOUT SUPERVISION AFTER ACHIEVING A CERTAIN LEVEL OF EXPERIENCE IN THE FIELD AND INCREASING THE MEMBERSHIP ON THE BOARD FROM SEVEN TO EIGHT, 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.

S.B. 966, A BILL TO BE ENTITLED AN ACT TO REQUIRE INSURERS TO IMPLEMENT SAFEGUARDS FOR THE PROTECTION OF PERSONAL INFORMATION, PURSUANT TO THE PROVISIONS OF THE GRAMM-LEACH-BLILEY ACT, 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. The original bill is placed on the Unfavorable Calendar.

By Representative Munford, Chair, for the Committee on Judiciary IV:

S.B. 421 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND MAKE TECHNICAL CORRECTIONS TO THE CHILD WELFARE LAWS AND TO ENHANCE THE STATE'S ABILITY TO PROTECT CHILDREN, 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.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 483 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE ABROGATION OF OFFENSIVE PLACE-NAMES THROUGHOUT 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.

Senate Committee Substitute for **H.B. 842** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SYSTEM FOR ALL NORTH CAROLINA ELECTIONS THAT COMPLIES WITH THE HELP AMERICA VOTE ACT, 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.

WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), **S.B. 293** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING

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SALES REPRESENTATIVE COMMISSIONS, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Judiciary IV.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Representatives Warner, L. Allen, Baker, Bowie, Church, Cole, Crawford, Decker, Ellis, Frye, Gillespie, Goforth, Goodwin, Hill, Holmes, Jeffus, L. Johnson, Justice, Justus, LaRoque, Lucas, McGee, McHenry, Pate, Rapp, Ray, Rhodes, Sauls, Sexton, Sherrill, Walker, West, A. Williams, and K. Williams

H.R. 1330, A HOUSE RESOLUTION COMMENDING BILLY GRAHAM, RENOWNED HUMANITARIAN, PHILANTHROPIST, AND GREAT NORTH CAROLINIAN.

Pursuant to Rule 32(a), the bill is placed on today's Calendar.

BILL RECALLED FROM THE SENATE

Representative Tolson moves that **S.B. 439** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA, be recalled from the Senate.

The motion carries by electronic vote (61-45) and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

H.R. 1330, A HOUSE RESOLUTION COMMENDING BILLY GRAHAM, RENOWNED HUMANITARIAN, PHILANTHROPIST, AND GREAT NORTH CAROLINIAN.

The resolution is adopted, by electronic vote (101-0), and ordered printed.

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H.B. 1024 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ADOPTING THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT FOR NORTH CAROLINA.

On motion of Representative Goodwin, 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: Speaker Morgan; Representatives Adams, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtridg, Dickson, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McHenry, McLawhorn, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Setzer, Sexton, Sherrill, Stam, Starnes, Sutton, Tolson, Wainwright, Walker, Warner, Warren, A. Williams, K. Williams, C. Wilson, Womble, Wright, and Yongue - 101.

Voting in the negative: None.

Excused absences: Representatives Alexander, Brubaker, Cunningham, Daughtry, Decker, Holmes, Sauls, Saunders, Stiller, Walend, West, G. Wilson, and Wood - 13.

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

Senate Committee Substitute for **H.B. 201** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE BOARD OF ELECTIONS TO NOTIFY EACH CANDIDATE BEFORE THE BALLOT IS PRINTED HOW THAT CANDIDATE'S NAME WILL APPEAR ON THE BALLOT.

On motion of Representative Gillespie, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (102-1), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 276** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE SUBSTANTIVE AND TECHNICAL

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AMENDMENTS IN THE LAWS CONCERNING INSURANCE COMPANY SOLVENCY.

On motion of Representative Setzer, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (101-1), and the bill is ordered enrolled and presented to the Governor.

Representative Blackwood requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (102-0).

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

H.B. 357 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON THAT ACCEPTS CREDIT, CHARGE, OR DEBIT CARDS FOR THE TRANSACTION OF BUSINESS FROM PRINTING MORE THAN FIVE DIGITS OF A CREDIT, CHARGE, OR DEBIT CARD ACCOUNT NUMBER OR AN EXPIRATION DATE ON A SALES RECEIPT AND TO PROHIBIT A PERSON FROM SELLING A CASH REGISTER OR OTHER MACHINE OR DEVICE THAT ELECTRONICALLY PRINTS RECEIPTS OF CREDIT, CHARGE, OR DEBIT CARD TRANSACTIONS THAT CANNOT BE PROGRAMMED OR OPERATED TO PRODUCE A RECEIPT WITH FIVE OR FEWER DIGITS OF THE CREDIT, CHARGE, OR DEBIT CARD ACCOUNT NUMBER AND NO EXPIRATION DATE PRINTED ON THE RECEIPT.

On motion of Representative Barnhart, the House concurs in the Senate committee substitute bill, by electronic vote (103-0), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 627 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEDICATE AND ACCEPT CERTAIN PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE, TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE, AND TO DELETE A PARK FROM THE STATE PARKS SYSTEM, passes its second reading, by the following three-fifths vote, and there being no objection is read a third time.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Capps, Carney, Church, Clary, Coates, Cole, Creech, Culp, Culpepper, Daughtridge, Dickson, Dockham,

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Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Setzer, Sexton, Sherrill, Stam, Starnes, Sutton, Tolson, Wainwright, Walker, Warner, Warren, Weiss, A. Williams, K. Williams, C. Wilson, Womble, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Alexander, Brubaker, Cunningham, Daughtry, Decker, Holmes, Sauls, Saunders, Stiller, Walend, West, G. Wilson, and Wood - 13.

The bill passes its third reading, by the following three-fifths vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culpepper, Daughtridg, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Setzer, Sexton, Sherrill, Stam, Starnes, Sutton, Tolson, Wainwright, Walker, Warner, Warren, Weiss, A. Williams, K. Williams, C. Wilson, Womble, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Alexander, Brubaker, Cunningham, Daughtry, Decker, Holmes, Sauls, Saunders, Stiller, Walend, West, G. Wilson, and Wood - 13.

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Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 19 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING TOWNSHIP ABC ELECTIONS IN CERTAIN TOWNSHIPS, passes its second reading, by electronic vote (60-41), and remains on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

**2003 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
June 5, 2003

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. 775** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONDITIONALLY REQUIRE INSURERS TO PROVIDE INFORMATION REGARDING POLICY PROVISIONS AND POLICY LIMITS PRIOR TO LITIGATION WHEN REQUESTED IN WRITING BY THE PERSONS WHO HAVE CLAIMS, OTHER THAN MEDICAL MALPRACTICE CLAIMS, SUBJECT TO INSURANCE POLICIES AND TO GIVE THESE INSURERS THE OPTION OF INITIATING PRELITIGATION MEDIATION OF THE CLAIMS, and requests conferees. The President *Pro Tempore* appoints:

Senator Dalton, Chair
Senator Hartsell
Senator Thomas

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

Speaker Black appoints Representatives Holliman, Setzer and Wainwright as conferees on the part of the House and the Senate is so notified by Special Message.

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Miller, Chair, for the Committee on Science and Technology:

S.B. 622 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FURTHER PROMOTE E-COMMERCE AND E-GOVERNMENT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 511, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TOWN-OWNED PROPERTIES OF THE TOWN OF ANDREWS FROM THE CEILING ON VOLUNTARY SATELLITE ANNEXATIONS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

H.B. 948 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND THE WILDLIFE RESOURCES COMMISSION WITH RESPECT TO THE REGULATION OF CERVIDS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

H.B. 1006 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT GREATER CONSUMER PROTECTION TO RESIDENTS OF MANUFACTURED HOUSING IN NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

H.B. 1294, A BILL TO BE ENTITLED AN ACT TO EXPAND THE QUALIFIED BUSINESS INVESTMENTS TAX CREDIT, with a favorable report.

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Pursuant to Rule 36(b), the bill is placed on the Calendar.

S.B. 652, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN AIRPORT AUTHORITIES TO ENTER INTO INSTALLMENT CONTRACTS, 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.

S.B. 777 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW WITH REGARD TO THE MANUFACTURE, SALE, AND DISTRIBUTION OF TRAILERS AND SEMITRAILERS, 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, **S.B. 61**, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE PROCEDURE FOR CALCULATING TUITION FOR MILITARY PERSONNEL AND THEIR DEPENDENTS, is withdrawn from the Committee on Education and re-referred to the Committee on Appropriations.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 563** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAWS REGULATING ATHLETE AGENTS AND TO ADOPT THE UNIFORM ATHLETE AGENTS ACT, is withdrawn from the Committee on Finance and re-referred to the Committee on Judiciary II.

On motion of Representative Culpepper, seconded by Representative Justus, the House adjourns at 3:09 p.m. to reconvene Monday, June 9, 2003, at 7:00 p.m.

SEVENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Monday, June 9, 2003

June 9, 2003

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Speaker Black.

The following prayer is offered by the Reverend Jim Lambeth, House Chaplain:

"Almighty God, Creator of the Universe:

"We stand in awe of Your wondrous works and we are overwhelmed by Your infinite wisdom. Standing before You, a human being seems so insignificant yet You know each by name and call each of us to faithfulness in serving You. God, there are leaders assembled here at the start of a new week who have been chosen to represent the people of North Carolina. Impart to them a measure of Your wisdom that, as they seek to serve the public good, they might also serve Your good. Give them strength of will to stand for justice and right. Give them strength of body to meet the demands of the task ahead. Give them strength of mind to seek the best solutions for tough questions facing our State. Give them strength of spirit to hear Your voice even in the work of government.

"In Your blessed name we pray. Amen."

Speaker Black leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 5 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blust, Cunningham, and Nesbitt for today.

ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

S.B. 315, AN ACT RELATING TO CONTRACTS OF MINORS FOR ARTISTIC, CREATIVE, OR ATHLETIC SERVICES.

S.B. 629, AN ACT TO CLARIFY THE REQUIREMENTS FOR SUBORDINATION AGREEMENTS.

S.B. 669, AN ACT TO AMEND THE LAW REGARDING THE CIVIL REMEDY FOR PROTECTION OF ANIMALS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO

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AUTHORIZE THE GENERAL STATUTES COMMISSION TO STUDY THE NEED TO REGULATE "PUPPY MILLS".

S.B. 771, AN ACT TO PROHIBIT THE USE OF A PERSON'S CREDIT HISTORY AS A SOLE BASIS FOR TERMINATING INSURANCE COVERAGE OR SUBJECTING A POLICY TO CONSENT TO RATE.

H.B. 201, AN ACT TO REQUIRE A REVIEW PROCEDURE TO ENSURE THAT CANDIDATES' NAMES APPEAR ON THE BALLOT IN ACCORDANCE WITH LAW.

H.B. 276, AN ACT TO MAKE SUBSTANTIVE AND TECHNICAL AMENDMENTS IN THE LAWS CONCERNING INSURANCE COMPANY SOLVENCY AND TO PROHIBIT OFFICERS AND EMPLOYEES OF THE STATE AND ITS POLITICAL SUBDIVISIONS FROM REQUIRING CONSTRUCTION CONTRACT BIDDERS TO OBTAIN SURETY BONDS FROM SURETIES OR PRODUCERS DESIGNATED BY THE OFFICERS AND EMPLOYEES.

H.B. 357, AN ACT TO PROHIBIT A PERSON THAT ACCEPTS CREDIT, CHARGE, OR DEBIT CARDS FOR THE TRANSACTION OF BUSINESS FROM PRINTING MORE THAN FIVE DIGITS OF A CREDIT, CHARGE, OR DEBIT CARD ACCOUNT NUMBER OR AN EXPIRATION DATE ON A SALES RECEIPT AND TO PROHIBIT A PERSON FROM SELLING A CASH REGISTER OR OTHER MACHINE OR DEVICE THAT ELECTRONICALLY PRINTS RECEIPTS OF CREDIT, CHARGE, OR DEBIT CARD TRANSACTIONS THAT CANNOT BE PROGRAMMED OR OPERATED TO PRODUCE A RECEIPT WITH FIVE OR FEWER DIGITS OF THE CREDIT, CHARGE, OR DEBIT CARD ACCOUNT NUMBER AND NO EXPIRATION DATE PRINTED ON THE RECEIPT.

H.B. 665, AN ACT TO MODIFY THE DUTIES OF THE BOARD OF SCIENCE AND TECHNOLOGY.

H.B. 928, AN ACT TO AUTHORIZE APPALACHIAN STATE UNIVERSITY TO REGULATE PARKING ON CERTAIN STREETS.

H.B. 1024, AN ACT ADOPTING THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT FOR NORTH CAROLINA.

H.B. 1155, AN ACT ALLOWING PAYROLL DEDUCTION FOR STATE EMPLOYEES CONTRIBUTING TO THE PARENTAL SAVINGS TRUST FUND.

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H.B. 1210, AN ACT MODIFYING THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF THE NORTH CAROLINA SCHOOL OF THE ARTS.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 249, AN ACT TO PERMIT THE CITY OF WILMINGTON TO ENGAGE IN CONDITIONAL ZONING.

H.B. 501, AN ACT REDRAWING THE ELECTION DISTRICT BOUNDARIES FOR THE TOWN OF ENFIELD IN HALIFAX COUNTY.

H.B. 550, AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF CERTAIN ROADS IN CRAVEN COUNTY.

H.B. 625, AN ACT AUTHORIZING THE CITY OF ASHEVILLE TO REQUIRE PRETOWING NOTICES BEFORE A MOTOR VEHICLE MAY BE TOWED FROM A PRIVATE LOT, GARAGE, OR OTHER PARKING FACILITY.

H.B. 668, AN ACT TO MODIFY THE ADMINISTRATIVE PROVISIONS OF THE NEW HANOVER COUNTY OCCUPANCY TAX.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 900, AN ACT MODIFYING THE DEFINITION OF "RESTAURANT" FOR ABC PERMITS. (S.L. 2003-135)

H.B. 1175, AN ACT ALLOWING FAIR HOUSING ORGANIZATIONS TO FILE COMPLAINTS WITH THE STATE HUMAN RELATIONS COMMISSION. (S.L. 2003-136)

H.B. 358, AN ACT TO INCREASE THE DAMAGE AMOUNTS ON DEFINED MOTOR VEHICLE ACCIDENTS. (S.L. 2003-137)

H.B. 864, AN ACT INCREASING THE EFFICIENCY OF GUARANTEED ENERGY SAVINGS CONTRACTS FOR STATE GOVERNMENTAL UNITS. (S.L. 2003-138)

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H.B. 978, AN ACT ALLOWING THE NORTH CAROLINA VETERINARY MEDICAL BOARD TO ENTER INTO AGREEMENTS WITH ORGANIZATIONS THAT HAVE DEVELOPED PROGRAMS FOR IMPAIRED VETERINARY PERSONNEL. (S.L. 2003-139)

H.B. 1048, AN ACT TO MAKE REVISIONS TO THE JUVENILE CODE AS RECOMMENDED BY THE NORTH CAROLINA JUVENILE COURT IMPROVEMENT PROJECT. (S.L. 2003-140)

H.B. 352, AN ACT TO AMEND THE LAW REGARDING DRUG SCREENING AND ASSESSMENT OF A CRIMINAL DEFENDANT FOR CHEMICAL DEPENDENCY, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION. (S.L. 2003-141)

H.B. 821, AN ACT TO SIMPLIFY THE PROCESS OF FILLING A VACANCY ON A PARTY TICKET. (S.L. 2003-142)

H.B. 560, AN ACT TO DISAPPROVE THE ADMINISTRATIVE RULES GOVERNING LIFE INSURANCE REPLACEMENT. (S.L. 2003-143)

H.B. 829, AN ACT TO ADOPT THE NAIC MODEL STANDARD NONFORFEITURE LAW FOR INDIVIDUAL DEFERRED ANNUITIES. (S.L. 2003-144)

H.B. 55, AN ACT TO AUTHORIZE FIRE DEPARTMENTS TO HONOR RETIRING OR DECEASED FIREFIGHTERS BY AWARDED THEIR FIRE HELMETS TO THEM OR TO A SURVIVING RELATIVE. (S.L. 2003-145)

S.B. 522, AN ACT TO CHANGE THE METHOD BY WHICH CERTAIN MEMBERS ON THE NORTH CAROLINA BOARD OF NURSING ARE ELECTED OR APPOINTED, TO MAKE TECHNICAL CHANGES TO THE NURSING PRACTICE ACT, AND TO REQUIRE THAT HEALTH CARE FACILITIES VERIFY THE LICENSURE STATUS OF APPLICANTS SEEKING EMPLOYMENT AS NURSES. (S.L. 2003-146)

S.B. 620, AN ACT TO GIVE LOCAL BOARDS OF EDUCATION ADDITIONAL PURCHASING FLEXIBILITY AND TO ENCOURAGE THEM TO USE THE NC E-PROCUREMENT SERVICE. (S.L. 2003-147)

S.B. 962, AN ACT TO REQUIRE BAIL BONDSMEN TO SUBMIT AFFIDAVITS STATING THAT THERE ARE NO PREMIUMS OWED

TO FORMER INSURERS AND THAT ALL FORFEITURES OR JUDGMENTS ARE SATISFIED OR DISCHARGED. (S.L. 2003-148)

S.B. 959, AN ACT TO AUTHORIZE THE COMMISSION FOR HEALTH SERVICES TO ADOPT RULES REGARDING MONITORING OF COASTAL RECREATION WATERS IN ORDER TO IMPLEMENT THE FEDERAL BEACHES ENVIRONMENTAL ASSESSMENT AND COASTAL HEALTH ACT OF 2000. (S.L. 2003-149)

S.B. 519, AN ACT TO AMEND THE LAW REGARDING THE PREVENTION AND CONTROL OF LEAD POISONING IN CHILDREN. (S.L. 2003-150)

S.B. 93, AN ACT TO AMEND THE DEFINITION OF SPECIAL PROBATION TO REMOVE THE SIX-MONTH LIMITATION ON THE PERIOD OF IMPRISONMENT. (S.L. 2003-151)

H.B. 1159, AN ACT TO ESTABLISH A MILITARY DRIVERS LICENSE EXPIRATION PROCEDURE WITHIN THE DIVISION OF MOTOR VEHICLES AND TO ALLOW THE DIVISION OF MOTOR VEHICLES TO ISSUE CONFIDENTIAL LICENSE PLATES AND DRIVERS LICENSES TO AGENTS OF THE DEPARTMENT OF DEFENSE. (S.L. 2003-152)

H.B. 1003, AN ACT RELATING TO STATE GOVERNMENT INFORMATION TECHNOLOGY SECURITY. (S.L. 2003-153)

H.B. 987, AN ACT TO AUTHORIZE THE FISHERIES DIRECTOR TO ISSUE PROCLAMATIONS THAT BECOME EFFECTIVE IMMEDIATELY UPON ISSUANCE AND TO MAKE OTHER TECHNICAL, CLARIFYING, AND CONFORMING CHANGES. (S.L. 2003-154)

H.B. 278, AN ACT TO AMEND THE LAW REGARDING EXAMINATIONS FOR LICENSURE TO PRACTICE CHIROPRACTIC. (S.L. 2003-155)

S.B. 776, AN ACT TO CLARIFY THE DEFINITION OF EMPLOYEE UNDER THE WORKERS' COMPENSATION ACT. (S.L. 2003-156)

S.B. 136, AN ACT TO CLARIFY THE LAW GOVERNING DISSENTERS' RIGHTS WITH REGARD TO MAJORITY CONSENT ACTION. (S.L. 2003-157)

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S.B. 769, AN ACT TO ESTABLISH RATE SETTING AND RATE-APPROVAL METHODS FOR THE BEACH PLAN HOMEOWNERS POLICY, TO PROVIDE INCENTIVES TO BEACH AND COASTAL AREA HOMEOWNERS WHO ESTABLISH AND MAINTAIN RISK PREVENTION AND RISK MITIGATION MEASURES, AND TO EXTEND THE DEADLINE FOR ISSUANCE OF THE HOMEOWNERS POLICY PRODUCT BY THE BEACH PLAN. (S.L. 2003-158)

H.B. 42, AN ACT MODIFYING THE FELONY AND MISDEMEANOR OFFENSES RELATED TO CONDUCTING CERTAIN UNAUTHORIZED SOUND AND VIDEO RECORDINGS. (S.L. 2003-159)

H.B. 1158, AN ACT TO AMEND THE LAW SPECIFYING THE TYPE OF PISTOLS THAT MAY BE USED FOR HUNTING. (S.L. 2003-160)

S.B. 292, AN ACT AUTHORIZING THE CITY OF RALEIGH AND THE TOWN OF LAKE WACCAMAW TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE FOR CERTAIN PUBLIC HEARINGS. (S.L. 2003-161)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Hall, Chair, for the Committee on Alcoholic Beverage Control:

H.B. 1108, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE COMMISSION TO ISSUE BEER AND WINE SHIPPERS PERMITS TO ALLOW THE DIRECT SHIPMENT OF MALT BEVERAGES AND WINES TO RESIDENTS OF NORTH CAROLINA, 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 Representative Sutton, Chair, for the Committee on Judiciary III:

June 9, 2003

S.B. 558 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT CONSUMERS AND TRANSFERORS OF MOTOR VEHICLES UNAWARE OF PRIOR DAMAGE OR WHEN PRIOR DAMAGE WAS MINOR, 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 Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

S.B. 656 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE INNOVATIVE EDUCATION INITIATIVES ACT, 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 Munford, Chair, for the Committee on Judiciary IV:

H.B. 1030, A BILL TO BE ENTITLED AN ACT TO WAIVE THE CONCEALED HANDGUN PERMIT FEES FOR QUALIFIED FORMER SWORN LAW ENFORCEMENT OFFICERS, 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 June 10. The original bill is placed on the Unfavorable Calendar.

S.B. 423 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND ENHANCE CHILD SUPPORT ENFORCEMENT 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. The Senate committee substitute bill is placed on the Unfavorable Calendar.

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S.B. 694 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE IN THE SAME MANNER AS FEDERAL LAW THAT A CONTROLLED SUBSTANCE ANALOGUE SHALL, TO THE EXTENT INTENDED FOR HUMAN CONSUMPTION, BE TREATED AS A CONTROLLED SUBSTANCE IN SCHEDULE I OF THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

S.B. 753 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PERSONS NOMINATED AS MAGISTRATES, 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 G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 471 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BRING STATE LAW INTO COMPLIANCE WITH RECENTLY ADOPTED FEDERAL REGULATIONS CONCERNING THE EFFECT OF VIOLATION OF RAILROAD CROSSING SAFETY AND OTHER STATE LAWS ON COMMERCIAL DRIVERS LICENSES, AND REQUIRING A NEW "S" ENDORSEMENT FOR PERSONS OPERATING SCHOOL BUSES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of June 10. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 725, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CITY OF CLAREMONT AND THE CITY OF CONOVER, with a favorable report as to the committee substitute bill, which changes the title, unfavorable as to the original bill.

June 9, 2003

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 10. The original bill is placed on the Unfavorable Calendar.

H.B. 1074 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE A STATUTE TO CREATE A BUTNER ADVISORY COUNCIL SO AS TO ELECT ALL MEMBERS AT LARGE IN ONE MULTISEAT RACE AND ELIMINATE STAGGERED TERMS; TO DEFINE THE ELECTORAL JURISDICTION OF THE COUNCIL; AND TO AMEND THE LEGISLATION IN OTHER NEEDED WAYS, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of June 10. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 57 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF CAROLINA BEACH AND WRIGHTSVILLE BEACH TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES, 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.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 637 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE SETTLOR OF A REVOCABLE TRUST TO RELIEVE THE TRUSTEE OF DUTIES, RESTRICTIONS, AND LIABILITIES IMPOSED BY THE UNIFORM TRUSTS ACT, 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 June 10.

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H.B. 916 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A VACCINATION PROGRAM FOR FIRST RESPONDERS TO TERRORIST INCIDENTS, CATASTROPHIC OR NATURAL DISASTERS, OR EMERGENCIES, 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 June 10.

S.B. 655 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE DEFINITION OF LOCKSMITH SERVICES UNDER THE LOCKSMITH LICENSING ACT, TO AMEND THE POWERS OF THE NORTH CAROLINA LOCKSMITH LICENSING BOARD TO ALLOW THE BOARD TO EMPLOY AN ATTORNEY AND HAVE CONDUCTED CRIMINAL HISTORY RECORD CHECKS ON APPLICANTS, TO AMEND THE LOCKSMITH LICENSING ACT TO ALLOW THE BOARD TO REGULATE APPRENTICE LOCKSMITHS AND COLLECT FEES, TO CLARIFY THE EXEMPTION FOR GENERAL CONTRACTORS, TO CLARIFY THE EXEMPTION FOR TOWING SERVICES UNDER THE ACT, AND TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO CONDUCT CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR LICENSURE OR APPRENTICE DESIGNATION AS A LOCKSMITH, is read the first time and referred to the Committee on Finance.

S.B. 939 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SURCHARGE FOR THE TELECOMMUNICATIONS RELAY SERVICE TO INCLUDE WIRELESS COMMUNICATIONS, is read the first time and referred to the Committee on Public Utilities and, if favorable, to the Committee on Finance.

WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), **H.B. 1294**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE QUALIFIED BUSINESS INVESTMENTS TAX CREDIT, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

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S.B. 424 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING TUITION WAIVERS AND TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY WHETHER TO EXTEND THESE TUITION WAIVERS, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

S.B. 503 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE LAWS RELATING TO THE ATTENDANCE AGES AND ELIGIBILITY OF STUDENTS FOR NORTH CAROLINA SCHOOLS FOR THE DEAF.

Representative Tolson offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (113-0).

Representative K. Williams 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. 549 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT THE REVISED UNIFORM PRINCIPAL AND INCOME ACT, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Moore, Vice Chair, for the Committee on Judiciary II:

S.B. 774, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DUTIES OF OPERATORS OF SKATEBOARD PARKS, TO ESTABLISH

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THE DUTIES OF PERSONS WHO ENGAGE IN CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES, AND TO LIMIT THE LIABILITY OF GOVERNMENTAL ENTITIES FOR DAMAGE OR INJURIES THAT ARISE OUT OF A PERSON'S PARTICIPATION IN CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES AND THAT OCCUR IN AN AREA DESIGNATED FOR CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES, 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.

S.B. 786, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN THE PROPERTY OF A RESIDENT OF A STATE INSTITUTION UNDER THE DEPARTMENT OF HEALTH AND HUMAN SERVICES IS LOST, DESTROYED, OR OTHERWISE DAMAGED THROUGH NEGLIGENT HANDLING BY THE INSTITUTION, THE INSTITUTION MAY MAKE DIRECT PAYMENT OR PROVIDE REPLACEMENT OF THE ITEM TO THE RESIDENT WITHOUT RECOURSE TO THE TORT CLAIMS PROCESS IF THE AMOUNT OF DAMAGES IS LESS THAN FIVE HUNDRED DOLLARS, 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 Baker, Clary, Crawford, Earle, Grady, Owens, Sherrill, and Wright, Chairs, for the Committee on Appropriations:

H.B. 79 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON CONVICTED OF ANY FELONY OR CERTAIN OTHER CRIMINAL OFFENSES OR WHO IS FOUND NOT GUILTY BY REASON OF INSANITY OF ANY FELONY OR CERTAIN OTHER CRIMINAL OFFENSES, TO CLARIFY WHEN THAT SAMPLE IS TAKEN, AND TO RESTRICT THE RELEASE OF INFORMATION FROM THE DNA DATABASE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 10.

H.B. 150 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CRITERIA FOR AWARDED STATE GRANTS TO

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STUDENTS ATTENDING CERTAIN ACCREDITED INSTITUTIONS OF HIGHER EDUCATION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 10.

H.B. 815, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF CHEMICAL DEPENDENCY TREATMENT FACILITY TO PROVIDE THAT SOCIAL SETTING DETOXIFICATION FACILITIES AND MEDICAL DETOXIFICATION FACILITIES ARE NOT CHEMICAL DEPENDENCY TREATMENT FACILITIES FOR THE PURPOSES OF CERTIFICATE OF NEED REQUIREMENTS AND TO AMEND THE DEFINITION OF CHEMICAL DEPENDENCY TREATMENT BED TO PROVIDE THAT BEDS LICENSED FOR DETOXIFICATION ARE NOT CHEMICAL DEPENDENCY TREATMENT BEDS FOR THE PURPOSES OF CERTIFICATE OF NEED REQUIREMENTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 10.

S.B. 912 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF SEXUAL BATTERY, 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 Hackney and without objection, **S.B. 494** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CARRBORO TO REQUIRE SPRINKLERS IN BARS, CLUBS, AND OTHER SIMILAR PLACES OF PUBLIC ASSEMBLY THAT HAVE GATHERINGS OF MORE THAN ONE HUNDRED PEOPLE AND SELL ALCOHOLIC BEVERAGES AND TO AUTHORIZE THE TOWN OF CHAPEL HILL TO POSTPONE FOR EIGHTEEN MONTHS THE APPROVAL OF SPECIAL USE PERMITS AND SITE PLANS PROPOSED ON SITES RESERVED AS SCHOOL SITES ON THE TOWN'S ADOPTED COMPREHENSIVE LAND-USE PLAN, is withdrawn from the Calendar and placed on the Calendar of June 11.

CALENDAR (continued)

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

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S.B. 319 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CABARRUS COUNTY DEMONSTRATION WORK OVER WELFARE PROGRAM, 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.

S.B. 19 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING TOWNSHIP ABC ELECTIONS IN CERTAIN TOWNSHIPS, passes its third reading, by electronic vote (67-43), and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 167 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERMITTING WEAPONS ON THE HOWELL WOODS NATURE CENTER PROPERTY OF JOHNSTON COMMUNITY COLLEGE FOR HUNTING PURPOSES, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 437 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A PLUMBING AND HEATING CONTRACTOR OR AN ELECTRICAL CONTRACTOR LICENSED UNDER CHAPTER 87 OF THE GENERAL STATUTES TO BID AND CONTRACT DIRECTLY WITH THE OWNER OF A PUBLIC BUILDING PROJECT IN CERTAIN CIRCUMSTANCES, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

Representative Rayfield requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (112-0).

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 706 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW A PUBLIC UNIVERSITY TO ADD BLEACHERS

June 9, 2003

TO AN EXISTING SOFTBALL FIELD WITHOUT HAVING TO CONSTRUCT ADDITIONAL PLUMBING FACILITIES.

The bill passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

Representative Stam offers Amendment No. 1 which fails of adoption by electronic vote (10-102).

The bill passes its third reading, by electronic vote (110-4), and is ordered sent to the Senate for concurrence in the House committee substitute bill.

INTRODUCTION OF PAGES

Pages for the week of June 9 are introduced to the membership. They are: Joshua Anders of Forsyth; Andrew Batchelor of Wake; Rachel Care of Forsyth; Jacob Carr of Wake; Margaret Comer of Caldwell; Gloria Connor of Caldwell; Alicia Davis of Wake; Elise Dorsett of Wake; Keisha Frederick of Wake; Laura Fox of Wake; William Gorman of Craven; Elizabeth Grubbs of Caldwell; Kelly Hilton of Iredell; Brian Hyder of Henderson; Corey Israel of Gaston; Mary Pat Kenyon of Wake; David Matney, IV, of Buncombe; Garnett Matney of Buncombe; Meredith Matney of Buncombe; Daniel Mercer of Wake; Robert Mineo of Wake; Bradley McPherson of Randolph; Clarke Munford of Wake; Henry Neese of Wake; Damiya Peebles of Wake; Cole Phillips of Wake; Joshua Richardson of Gaston; Lucille Rogers of Wake; and Joseph Smith of Gaston.

SPECIAL MESSAGE FROM THE SENATE

2003 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
June 9, 2003

Mr. Speaker:

S.B. 931, A BILL TO BE ENTITLED AN ACT ELIMINATING THE PORTFOLIO REQUIREMENT FOR TEACHER CERTIFICATION, was vetoed by Governor Michael Easley on June 8, 2003, and was returned

June 9, 2003

to the Senate with the attached veto message. The bill has been referred to the Committee on Rules and Operations of the Senate.

Respectfully,
S/Janet B. Pruitt
Principal Clerk

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
20301 Mail Service Center • Raleigh, NC 27699-0301

Michael F. Easley
Governor

Governor's Objection and Veto Message

Section four of Senate Bill 931 as ratified states that "no new requirement added by the State Board of Education to the teacher certification process may be required for licensure now or in the future without explicit legislative authorization."

The North Carolina Constitution and our state Supreme Court decision in *Leandro* support the State Board's role to determine the standards and requirements for public school teachers in North Carolina reflecting our priorities for improving student achievement. Both charge the executive branch of government with a duty to provide every child with an opportunity for a sound basic education. This duty cannot be fulfilled without the executive branch having the capacity to adjust rules, regulations, and policies in a timely manner that reflect changing societal and educational needs. While the Constitution reserves certain powers to the General Assembly, it specifically grants the general authority for the State Board of Education to "administer the free public school system."

Section four of this bill impairs the executive branch's ability to execute its constitutional duty. This section is also in direct conflict with and erodes the Excellent Schools Act of 1997 requiring the State Board to set rigorous standards for teachers and student achievement.

Removing the authority of the State Board of Education to ensure teacher standards is not only bad public policy, but it is also constitutionally questionable.

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For the reasons stated above, I veto the bill

S/ Michael F. Easley

On motion of Representative Culpepper, seconded by Representative L. Allen, the House adjourns at 8:23 p.m. to reconvene June 10 at 2:00 p.m.

SEVENTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 10, 2003

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by Speaker Morgan.

The following prayer is offered by Rabbi Yosef Levanon, Beth Israel, Fayetteville, North Carolina.

"Avinu Shebashamayim – G-d, Source of all Life...

"Your faithful servants, who have been chosen to speak for our State, stand in a place of power and of responsibility. O gracious Guardian, ever direct their deliberations that their vision and wisdom may make North Carolina a better State in which to live.

"May we, the citizens of North Carolina, ever be reverent toward You, our loving G-d, loyal to our obligations, honorable in our dealings, and compassionate to those who are in need of our understanding and assistance.

"Heavenly Father, as we invoke Your blessings upon the Members of the North Carolina State House, we realize the manifold, beautiful and wonderful blessings that have been ours in these United States. Grant all who fill these Chambers the strength, the determination, and the wisdom, that they may continue to serve with devotion and love.

"Teach them and guide them, Almighty G-d, so that their decisions will be motivated by honesty and truth. Help them to see the light through the clouds of influencing forces. Help them, so that they may be strong to recognize what is fair and what is best for the people of our State.

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"We all know that those who have been brought into the service of the people need to strengthen their hearts, as do we all, in these days of perplexity, strife and war.

"We are grateful that we continue to envision a world that we can help develop, a world of peace, love and understanding, because we have chosen to be Your partners in building this better world.

"Inspire Your faithful servants in this House to release those reservoirs of spirit and mind that can make them Your partners in the work of justice and peace. Grant them patience and hopefulness in their daily tasks. Give them love for truth above cleverness, for people above things.

"Keep them from pride and outgrown ways, from blindness that will not see the need for change, and from impatient judgments toward those who might differ. Imbue them with understanding and with a warm spirit of harmony and fellowship.

"They and I thank You for the gifts of the heart, the soul and the body. You have given us magnificent skills and abilities, that we may be Your partners in creating a better future for our State.

"In the words of the Hebrew prophet Micah: 'We pray that we may do justly, love mercy, and walk humbly with our G-d.' May G-d, who established peace in the heavens, grant peace unto us all. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 9 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Cunningham and Holliman for today. Representative Goodwin is excused for a portion of the session.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Bonner, Hilton, Warner and Wood, Chairs, for the Committee on Education:

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S.B. 955, A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW REGARDING CONTRACTS FOR SCHOOL PRINCIPALS, 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 McLawhorn and Sexton, Chairs, for the Education Subcommittee on Community Colleges, with approval of standing committee Chairs for report to be made directly to the floor of the House:

S.B. 773 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COMMUNITY COLLEGES TO ENTER INTO PUBLIC/PRIVATE PARTNERSHIPS FOR CONSTRUCTION PROJECTS, 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 Munford, Chair, for the Committee on Judiciary IV:

S.B. 293 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING SALES REPRESENTATIVE COMMISSIONS, 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 Representatives Baker, Clary, Crawford, Earle, Grady, Owens, Sherrill, and Wright, Chairs, for the Committee on Appropriations:

H.B. 684 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATUTORY FRAMEWORK FOR THE FINANCING OF CAPITAL FACILITIES BY THE STATE AND TO AUTHORIZE THE ISSUANCE OF SPECIAL INDEBTEDNESS TO FINANCE THE CONSTRUCTION OF A NEW PSYCHIATRIC HOSPITAL TO BE LOCATED IN BUTNER, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

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Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of June 11. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 714 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC SCHOOL EMPLOYEES DO NOT LOSE PAY WHILE THEY ARE ON MILITARY DUTY, 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 Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 673 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF AVERY TO ESTABLISH AN AVERY COUNTY FIRE COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 11.

H.B. 1026 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE PROGRAM FOR THE COLLECTION OF WORTHLESS CHECKS AVAILABLE STATEWIDE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 11.

H.B. 1028 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COASTAL RESOURCES COMMISSION TO ADOPT TEMPORARY AND PERMANENT RULES TO ESTABLISH A GENERAL PERMIT FOR THE CONSTRUCTION OF RIPRAP SILLS FOR WETLAND ENHANCEMENT AND SHORELINE PROTECTION IN ESTUARINE AND PUBLIC TRUST WATERS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 11.

S.B. 414, A BILL TO BE ENTITLED AN ACT TO ALLOW ROBESON COUNTY TO DELAY THE REAPPRAISAL OF PROPERTY FOR PROPERTY TAX PURPOSES BY ONE YEAR, with a favorable report.

June 10, 2003

Pursuant to Rule 36(b), the bill is placed on the Calendar.

S.B. 450, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RELEASE OR REFUND OF CERTAIN PROPERTY TAXES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Sutton, Chair, for the Committee on Judiciary III:

S.B. 847 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY LATE FEES CHARGED TO RESIDENTIAL TENANTS AND TO PERMIT MILITARY PERSONNEL DEPLOYED ON CERTAIN TEMPORARY ASSIGNMENTS TO TERMINATE RENTAL AGREEMENTS EARLY, 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 Insko and Justus, Chairs, for the Committee on Health:

S.B. 926 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LICENSING PROCESS FOR NEW GROUP HOME FACILITIES AND FOR THE REIMBURSEMENT OF EDUCATIONAL COSTS BY THE HOME COUNTY TO THE HOST COUNTY, 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.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 562 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO USE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS DURING A THREE-YEAR PILOT PROGRAM IN DESIGNATED CORRIDORS; TO AUTHORIZE

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THE CITY OF CHARLOTTE TO ESTABLISH CIVIL PENALTIES FOR SPEED LIMIT AND SCHOOL ZONE SPEED LIMIT VIOLATIONS; AND TO AUTHORIZE THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION AND THE SECRETARY OF CRIME CONTROL AND PUBLIC SAFETY TO APPROVE STANDARDS FOR THE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS, 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.

Senate Committee Substitute for **H.B. 655** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE ON A PORTION OF PEMBROKE CREEK IN CHOWAN 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 June 11.

Upon concurrence, the Senate committee substitute bill changes the title.

H.B. 656 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE TRUST ADMINISTRATION ACT AND TO MAKE RELATED CHANGES TO THE LAW GOVERNING ACCOUNTINGS IN TESTAMENTARY TRUSTS, 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.

H.B. 696, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WADESBORO TO EXTEND THE MAYOR'S TERM OF OFFICE FROM TWO TO FOUR YEARS AND TO AMEND THE CHARTER OF THE TOWN OF ANSONVILLE TO EXTEND THE MAYOR'S AND COUNCIL MEMBERS' TERMS OF OFFICE FROM TWO TO FOUR YEARS, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 11.

Senate Committee Substitute No. 2 for **H.B. 818** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE

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EFFECTIVE DATE OF THE ACT PROVIDING FOR THE REMOVAL OF DD FORMS 214 AND OTHER MILITARY RECORDS FROM CERTAIN PUBLIC RECORDS, is returned for concurrence in Senate Committee Substitute Bill No. 2 and referred to the Committee on Judiciary III.

Upon concurrence, the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 892** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COMMON LAW DETERMINES WHETHER A DRIVER OF A TRUCK, TRACTOR, OR TRUCK TRACTOR TRAILER OF AN INTERSTATE MOTOR CARRIER IS AN EMPLOYEE SUBJECT TO THE WORKERS' COMPENSATION ACT AND TO DEFINE THE OBLIGATIONS UNDER THE ACT FOR SUCH DRIVERS, 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 June 11.

Upon concurrence, the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 1123**, A BILL TO BE ENTITLED AN ACT TO EXPRESSLY PROVIDE FOR LIMITED GUARDIANSHIPS FOR INCOMPETENT PERSONS AND TO CLARIFY THE DUTY OF A GUARDIAN AD LITEM APPOINTED TO REPRESENT A PERSON IN AN INCOMPETENCY ADJUDICATION, 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 June 11.

Upon concurrence, the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 1140** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE QUICK REMOVAL OF VEHICLES, SPILLED CARGO, OR OTHER PERSONAL PROPERTY FROM CONTROLLED-ACCESS HIGHWAYS, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Transportation.

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Upon concurrence, the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 1151** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE ADMINISTRATIVE PROCEDURE ACT TO REVISE THE PROCEDURE FOR ADOPTING PERMANENT AND TEMPORARY RULES, TO CREATE A PROCEDURE FOR THE ADOPTION OF EMERGENCY RULES, TO CLARIFY THE ROLE OF THE RULES REVIEW COMMISSION AND TO EXCLUDE THE STATE MEDICAL FACILITIES PLAN FROM THE DEFINITION OF A 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 June 11.

Upon concurrence, the Senate committee substitute bill changes the title.

S.B. 119 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE TAX CREDITS FOR HISTORIC REHABILITATION BY REMOVING THE SUNSET ON A PROVISION ALLOWING A PASS-THROUGH ENTITY TO ALLOCATE AMONG ITS OWNERS THE TAX CREDIT FOR INCOME-PRODUCING STRUCTURES, INCREASING THE AMOUNT THAT MAY BE ALLOCATED TO AN OWNER UNDER THIS PROVISION, AND ALLOWING BOTH HISTORIC REHABILITATION TAX CREDITS TO BE TAKEN AGAINST FRANCHISE TAX AND GROSS PREMIUMS TAXES, is read the first time and referred to the Committee on Finance.

S.B. 664 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM PROPERTY TAX CONSTRUCTION OF AN ADDITION TO AN EXISTING BUILDING THAT IS EXEMPT, 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.

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H.B. 483 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE ABROGATION OF OFFENSIVE PLACE-NAMES THROUGHOUT THE STATE.

On motion of Representative Adams, the House concurs in the Senate committee substitute bill, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 637 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE SETTLOR OF A REVOCABLE TRUST TO RELIEVE THE TRUSTEE OF DUTIES, RESTRICTIONS, AND LIABILITIES IMPOSED BY THE UNIFORM TRUSTS ACT.

On motion of Representative Munford, the House concurs in the Senate committee substitute bill, by electronic vote (117-0), 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. 842** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SYSTEM FOR ALL NORTH CAROLINA ELECTIONS THAT COMPLIES WITH THE HELP AMERICA VOTE ACT.

On motion of Representative Michaux, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 916 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A VACCINATION PROGRAM FOR FIRST RESPONDERS TO TERRORIST INCIDENTS, CATASTROPHIC OR NATURAL DISASTERS, OR EMERGENCIES.

On motion of Representative Brubaker, the House concurs in the Senate committee substitute bill, by electronic vote (115-0), and the bill is ordered enrolled and presented to the Governor.

ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

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S.B. 19, AN ACT TO AMEND THE LAW REGARDING TOWNSHIP ABC ELECTIONS IN CERTAIN TOWNSHIPS.

S.B. 167, AN ACT PERMITTING WEAPONS ON THE HOWELL WOODS NATURE CENTER PROPERTY OF JOHNSTON COMMUNITY COLLEGE FOR HUNTING PURPOSES.

S.B. 439, AN ACT MAKING OMNIBUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA.

H.B. 270, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE INSURANCE LAWS.

H.B. 1260, AN ACT TO INCREASE THE MAXIMUM FEES THAT THE BOARD OF EXAMINERS FOR SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS MAY ASSESS FOR CERTAIN FEES.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 249, AN ACT TO PERMIT THE CITY OF WILMINGTON TO ENGAGE IN CONDITIONAL ZONING. (S.L. 2003-162)

H.B. 501, AN ACT REDRAWING THE ELECTION DISTRICT BOUNDARIES FOR THE TOWN OF ENFIELD IN HALIFAX COUNTY. (S.L. 2003-163)

H.B. 550, AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF CERTAIN ROADS IN CRAVEN COUNTY. (S.L. 2003-164)

H.B. 625, AN ACT AUTHORIZING THE CITY OF ASHEVILLE TO REQUIRE PRETOWING NOTICES BEFORE A MOTOR VEHICLE MAY BE TOWED FROM A PRIVATE LOT, GARAGE, OR OTHER PARKING FACILITY. (S.L. 2003-165)

H.B. 668, AN ACT TO MODIFY THE ADMINISTRATIVE PROVISIONS OF THE NEW HANOVER COUNTY OCCUPANCY TAX. (S.L. 2003-166)

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CALENDAR (continued)

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 511, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TOWN-OWNED PROPERTIES OF THE TOWN OF ANDREWS FROM THE CEILING ON VOLUNTARY SATELLITE ANNEXATIONS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Cunningham and Holliman - 2.

H.B. 725 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CITY OF CLAREMONT AND THE CITY OF CONOVER AND ANNEXING CERTAIN DESCRIBED PROPERTY TO THE CITY OF CLAREMONT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney,

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Haire, Hall, Harrell, Hill, Hilton, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Cunningham and Holliman - 2.

H.B. 471 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO BRING STATE LAW INTO COMPLIANCE WITH RECENTLY ADOPTED FEDERAL REGULATIONS CONCERNING THE EFFECT OF VIOLATION OF RAILROAD CROSSING SAFETY AND OTHER STATE LAWS ON COMMERCIAL DRIVERS LICENSES, AND REQUIRING A NEW "S" ENDORSEMENT FOR PERSONS OPERATING SCHOOL BUSES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; AND TO REQUIRE A MOPED IDENTIFICATION TAG, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtride, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 116.

Voting in the negative: Representative Wood.

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Excused absences: Representatives Cunningham and Holliman - 2.

H.B. 948 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND THE WILDLIFE RESOURCES COMMISSION WITH RESPECT TO THE REGULATION OF CERVIDS.

Representative A. Williams offers Amendment No. 1 which is adopted by electronic vote (118-0).

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, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Hill, Hilton, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: Representative Baker.

Excused absences: Representatives Cunningham and Holliman - 2.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 1006 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT GREATER CONSUMER PROTECTION TO RESIDENTS OF MANUFACTURED HOUSING IN NORTH CAROLINA.

Representative K. Williams offers Amendment No. 1.

Speaker Morgan stops debate and attends to the following business.

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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.J.R. 844, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ELMER "E.V." WILKINS, FORMER EDUCATOR AND CIVIC LEADER, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

CALENDAR (continued)

H.B. 1006 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT GREATER CONSUMER PROTECTION TO RESIDENTS OF MANUFACTURED HOUSING IN NORTH CAROLINA, with Amendment No. 1 pending, is before the Body.

Representative K. Williams withdraws Amendment No. 1.

On motion of Representative K. Williams, and without objection, the bill is temporarily displaced.

H.B. 1030 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE CONCEALED HANDGUN PERMIT APPLICATION AND RENEWAL FEES FOR QUALIFIED RETIRED SWORN LAW ENFORCEMENT OFFICERS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtride, Daughtry, Decker, Dickson, Dockham,

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Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Haire, Hall, Harrell, Hill, Hilton, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Cunningham and Holliman - 2.

Representative Sauls requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (114-0).

H.B. 1074 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REVISE A STATUTE TO CREATE A BUTNER ADVISORY COUNCIL SO AS TO ELECT ALL MEMBERS AT LARGE IN ONE MULTISEAT RACE AND ELIMINATE STAGGERED TERMS; TO DEFINE THE ELECTORAL JURISDICTION OF THE COUNCIL AND THE JURISDICTION OF SPECIAL POLICE OF THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY; AND TO AMEND THE LEGISLATION IN OTHER NEEDED WAYS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

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Voting in the negative: None.

Excused absences: Representatives Cunningham and Holliman - 2.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 652 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN AIRPORT AUTHORITIES TO ENTER INTO INSTALLMENT CONTRACTS, TO EXTEND FROM TEN TO FIFTEEN YEARS THE MAXIMUM REPAYMENT PERIOD FOR DAM REPAIR ASSESSMENTS IN THE VILLAGE OF PINEHURST, AND TO ALLOW THE STANLY COUNTY AIRPORT AUTHORITY TO ENTER INTO LONG-TERM LEASES WITH THE UNITED STATES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Cunningham and Holliman - 2.

Representative Walker requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (115-0).

S.B. 503 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE LAWS RELATING TO THE ATTENDANCE AGES AND ELIGIBILITY OF STUDENTS FOR NORTH CAROLINA SCHOOLS FOR THE DEAF, passes its third reading, by electronic vote

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(115-0), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 777 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW WITH REGARD TO THE MANUFACTURE, SALE, AND DISTRIBUTION OF TRAILERS AND SEMI-TRAILERS, passes its third reading, by electronic vote (113-0), and is ordered sent to the Senate for concurrence in the House committee substitute bill.

H.B. 1006 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT GREATER CONSUMER PROTECTION TO RESIDENTS OF MANUFACTURED HOUSING IN NORTH CAROLINA, which was temporarily displaced, is before the Body.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McLawhorn, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: Representative McHenry.

Excused absences: Representatives Cunningham and Holliman - 2.

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WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Alexander and without objection, **H.B. 79** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON CONVICTED OF ANY FELONY OR CERTAIN OTHER CRIMINAL OFFENSES OR WHO IS FOUND NOT GUILTY BY REASON OF INSANITY OF ANY FELONY OR CERTAIN OTHER CRIMINAL OFFENSES, TO CLARIFY WHEN THAT SAMPLE IS TAKEN, AND TO RESTRICT THE RELEASE OF INFORMATION FROM THE DNA DATABASE, is withdrawn from the Calendar and placed on the Calendar of June 12.

CALENDAR (continued)

H.B. 150 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CRITERIA FOR AWARDING STATE GRANTS TO STUDENTS ATTENDING CERTAIN ACCREDITED INSTITUTIONS OF HIGHER EDUCATION.

Representative Rapp requests that he be excused from voting on this bill, as he works at an institution that receives the North Carolina Legislative Tuition Grant and the Contractual Grant and he feels that this might be a conflict of interest, under Rule 24.1A and this request is granted.

Representative Weiss offers Amendment No. 1 which is adopted by electronic vote (108-5).

Representative Harrell moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

The motion fails by electronic vote (53-61).

Speaker Morgan stops debate and attends to the following business.

CONFERENCE REPORT

Representative Luebke sends forth the Conference Report on **S.B. 384** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF THE DURHAM NORTHERN AND WILMINGTON URBAN LOOPS AND

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OTHER INTRASTATE IMPROVEMENT PROJECTS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 11.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Gibson, Chair, for the Committee on Environment and Natural Resources:

S.B. 593 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

H.B. 849, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH AND MAINTAIN A LIST OF CHRONIC VIOLATORS AND A DATABASE OF ENFORCEMENT ACTIONS AND TO FURTHER DISCOURAGE VIOLATIONS RELATING TO THE ENVIRONMENT, 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 Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

H.B. 989, A BILL TO BE ENTITLED AN ACT TO LIMIT THE AREA OF WESTERN CORE SOUND THAT MAY BE LEASED FOR THE CULTIVATION OF SHELLFISH AND TO DIRECT THE DIVISION OF MARINE FISHERIES TO REPORT TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE ON THE IMPLEMENTATION OF THIS ACT, 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 Rules, Calendar, and Operations of the House.

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The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

H.B. 150 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CRITERIA FOR AWARDING STATE GRANTS TO STUDENTS ATTENDING CERTAIN ACCREDITED INSTITUTIONS OF HIGHER EDUCATION, is before the Body.

The bill, as amended, passes its second reading, by electronic vote (66-47).

Representative Weiss objects to the third reading. The bill remains on the Calendar.

H.B. 815, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF CHEMICAL DEPENDENCY TREATMENT FACILITY TO PROVIDE THAT SOCIAL SETTING DETOXIFICATION FACILITIES AND MEDICAL DETOXIFICATION FACILITIES ARE NOT CHEMICAL DEPENDENCY TREATMENT FACILITIES FOR THE PURPOSES OF CERTIFICATE OF NEED REQUIREMENTS AND TO AMEND THE DEFINITION OF CHEMICAL DEPENDENCY TREATMENT BED TO PROVIDE THAT BEDS LICENSED FOR DETOXIFICATION ARE NOT CHEMICAL DEPENDENCY TREATMENT BEDS FOR THE PURPOSES OF CERTIFICATE OF NEED REQUIREMENTS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 313**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ROCKY MOUNT, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

CONFERENCE REPORT

Representative Nye sends forth the Conference Report on **H.B. 283** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO

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REQUIRE REAL PROPERTY WARRANTY COMPANIES TO CARRY CONTRACTUAL LIABILITY POLICIES; ESTABLISH GREATER UNIFORMITY AND FLEXIBILITY FOR REQUIREMENTS IMPOSED UPON SERVICE AGREEMENT COMPANIES AND PERSONS THAT ISSUE WARRANTIES UNDER ARTICLE 1 OF CHAPTER 58; EXPAND THE DEFINITION OF HOME APPLIANCE WITHIN THE HOME APPLIANCE SERVICE AGREEMENT COMPANIES STATUTE; ENHANCE ENFORCEMENT OF ARTICLE 1 OF CHAPTER 58; REQUIRE MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES TO USE A SPECIFIC FORMAT ON ALL WRITTEN MATERIALS SUBMITTED; MANDATE ALL REQUIRED INSURER SUBMISSIONS TO THE DEPARTMENT OF INSURANCE TO BE IN A SPECIFIC FORMAT IF IN WRITING; DEFINE MECHANICAL BREAKDOWN SERVICE AGREEMENTS AND REQUIRE ALL MECHANICAL BREAKDOWN SERVICE AGREEMENT COMPANIES TO COMPLY WITH ARTICLE 1 OF CHAPTER 58 OF THE GENERAL STATUTES AND WITH THE RULES REGARDING MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES; PROVIDE THAT A BAD CHECK CONSTITUTES GROUNDS FOR TERMINATION OF A MOTOR VEHICLE LIABILITY INSURANCE POLICY; AND AUTHORIZE THE ISSUANCE OF LIMITED LICENSES FOR THE SALE OF INSURANCE COVERAGE ON PERSONAL PROPERTY STORED IN SELF-SERVICE STORAGE UNITS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 11.

Speaker Morgan rules the Conference Report to be material, thus constituting its first reading.

On motion of Representative Culpepper, seconded by Representative Hilton, the House adjourns at 4:58 p.m. to reconvene June 11 at 2:00 p.m.

SEVENTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 11, 2003

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by Speaker Black.

The following prayer is offered by the Reverend Jim Lambeth, House Chaplain:

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"I will thank You, O Lord, among the nations. I will praise You among the peoples. Your constant love reaches the heavens; Your faithfulness touches the skies.' (Psalm 57:9-10)

"What a wonderful gift You have given us, O God, when You placed us in Your world, in this Nation, in this State. Seacoast, plain, rolling hills, mountains - the great variety in our State is wondrous and beautiful. Just so the great diversity of our State's citizens is a blessing from You. Remind us once again that a part of living in Your wonderful world also carries the responsibility of God-given dominion, to till and keep the earth, and to care for our sister and brother. We do that in many ways, in our personal lives, in our communities, even in the work of this House. Gracious God, as these good women and men strive together, guide their dominion over Your creation and their service to Your people. May their hard work always glorify You and serve the good of the people of North Carolina. Especially today we lift up Senator and Mrs. Carpenter and their family as they grieve the death of their daughter, Libby.

"In Your bounteous name we pray. 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 Bonner and Cunningham for today. Representative Culp is excused for a portion of the session.

ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

S.B. 251, AN ACT TO PROHIBIT THE PRACTICE OF THE "REBIRTHING" TECHNIQUE.

S.B. 887, AN ACT TO MANDATE INSURANCE COVERAGE FOR SURVEILLANCE TESTS FOR WOMEN AGE TWENTY-FIVE AND OLDER AND AT RISK FOR OVARIAN CANCER.

H.B. 483, AN ACT PROVIDING FOR THE ABROGATION OF OFFENSIVE PLACE-NAMES THROUGHOUT THE STATE.

H.B. 637, AN ACT TO PERMIT THE SETTLOR OF A REVOCABLE TRUST TO RELIEVE THE TRUSTEE OF DUTIES, RESTRICTIONS, AND LIABILITIES IMPOSED BY THE UNIFORM TRUSTS ACT.

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H.B. 842, AN ACT TO PROVIDE FOR A SYSTEM FOR ALL NORTH CAROLINA ELECTIONS THAT COMPLIES WITH THE HELP AMERICA VOTE ACT AND TO HELP PREVENT DUPLICATE NAMES ON JURY LISTS.

H.B. 916, AN ACT TO ESTABLISH A VACCINATION PROGRAM FOR FIRST RESPONDERS TO TERRORIST INCIDENTS, CATASTROPHIC OR NATURAL DISASTERS, OR EMERGENCIES.

H.B. 975, ACT TO PROVIDE PURCHASING FLEXIBILITY FOR THE UNIVERSITY OF NORTH CAROLINA.

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.J.R. 844, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ELMER "E.V." WILKINS, FORMER EDUCATOR AND CIVIC LEADER. (RESOLUTION 2003-15)

CHAPTERED BILLS

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 1093, AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE NORTH CAROLINA INSURANCE GUARANTY ASSOCIATION ACT. (S.L. 2003-167)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Nesbitt, Chair, for the Committee on Judiciary II:

S.B. 230 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT REVISED ARTICLE 6 OF THE UNIFORM COMMERCIAL CODE, BULK SALES, AND CONFORMING AMENDMENTS TO OTHER ARTICLES OF THE UNIFORM COMMERCIAL CODE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

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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. 881, A BILL TO BE ENTITLED AN ACT TO PERMIT PHASE II PAYMENTS UNDER THE NATIONAL TOBACCO GROWER SETTLEMENT TRUST TO BE PAID WITHOUT REOPENING A DECEDENT'S ESTATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, 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 Representative Miller, Chair, for the Committee on Science and Technology:

H.B. 820, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE TRAVELING SCIENCE AND TECHNOLOGY EDUCATION PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representative Munford, Chair, for the Committee on Judiciary IV:

S.B. 919 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE SAFETY OF VICTIMS IN SERIOUS DOMESTIC VIOLENCE CASES, 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.

By Representatives Brubaker and Saunders, Chairs, for the Committee on Public Utilities:

S.J.R. 1021, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE REAPPOINTMENT OF JO ANNE SANFORD TO THE UTILITIES COMMISSION, with a favorable report.

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Pursuant to Rule 36(b), the resolution is placed on the Calendar.

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

H.J.R. 1329, A JOINT RESOLUTION HONORING THE TOWN OF LILLINGTON ON THE OCCASION OF THE TOWN'S CENTENNIAL AND HONORING THE MEMORY OF GENERAL ALEXANDER LILLINGTON, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar.

S.B. 117, A BILL TO BE ENTITLED AN ACT TO NAME THE WESTERN JUSTICE ACADEMY IN HONOR OF REPRESENTATIVE LARRY T. JUSTUS, 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.

S.B. 511, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL GOVERNMENTS TO PUBLISH THE REVENUE-NEUTRAL TAX RATE IN YEARS WHEN THERE IS A GENERAL REVALUATION OF REAL PROPERTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Hackney, Chair, for the Committee on Judiciary I:

S.B. 1011 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DUTIES OF PERSONS WHO RECEIVE FOR DISTRIBUTION SUMS RECOVERED FOR PERSONAL INJURY WITH RESPECT TO LIENS IN FAVOR OF PROVIDERS OF HEALTH-RELATED GOODS AND SERVICES, 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 Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

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S.B. 583 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT CHILDREN IN THE PUBLIC SCHOOLS FROM EXPOSURE TO TOBACCO BY REQUIRING LOCAL BOARDS OF EDUCATION TO ADOPT WRITTEN POLICIES PROHIBITING THE USE OF TOBACCO PRODUCTS IN PUBLIC SCHOOL BUILDINGS, 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.

S.B. 994 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE LOCAL BOARDS OF EDUCATION TO SUSPEND FROM SCHOOL THOSE STUDENTS WHO GIVE AWAY, SELL, OR USE ALCOHOLIC BEVERAGES, PRESCRIPTION DRUGS, OR CONTROLLED SUBSTANCES ON SCHOOL PROPERTY, 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.

SUBCOMMITTEE REFERRAL

Representatives Bonner, Hilton, Warner and Wood, Chairs for the Standing Committee on Education, refer **S.B. 359** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE FORSYTH COUNTY BOARD OF EDUCATION TO APPLY FOR AND BE GRANTED A CHARTER TO OPERATE A CHARTER SCHOOL, to the Education Subcommittee on Pre-School, Elementary and Secondary Education.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 801 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE COMPETENCY TESTING PROGRAM TO ENSURE THAT HIGH SCHOOL STUDENTS WHO DO NOT PASS THE COMPETENCY TEST ARE GIVEN AN OPPORTUNITY TO TAKE AN ALTERNATIVE TEST, 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.

S.B. 301 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND TO THE REMAINING TWELVE COUNTIES THE AUTHORITY CURRENTLY GIVEN TO EIGHTY-EIGHT COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR LOCAL BOARDS OF EDUCATION, is read the first time and referred to the Committee on Education.

S.B. 408 (Committee Substitute), 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.

S.B. 452 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY MUNICIPALITIES IN UNION COUNTY, is read the first time and referred to the Committee on Finance.

S.B. 705, 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 read the first time and referred to the Committee on Finance and, if favorable, to the Committee on Appropriations.

CONFERENCE REPORT

Representative Nye moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 283

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 283, A BILL TO BE ENTITLED AN ACT TO REQUIRE REAL PROPERTY WARRANTY COMPANIES TO CARRY CONTRACTUAL LIABILITY POLICIES; ESTABLISH GREATER UNIFORMITY AND FLEXIBILITY FOR REQUIREMENTS IMPOSED UPON SERVICE AGREEMENT COMPANIES AND PERSONS

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THAT ISSUE WARRANTIES UNDER ARTICLE 1 OF CHAPTER 58; EXPAND THE DEFINITION OF HOME APPLIANCE WITHIN THE HOME APPLIANCE SERVICE AGREEMENT COMPANIES STATUTE; ENHANCE ENFORCEMENT OF ARTICLE 1 OF CHAPTER 58; REQUIRE MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES TO USE A SPECIFIC FORMAT ON ALL WRITTEN MATERIALS SUBMITTED; MANDATE ALL REQUIRED INSURER SUBMISSIONS TO THE DEPARTMENT OF INSURANCE TO BE IN A SPECIFIC FORMAT IF IN WRITING; DEFINE MECHANICAL BREAK-DOWN SERVICE AGREEMENTS AND REQUIRE ALL MECHANICAL BREAKDOWN SERVICE AGREEMENT COMPANIES TO COMPLY WITH ARTICLE 1 OF CHAPTER 58 OF THE GENERAL STATUTES AND WITH THE RULES REGARDING MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES; PROVIDE THAT A BAD CHECK CONSTITUTES GROUNDS FOR TERMINATION OF A MOTOR VEHICLE LIABILITY INSURANCE POLICY; AND AUTHORIZE THE ISSUANCE OF LIMITED LICENSES FOR THE SALE OF INSURANCE COVERAGE ON PERSONAL PROPERTY STORED IN SELF-SERVICE STORAGE UNITS, Senate Commerce Committee Substitute Adopted 5/21/03, submit the following report:

The House concurs in the Senate Committee Substitute, and the House and Senate agree to the following amendments:

On page 1, by deleting lines 19 and 20; and

On page 2, line 9, by rewriting the line to read:

"other entity; and (iii) whose service agreements cover ~~only~~ primarily appliances sold by the dealer"; and

On page 3, line 3, by deleting the word "a" and substituting "an audited"; and

On page 3, line 5, by deleting the word "company" and substituting the phrase "company, its parent company,"; and

On pages 4 and 5, by deleting Sections 5.(a) and 5.(b);

And by renumbering the remaining sections accordingly.

The conferees recommend that the Senate and the House of Representative adopt this report.

June 11, 2003

Date conferees approved report: June 10th, 2003.

*Conferees for the
Senate*

S/ R. C. Soles, Chair
S/ David W. Hoyle

*Conferees for the
House of Representatives*

S/ Edd Nye, Chair
S/ Mitchell S. Setzer

The material Conference Report is adopted on its second roll call reading, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtride, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, and Wright - 114.

Voting in the negative: None.

Excused absences: Representatives Bonner and Cunningham - 2.

CONFERENCE REPORT

Representative Luebke moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 384

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 384, A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF THE DURHAM NORTHERN AND WILMINGTON URBAN LOOPS

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AND OTHER INTRASTATE IMPROVEMENT PROJECTS, House Committee Substitute Favorable 5/7/03, submit the following report:

The Senate and the House agree to the following amendment to the House Committee Substitute Favorable 5/7/03, 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 S384-PCCS35317-RW-29.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 10, 2003.

*Conferees for the
Senate*

S/ Wilbur P. Gulley, Chair
S/ Daniel G. Clodfelter
S/ Linda Garrou
S/ Anthony E. Rand
S/ Robert A. Rucho
S/ Larry Shaw

*Conferees for the
House of Representatives*

S/ Paul Luebke, Chair
S/ Jeffrey L. Barnhart
S/ Margaret H. Dickson
S/ Daniel F. McComas
S/ Earline W. Parmon

On motion of Representative Luebke and without objection, the Conference Report is withdrawn from the Calendar and placed on the Calendar of June 12.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 655** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE ON A PORTION OF PEMBROKE CREEK IN CHOWAN COUNTY.

On motion of Representative Culpepper, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (115-0), and the bill is ordered enrolled.

H.B. 696, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF WADESBORO TO EXTEND THE MAYOR'S TERM OF OFFICE FROM TWO TO FOUR YEARS AND TO

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AMEND THE CHARTER OF THE TOWN OF ANSONVILLE TO EXTEND THE MAYOR'S AND COUNCIL MEMBERS' TERMS OF OFFICE FROM TWO TO FOUR YEARS.

On motion of Representative Gibson, the House concurs in the Senate amendment, by electronic vote (116-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 892** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COMMON LAW DETERMINES WHETHER A DRIVER OF A TRUCK, TRACTOR, OR TRUCK TRACTOR TRAILER OF AN INTERSTATE MOTOR CARRIER IS AN EMPLOYEE SUBJECT TO THE WORKERS' COMPENSATION ACT AND TO DEFINE THE OBLIGATIONS UNDER THE ACT FOR SUCH DRIVERS.

On motion of Representative Saunders, 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.

Senate Committee Substitute for **H.B. 1123**, A BILL TO BE ENTITLED AN ACT TO EXPRESSLY PROVIDE FOR LIMITED GUARDIANSHIPS FOR INCOMPETENT PERSONS AND TO CLARIFY THE DUTY OF A GUARDIAN AD LITEM APPOINTED TO REPRESENT A PERSON IN AN INCOMPETENCY ADJUDICATION.

On motion of Representative Farmer-Butterfield, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 1151** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE ADMINISTRATIVE PROCEDURE ACT TO REVISE THE PROCEDURE FOR ADOPTING PERMANENT AND TEMPORARY RULES, TO CREATE A PROCEDURE FOR THE ADOPTION OF EMERGENCY RULES, TO CLARIFY THE ROLE OF THE RULES REVIEW COMMISSION AND TO EXCLUDE THE STATE MEDICAL FACILITIES PLAN FROM THE DEFINITION OF A RULE.

On motion of Representative Nesbitt, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (110-5), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

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S.B. 232 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY TO FUND THE ESTABLISHMENT OF BIKEWAYS AND TRAILS, passes its second reading, by electronic vote (112-3).

Representative Gulley objects to the third reading. The bill remains on the Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Culpepper and without objection, **S.B. 421** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND MAKE TECHNICAL CORRECTIONS TO THE CHILD WELFARE LAWS AND TO ENHANCE THE STATE'S ABILITY TO PROTECT CHILDREN, is withdrawn from the Calendar and placed on the Calendar of June 17.

CALENDAR (continued)

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 502 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A DEPUTY TO GAIN ACCESS TO THE CONTENTS OF A DECEDENT'S SAFE-DEPOSIT BOX, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

Representative Preston states that her voting equipment malfunctioned and she requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (112-0).

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 622 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FURTHER PROMOTE E-COMMERCE AND E-GOVERNMENT, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

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Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 925 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAWS TO PREVENT SECURITIES FRAUD AND TO CLARIFY THE PROHIBITION ON STATE CONTRACTS 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.

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (112-0).

The bill, as amended, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 966 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE INSURERS TO IMPLEMENT SAFEGUARDS FOR THE PROTECTION OF CUSTOMER INFORMATION, PURSUANT TO THE PROVISIONS OF THE GRAMM-LEACH-BLILEY ACT, passes its second reading, by electronic vote (113-0).

Representative Gulley objects to the third reading. The bill remains on the Calendar.

H.B. 511, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TOWN-OWNED PROPERTIES OF THE TOWN OF ANDREWS FROM THE CEILING ON VOLUNTARY SATELLITE ANNEXATIONS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson,

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Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Mitchell, Moore, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Bonner and Cunningham - 2.

H.B. 725 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CITY OF CLAREMONT AND THE CITY OF CONOVER AND ANNEXING CERTAIN DESCRIBED PROPERTY TO THE CITY OF CLAREMONT, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Mitchell, Moore, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Bonner and Cunningham - 2.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

June 11, 2003

S.B. 57 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF CAROLINA BEACH, WRIGHTSVILLE BEACH, AND YADKINVILLE TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES.

Representative Holmes 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 Morgan; Representatives Adams, Alexander, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: Representative Bowie.

Excused absences: Representatives Bonner and Cunningham - 2.

The bill remains on the Calendar.

H.B. 673 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF AVERY TO ESTABLISH AN AVERY COUNTY FIRE 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.

S.B. 494 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CARRBORO TO REQUIRE SPRINKLERS IN BARS, CLUBS, AND OTHER SIMILAR PLACES OF PUBLIC ASSEMBLY THAT HAVE GATHERINGS OF MORE THAN ONE HUNDRED PEOPLE AND SELL ALCOHOLIC BEVERAGES AND TO AUTHORIZE THE TOWN OF CHAPEL HILL TO POSTPONE

June 11, 2003

FOR EIGHTEEN MONTHS THE APPROVAL OF SPECIAL USE PERMITS AND SITE PLANS PROPOSED ON SITES RESERVED AS SCHOOL SITES ON THE TOWN'S ADOPTED COMPREHENSIVE LAND-USE PLAN.

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (116-0). This amendment changes the title.

The bill, as amended, passes its second reading. The caption having been amended, the bill remains on the Calendar.

H.B. 471 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO BRING STATE LAW INTO COMPLIANCE WITH RECENTLY ADOPTED FEDERAL REGULATIONS CONCERNING THE EFFECT OF VIOLATION OF RAILROAD CROSSING SAFETY AND OTHER STATE LAWS ON COMMERCIAL DRIVERS LICENSES, AND REQUIRING A NEW "S" ENDORSEMENT FOR PERSONS OPERATING SCHOOL BUSES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; AND TO REQUIRE A MOPED IDENTIFICATION TAG, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McHenry, McLawhorn, McMahan, Michaux, Mitchell, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 109.

Voting in the negative: Representatives Allred, Daughtridge, McGee, Moore, and Wood - 5.

Excused absences: Representatives Bonner and Cunningham - 2.

June 11, 2003

BILL PLACED ON CALENDAR

Representative Culpepper gives notice, pursuant to Rule 36(b), and **S.J.R. 1021**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE REAPPOINTMENT OF JO ANNE SANFORD TO THE UTILITIES COMMISSION, is placed on the Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

CALENDAR (continued)

H.B. 948 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND THE WILDLIFE RESOURCES COMMISSION WITH RESPECT TO THE REGULATION OF CERVIDS.

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: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtride, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: Representative Baker.

Excused absences: Representatives Bonner and Cunningham - 2.

June 11, 2003

H.B. 1006 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT GREATER CONSUMER PROTECTION TO RESIDENTS OF MANUFACTURED HOUSING IN NORTH CAROLINA.

Representative K. Williams offers Amendment No. 2 which is adopted by electronic vote (115-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtride, Daughtry, Decker, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: Representative McHenry.

Excused absences: Representatives Bonner and Cunningham - 2.

Representative Capps requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (113-1).

H.B. 1030 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE CONCEALED HANDGUN PERMIT APPLICATION AND RENEWAL FEES FOR QUALIFIED RETIRED SWORN LAW ENFORCEMENT OFFICERS.

On motion of Representative Allred and without objection, the bill is temporarily displaced.

H.B. 1074 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REVISE A STATUTE TO CREATE A BUTNER ADVISORY COUNCIL SO AS TO ELECT ALL MEMBERS AT LARGE

June 11, 2003

IN ONE MULTISEAT RACE AND ELIMINATE STAGGERED TERMS; TO DEFINE THE ELECTORAL JURISDICTION OF THE COUNCIL AND THE JURISDICTION OF SPECIAL POLICE OF THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY; AND TO AMEND THE LEGISLATION IN OTHER NEEDED WAYS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Bonner and Cunningham - 2.

S.B. 652 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN AIRPORT AUTHORITIES TO ENTER INTO INSTALLMENT CONTRACTS, TO EXTEND FROM TEN TO FIFTEEN YEARS THE MAXIMUM REPAYMENT PERIOD FOR DAM REPAIR ASSESSMENTS IN THE VILLAGE OF PINEHURST, AND TO ALLOW THE STANLY COUNTY AIRPORT AUTHORITY TO ENTER INTO LONG-TERM LEASES WITH THE UNITED STATES, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Creech, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dickson, Dockham, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin,

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Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Bonner and Cunningham - 2.

H.B. 684 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATUTORY FRAMEWORK FOR THE FINANCING OF CAPITAL FACILITIES BY THE STATE AND TO AUTHORIZE THE ISSUANCE OF SPECIAL INDEBTEDNESS TO FINANCE THE CONSTRUCTION OF A NEW PSYCHIATRIC HOSPITAL TO BE LOCATED IN BUTNER.

Representative B. Allen moves that Rule 31(d) be suspended in order that he might offer an amendment that would change the title.

The motion fails by electronic vote (36-80).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, G. Allen, L. Allen, Baker, Barbee, Barnhart, Bell, Blackwood, Bordsen, Brubaker, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Luebke, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Mitchell, Moore, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Sauls, Saunders, Setzer, Sexton, Sherrill, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 98.

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Voting in the negative: Representatives B. Allen, Allred, Blust, Bowie, Capps, Culp, Eddins, Ellis, Hackney, Lucas, McAllister, Miner, Munford, Ross, Stam, Starnes, and Weiss - 17.

Excused absences: Representatives Bonner and Cunningham - 2.

Representative Stiller requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (99-17).

H.B. 1026 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE PROGRAM FOR THE COLLECTION OF WORTHLESS CHECKS AVAILABLE STATEWIDE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, G. Allen, L. Allen, Allred, Baker, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Bonner and Cunningham - 2.

H.B. 1028 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COASTAL RESOURCES COMMISSION TO ADOPT TEMPORARY AND PERMANENT RULES TO ESTABLISH A GENERAL PERMIT FOR THE CONSTRUCTION OF RIPRAP SILLS FOR WETLAND ENHANCEMENT AND SHORELINE PROTECTION IN ESTUARINE AND PUBLIC TRUST WATERS.

Representative C. Wilson offers Amendment No. 1.

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Representative C. Wilson withdraws her amendment.

On motion of Representative K. Williams and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 17.

H.B. 150 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CRITERIA FOR AWARDING STATE GRANTS TO STUDENTS ATTENDING CERTAIN ACCREDITED INSTITUTIONS OF HIGHER EDUCATION.

Pursuant to Rule 24.1A(c), the request that Representative Rapp be excused from voting on June 10 is continued.

Representative Weiss offers Amendment No. 2.

Representative Stam offers perfecting Amendment No. 3 which is adopted by electronic vote (63-51).

Representative Weiss withdraws Amendment No. 2 taking perfecting Amendment No. 3 with it.

Representative Insko offers Amendment No. 4 which is adopted by electronic vote (112-1).

Speaker Black stops debate and attends to the following business.

SPECIAL MESSAGE FROM THE SENATE

2003 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
June 11, 2003

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. 384** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF THE DURHAM NORTHERN LOOP AND INTRASTATE IMPROVEMENT PROJECTS, and when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

June 11, 2003

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Bell and G. Wilson, Chairs, for the Committee on Pensions and Retirement:

H.B. 219, A BILL TO BE ENTITLED AN ACT TO MODIFY AND MAKE PERMANENT THE OPTION FOR RETIRED TEACHERS TO RETURN TO THE CLASSROOM WITHOUT LOSS OF RETIREMENT BENEFITS, 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. 993, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR RECIPROCITY BETWEEN THE OPTIONAL RETIREMENT PROGRAM FOR STATE INSTITUTIONS OF HIGHER EDUCATION AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, 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 Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representatives Allred and Coates, Chairs, for the Committee on Transportation:

H.B. 666, A BILL TO BE ENTITLED AN ACT TO SET THE COMPENSATION PAID BY THE DIVISION OF MOTOR VEHICLES TO CONTRACT AGENCIES, 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 Appropriations.

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The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 232 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MILLS RIVER, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 12.

H.B. 971, A BILL TO BE ENTITLED AN ACT REQUIRING THE CONTINUING EDUCATION OF PERSONS PRACTICING UNDER THE COSMETIC ART 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.

H.B. 1294, A BILL TO BE ENTITLED AN ACT TO EXPAND THE QUALIFIED BUSINESS INVESTMENTS TAX CREDIT, 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 12. The original bill is placed on the Unfavorable Calendar.

S.B. 76 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF MISENHEIMER, 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.

S.B. 236 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE DIVIDEND RECEIVED DEDUCTION FOR REGULATED INVESTMENT COMPANIES AND REAL ESTATE INVESTMENT TRUSTS TO ENSURE THAT ALL DIVIDENDS ARE TREATED UNIFORMLY, TO EXTEND FOR TWO YEARS THE DEPARTMENT OF REVENUE'S AUTHORITY TO OUTSOURCE THE

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COLLECTION OF IN-STATE TAX DEBTS, TO AMEND THE MOTOR FUEL TAX LAWS, AND TO MAKE VARIOUS ADMINISTRATIVE CHANGES IN THE TAX 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. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 936, A BILL TO BE ENTITLED AN ACT TO WAIVE VARIOUS DEADLINES, FEES, AND PENALTIES FOR DEPLOYED MILITARY PERSONNEL, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

CALENDAR (continued)

H.B. 150 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CRITERIA FOR AWARDING STATE GRANTS TO STUDENTS ATTENDING CERTAIN ACCREDITED INSTITUTIONS OF HIGHER EDUCATION, is before the Body.

Representative Luebke offers Amendment No. 5.

Representative Stam inquires of the Chair if the amendment is germane to the title. Speaker Black rules that it is.

Amendment No. 5 fails of adoption by electronic vote (19-92).

Representative Gibson requests and is granted permission to be recorded as voting "no". The adjusted vote total is (19-93).

The bill, as amended, passes its third reading, by electronic vote (66-47), and is ordered engrossed and sent to the Senate.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative K. Williams and without objection, **H.B. 1028** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COASTAL RESOURCES COMMISSION TO ADOPT TEMPORARY AND PERMANENT RULES TO ESTABLISH A GENERAL

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PERMIT FOR THE CONSTRUCTION OF RIPRAP SILLS FOR WETLAND ENHANCEMENT AND SHORELINE PROTECTION IN ESTUARINE AND PUBLIC TRUST WATERS, is withdrawn from the Calendar of June 17 and placed on the Calendar of June 12.

On motion of Representative Culpepper, seconded by Representative McComas, the House adjourns at 6:07 p.m. to reconvene June 12 at 1:00 p.m.

SEVENTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 12, 2003

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by Speaker Morgan.

The following prayer is offered by the Reverend Jim Lambeth, House Chaplain:

"Mighty One:

"May we know the peace of Your presence wherever we may be - in our homes; at play; in our places of worship; even in this House of Government. Walk within the great diversity of opinion of these women and men as they deal with important issues affecting life in our State and its communities. Make their differences an asset, not a liability, and give them a mutual respect. When decision seems impossible, give them new insight; when things become mired down, shake them loose; when their work becomes tiresome, give them rest of mind, body and spirit. And God of all, as the end of another week approaches, give Your traveling mercy, the blessing of time with family and friends; and holy time with You.

"In Your great name we pray. 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 Capps, Cunningham, Eddins, Farmer-Butterfield and Setzer for today. Representatives Brubaker,

June 12, 2003

Holmes, Insko, McLawhorn, Weiss, and West are excused for a portion of the session.

ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

S.B. 424, AN ACT TO AMEND THE LAW CONCERNING TUITION WAIVERS AND TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY WHETHER TO EXTEND THESE TUITION WAIVERS.

S.B. 437, AN ACT TO ALLOW A PLUMBING AND HEATING CONTRACTOR OR AN ELECTRICAL CONTRACTOR LICENSED UNDER CHAPTER 87 OF THE GENERAL STATUTES TO BID AND CONTRACT DIRECTLY WITH THE OWNER OF A PUBLIC BUILDING PROJECT IN CERTAIN CIRCUMSTANCES.

S.B. 549, AN ACT TO ADOPT THE REVISED UNIFORM PRINCIPAL AND INCOME ACT.

S.B. 622, AN ACT TO FURTHER PROMOTE E-COMMERCE AND E-GOVERNMENT.

S.B. 627, AN ACT TO DEDICATE AND ACCEPT CERTAIN PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE, TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE, AND TO DELETE A PARK FROM THE STATE PARKS SYSTEM.

S.B. 706, AN ACT TO ALLOW A PUBLIC UNIVERSITY TO ADD BLEACHERS TO AN EXISTING SOFTBALL FIELD WITHOUT HAVING TO CONSTRUCT ADDITIONAL PLUMBING FACILITIES.

H.B. 892, AN ACT TO DETERMINE WHETHER A DRIVER OF A TRUCK, TRACTOR, OR TRUCK TRACTOR TRAILER OF AN INTER-STATE OR INTRASTATE MOTOR CARRIER IS AN EMPLOYEE SUBJECT TO THE WORKERS' COMPENSATION ACT AND TO DEFINE THE OBLIGATIONS UNDER THE ACT FOR SUCH DRIVERS.

H.B. 1123, AN ACT TO EXPRESSLY PROVIDE FOR LIMITED GUARDIANSHIPS FOR INCOMPETENT PERSONS AND TO CLARIFY THE DUTY OF A GUARDIAN AD LITEM APPOINTED TO REPRESENT A PERSON IN AN INCOMPETENCY ADJUDICATION AND TO CLARIFY

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THE APPOINTMENT OF GUARDIAN AD LITEMS UNDER RULE 17 OF THE RULES OF CIVIL PROCEDURE.

H.B. 1151, AN ACT TO AMEND THE ADMINISTRATIVE PROCEDURE ACT TO REVISE THE PROCEDURE FOR ADOPTING PERMANENT AND TEMPORARY RULES, TO CREATE A PROCEDURE FOR THE ADOPTION OF EMERGENCY RULES, TO CLARIFY THE ROLE OF THE RULES REVIEW COMMISSION, AND TO EXCLUDE THE STATE MEDICAL FACILITIES PLAN FROM THE DEFINITION OF A RULE.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 319, AN ACT AMENDING THE CABARRUS COUNTY DEMONSTRATION WORK OVER WELFARE PROGRAM.

H.B. 655, AN ACT TO ESTABLISH A NO-WAKE ZONE ON PEMBROKE CREEK IN CHOWAN COUNTY AND A GATES COUNTY TAX CERTIFICATION REQUIREMENT.

H.B. 696, AN ACT TO AMEND THE CHARTER OF THE TOWN OF WADESBORO TO EXTEND THE MAYOR'S TERM OF OFFICE FROM TWO TO FOUR YEARS AND TO AMEND THE CHARTER OF THE TOWN OF ANSONVILLE TO EXTEND THE MAYOR'S AND COUNCIL MEMBERS' TERMS OF OFFICE FROM TWO TO FOUR YEARS.

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.J.R. 1021, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE REAPPOINTMENT OF JO ANNE SANFORD TO THE UTILITIES COMMISSION. (RESOLUTION 2003-16)

CONFERENCE REPORT

Representative Sutton sends forth the Conference Report on **H.B. 745** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE MEMBERSHIP OF THE NORTH CAROLINA INDIAN CULTURAL CENTER BOARD. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 16.

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Nesbitt, Chair, for the Committee on Judiciary II:

S.B. 521 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE REGULATION OF PYROTECHNIC DISPLAYS, 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.

S.B. 537, A BILL TO BE ENTITLED AN ACT TO EXCLUDE AIRPORTS FROM THE PUBLIC ENTERPRISE BILLING INFORMATION PRIVACY LAW, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Insko and Justus, Chairs, for the Committee on Health:

S.B. 1016 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING NURSING HOMES TO ESTABLISH A MEDICATION MANAGEMENT ADVISORY COMMITTEE AND SPECIFYING THE DUTIES OF THE COMMITTEE, AND TO REQUIRE NURSING HOMES TO DO CERTAIN THINGS PERTAINING TO THE REDUCTION OF MEDICATION-RELATED ERRORS TO INCREASE PATIENT SAFETY, 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 Sutton, Chair, for the Committee on Judiciary III:

H.B. 794, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO IS CONVICTED OF A MISDEMEANOR MAY HAVE

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HIS OR HER RECORD EXPUNGED IN CERTAIN CIRCUMSTANCES AND TO ESTABLISH A FEE FOR THE COST OF HAVING THE RECORD EXPUNGED, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

H.B. 818 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SAFEKEEPING OF MILITARY DISCHARGE DOCUMENTS AND TO PREVENT DISCLOSURE TO UNAUTHORIZED PARTIES, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

S.B. 952 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE NEW CHALLENGE GRANTS AVAILABLE FROM THE DISTINGUISHED PROFESSORS ENDOWMENT TRUST FUND FOR CERTAIN CONSTITUENT INSTITUTIONS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 152** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING CHILD CARE FACILITIES TO PLACE CHILDREN IN A SLEEPING POSITION THAT REDUCES THE RISK OF SUDDEN INFANT DEATH SYNDROME (SIDS), PROHIBITING THE ADMINISTRATION OF MEDICATION TO A CHILD IN A LICENSED OR UNLICENSED CHILD CARE FACILITY WITHOUT PROPER AUTHORIZATION FROM THE CHILD'S PARENT OR GUARDIAN, AND REQUIRING CERTAIN AGENCIES AND THE MEDICAL COMMUNITY TO COOPERATE IN INVESTIGATING REPORTS OF CHILD ABUSE AND NEGLECT IN CHILD CARE FACILITIES, 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.

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Upon concurrence, the Senate committee substitute bill changes the title.

H.B. 248 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE CITY OF WILMINGTON TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS, 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.

H.B. 785 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE RULE 45 OF THE NORTH CAROLINA RULES OF CIVIL PROCEDURE, 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 June 16.

H.B. 787 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH EQUITY IN REPORTING REQUIREMENTS BETWEEN FEDERAL POLITICAL COMMITTEES AND NORTH CAROLINA POLITICAL COMMITTEES, 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 June 16.

H.B. 824 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT ENCROACHMENT ON ITS RIGHTS-OF-WAY FOR THE CONSTRUCTION OF PRIVATE BRIDGES, 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 June 16.

Senate Committee Substitute for **H.B. 963** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN PERSONS CONVICTED OF LEAVING THE SCENE OF AN ACCIDENT INVOLVING INJURY OR DEATH SHALL LOSE THEIR LICENSE

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FOR A PERIOD OF TWO YEARS, 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. 986 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A MOTOR VEHICLE INSURER TO DISCLOSE ANY FINANCIAL INTEREST IN A RECOMMENDED REPAIR FACILITY OR SERVICE, 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 June 16.

H.B. 1221 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING THE RETURN OF OVERPAYMENTS OF STATE FUNDS BY PERSONS IN STATE-SUPPORTED POSITIONS, 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 June 16.

S.B. 324, A BILL TO BE ENTITLED AN ACT TO INCREASE THE HOMEOWNERS RECOVERY FUND PERMIT FEE, is read the first time and referred to the Committee on Finance.

WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), **H.B. 219** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON REEMPLOYMENT AFTER RETIREMENT FOR TEACHERS AND STATE EMPLOYEES, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CONFERENCE REPORT

The material Conference Report for Senate Committee Substitute for **H.B. 283** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE REAL PROPERTY WARRANTY COMPANIES TO CARRY

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CONTRACTUAL LIABILITY POLICIES; REQUIRE MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES TO USE A SPECIFIC FORMAT ON ALL WRITTEN MATERIALS SUBMITTED; MANDATE ALL REQUIRED SUBMISSIONS TO THE DEPARTMENT OF INSURANCE TO BE IN A SPECIFIC FORMAT IF IN WRITING; REQUIRE WARRANTY COMPANIES TO COMPLY WITH ARTICLE 1 OF CHAPTER 58 OF THE GENERAL STATUTES; DEFINE MECHANICAL BREAKDOWN SERVICE AGREEMENTS AND REQUIRE ALL MECHANICAL BREAKDOWN SERVICE AGREEMENT COMPANIES TO COMPLY WITH ARTICLE 1 OF CHAPTER 58 OF THE GENERAL STATUTES AND WITH THE RULES REGARDING MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES; AND PROVIDE THAT A BAD CHECK CONSTITUTES NONPAYMENT OF PREMIUM OF A MOTOR VEHICLE LIABILITY INSURANCE POLICY, 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.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Ellis, England, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Capps, Cunningham, Eddins, Farmer-Butterfield, and Setzer - 5.

WITHDRAWAL OF CONFERENCE REPORT FROM CALENDAR

On motion of Representative Saunders and without objection, the Conference Report on **S.B. 384** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF THE DURHAM NORTHERN AND WILMINGTON

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URBAN LOOPS AND OTHER INTRASTATE IMPROVEMENT PROJECTS, is withdrawn from the Calendar and re-referred to the Appropriations Subcommittee on Transportation.

CALENDAR

Action is taken on the following:

H.B. 1030 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE CONCEALED HANDGUN PERMIT APPLICATION AND RENEWAL FEES FOR QUALIFIED RETIRED SWORN LAW ENFORCEMENT OFFICERS.

Representative Allred offers Amendment No. 1.

Representative Glazier inquires of the Chair if the amendment is germane to the title. Speaker Morgan rules that the amendment is not in order and the title would need to be changed.

Representative Allred moves that Rule 31(d) be suspended in order that he might offer an amendment that would change the title of the bill.

The motion fails by electronic vote (32-81).

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Ellis, England, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McHenry, McLawhorn, McMahan, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Womble, Wright, and Yongue - 106.

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Voting in the negative: Representatives Creech, LaRoque, McGee, and Wood - 4.

Excused absences: Representatives Brubaker, Capps, Cunningham, Eddins, Farmer-Butterfield, and Setzer - 6.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 450, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RELEASE OR REFUND OF CERTAIN PROPERTY TAXES, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 558 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT CONSUMERS AND TRANSFERORS OF MOTOR VEHICLES UNAWARE OF PRIOR DAMAGE OR WHEN PRIOR DAMAGE WAS MINOR, 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 for concurrence in the House committee substitute bill.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 656 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE INNOVATIVE EDUCATION INITIATIVES ACT.

Representative Wood offers Amendment No. 1 which fails of adoption by electronic vote (17-89).

The bill passes its second reading, by electronic vote (107-0).

Representative Gulley objects to the third reading. The bill remains on the Calendar.

S.B. 694 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE IN THE SAME MANNER AS FEDERAL LAW THAT A CONTROLLED SUBSTANCE ANALOGUE SHALL, TO THE EXTENT INTENDED FOR HUMAN CONSUMPTION, BE TREATED

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AS A CONTROLLED SUBSTANCE IN SCHEDULE I OF THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT, 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 enrolled and presented to the Governor.

S.B. 753 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PERSONS NOMINATED AS MAGISTRATES AND TO ESTABLISH A PILOT PROGRAM IN TWELFTH JUDICIAL DISTRICT TO ADDRESS CONFLICTING CHILD CUSTODY ORDERS, passes its second reading, by electronic vote (105-0).

Representative Pate 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. 912 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF SEXUAL BATTERY, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

H.B. 232 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MILLS RIVER, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Daughtry, Dickson, Dockham, Earle, Ellis, England, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Hunter, Jeffus, C. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill,

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Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Capps, Cunningham, Eddins, Farmer-Butterfield, Insko, McLawhorn, Setzer, and Weiss - 9.

S.B. 57 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF CAROLINA BEACH, WRIGHTSVILLE BEACH, AND YADKINVILLE TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES.

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, Speaker Morgan; Representatives Adams, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Dickson, Dockham, Earle, Ellis, England, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Hunter, Jeffus, C. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Capps, Cunningham, Eddins, Farmer-Butterfield, Insko, McLawhorn, Setzer, and Weiss - 9.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 414, A BILL TO BE ENTITLED AN ACT TO ALLOW ROBESON COUNTY TO DELAY THE REAPPRAISAL OF PROPERTY FOR PROPERTY TAX PURPOSES BY ONE YEAR, passes its second reading, by the following vote, and remains on the Calendar.

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Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Dickson, Dockham, Earle, Ellis, England, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Hunter, Jeffus, C. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Capps, Cunningham, Eddins, Farmer-Butterfield, Insko, McLawhorn, Setzer, and Weiss - 9.

S.B. 494 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CARRBORO TO REQUIRE SPRINKLERS IN BARS, CLUBS, AND OTHER SIMILAR PLACES OF PUBLIC ASSEMBLY THAT HAVE GATHERINGS OF MORE THAN ONE HUNDRED PEOPLE AND SELL ALCOHOLIC BEVERAGES AND TO AUTHORIZE THE TOWN OF CHAPEL HILL TO POSTPONE FOR TWELVE MONTHS THE APPROVAL OF SPECIAL USE PERMITS AND SITE PLANS PROPOSED ON SITES RESERVED AS SCHOOL SITES ON THE TOWN'S ADOPTED COMPREHENSIVE LAND-USE PLAN, passes its third reading, by electronic vote (104-0), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill.

H.B. 684 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATUTORY FRAMEWORK FOR THE FINANCING OF CAPITAL FACILITIES BY THE STATE AND TO AUTHORIZE THE ISSUANCE OF SPECIAL INDEBTEDNESS TO FINANCE THE CONSTRUCTION OF A NEW PSYCHIATRIC HOSPITAL TO BE LOCATED IN BUTNER.

Representative Ellis offers Amendment No. 1 which fails of adoption by electronic vote (22-84).

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The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, G. Allen, L. Allen, Baker, Barbee, Barnhart, Bell, Blackwood, Bonner, Bordsen, Carney, Church, Clary, Coates, Crawford, Creech, Culp, Culpepper, Daughtride, Daughtry, Decker, Dickson, Dockham, Earle, England, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Hunter, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McMahan, Michaux, Miller, Mitchell, Moore, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Sauls, Saunders, Sexton, Sherrill, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 96.

Voting in the negative: Representatives B. Allen, Allred, Blust, Bowie, Ellis, Hackney, Lucas, Miner, Munford, Ross, and Stam - 11.

Excused absences: Representatives Brubaker, Capps, Cunningham, Eddins, Farmer-Butterfield, Holmes, Insko, McLawhorn, Setzer, and Weiss - 10.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Gulley removes his objection to the third reading of **S.B. 656** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE INNOVATIVE EDUCATION INITIATIVES ACT.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

CALENDAR (continued)

H.B. 1026 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE THE PROGRAM FOR THE COLLECTION OF WORTHLESS CHECKS AVAILABLE STATEWIDE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie,

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Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, England, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Hunter, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Capps, Cunningham, Eddins, Farmer-Butterfield, Holmes, Insko, McLawhorn, Setzer, Weiss, and West - 11.

H.B. 1028 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COASTAL RESOURCES COMMISSION TO ADOPT TEMPORARY AND PERMANENT RULES TO ESTABLISH A GENERAL PERMIT FOR THE CONSTRUCTION OF RIPRAP SILLS FOR WETLAND ENHANCEMENT AND SHORELINE PROTECTION IN ESTUARINE AND PUBLIC TRUST WATERS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Ellis, England, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Hunter, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McMahan, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: None.

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Excused absences: Representatives Brubaker, Capps, Cunningham, Eddins, Farmer-Butterfield, Holmes, Insko, McLawhorn, Setzer, Weiss, and West - 11.

S.B. 232 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY TO FUND THE ESTABLISHMENT OF BIKEWAYS AND TRAILS, passes its third reading, by electronic vote (102-5), and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Representative Stiller requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (103-4).

S.B. 966 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE INSURERS TO IMPLEMENT SAFEGUARDS FOR THE PROTECTION OF CUSTOMER INFORMATION, PURSUANT TO THE PROVISIONS OF THE GRAMM-LEACH-BLILEY ACT, passes its third reading, by electronic vote (105-0), and is ordered sent to the Senate for concurrence in the House committee substitute bill.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Culpepper and without objection, **H.B. 79** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON CONVICTED OF ANY FELONY OR CERTAIN OTHER CRIMINAL OFFENSES OR WHO IS FOUND NOT GUILTY BY REASON OF INSANITY OF ANY FELONY OR CERTAIN OTHER CRIMINAL OFFENSES, TO CLARIFY WHEN THAT SAMPLE IS TAKEN, AND TO RESTRICT THE RELEASE OF INFORMATION FROM THE DNA DATABASE, is withdrawn from the Calendar and placed on the Calendar of June 17.

CALENDAR (continued)

H.B. 1294 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE QUALIFIED BUSINESS INVESTMENTS TAX CREDIT, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

June 12, 2003

S.B. 774 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DUTIES OF OPERATORS OF SKATEBOARD PARKS, TO ESTABLISH THE DUTIES OF PERSONS WHO ENGAGE IN CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES, AND TO LIMIT THE LIABILITY OF GOVERNMENTAL ENTITIES FOR DAMAGE OR INJURIES THAT ARISE OUT OF A PERSON'S PARTICIPATION IN CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES AND THAT OCCUR IN AN AREA DESIGNATED FOR CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES, passes its second reading, by electronic vote (95-11).

Representative Grady objects to the third reading. The bill remains on the Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Nesbitt and without objection, **S.B. 786** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN THE PROPERTY OF A RESIDENT OF A STATE INSTITUTION UNDER THE DEPARTMENT OF HEALTH AND HUMAN SERVICES IS LOST, DESTROYED, OR OTHERWISE DAMAGED THROUGH NEGLIGENT HANDLING BY THE INSTITUTION, THE INSTITUTION MAY MAKE DIRECT PAYMENT OR PROVIDE REPLACEMENT OF THE ITEM TO THE RESIDENT WITHOUT RECOURSE TO THE TORT CLAIMS PROCESS IF THE AMOUNT OF DAMAGES IS LESS THAN FIVE HUNDRED DOLLARS, is withdrawn from the Calendar and placed on the Calendar of June 17.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.J.R. 1026, A JOINT RESOLUTION PROVIDING THAT THE 2003 GENERAL ASSEMBLY SHALL MEET IN JOINT SESSION TO COMMEMORATE THE 100TH ANNIVERSARY OF ORVILLE AND WILBUR WRIGHT'S FIRST FLIGHT AND INVITING HIS EXCELLENCE, GOVERNOR MICHAEL F. EASLEY, is read the first time and placed on the Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (95-1), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

June 12, 2003

SPECIAL MESSAGE FROM THE SENATE**2003 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
June 12, 2003

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. 840** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT FOLKMOOT USA AS NORTH CAROLINA'S OFFICIAL INTERNATIONAL FESTIVAL, and requests conferees. The President *Pro Tempore* appoints:

Senator Queen, Chair
Senator Metcalf
Senator Stevens

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

Speaker Morgan appoints Representative Baker, Chair; Representatives Rapp and Sherrill as conferees on the part of the House and the Senate is so notified by Special Message.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following report from permanent subcommittee is presented:

By Representatives Dockham and Warren, Chairs, for the Education Subcommittee on Pre-School, Elementary and Secondary Education, with approval of standing committee Chairs for report to be made directly to the floor of the House:

S.B. 359 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE FORSYTH COUNTY BOARD OF EDUCATION

June 12, 2003

TO APPLY FOR AND BE GRANTED A CHARTER TO OPERATE A CHARTER SCHOOL, 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.

The committee substitute changes the bill from local to public.

RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 173**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DAVIDSON, 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, the following bills are withdrawn from the Committee on Transportation and re-referred to the Committee on Rules, Calendar, and Operations of the House:

Senate Committee Substitute for **H.B. 1140** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE QUICK REMOVAL OF VEHICLES, SPILLED CARGO, OR OTHER PERSONAL PROPERTY FROM CONTROLLED-ACCESS HIGHWAYS.

S.B. 35 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE THE PORTION OF CONTRACT MAINTENANCE RESURFACING FUNDS ALLOCATED TO WIDENING EXISTING NARROW PAVEMENTS SCHEDULED FOR RESURFACING TO BE USED TO WIDEN ANY EXISTING NARROW PAVEMENTS AND TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE HIGHWAY TRUST FUND SECONDARY ROAD PAVING FUNDS ALLOCATED TO EACH COUNTY FOR THE ADDITIONAL PURPOSE OF SAFETY IMPROVEMENTS ON PAVED AND UNPAVED ROADS IN THE SAME COUNTY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

June 12, 2003

On motion of Representative Culpepper, seconded by Representative Hall, the House adjourns at 3:04 p.m. to reconvene Monday, June 16, 2003, at 7:00 p.m.

SEVENTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, June 16, 2003

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by Speaker Morgan.

The following prayer is offered by the Reverend Jim Lambeth, House Chaplain:

"God of all things new:

"As this week begins we look forward to all that You have in store for us - new challenges, opportunities, demands, understandings. Give us all an openness to the new in our lives and work that in our actions and decisions we might somehow meet and please You.

"O God, You challenge the men and women of this House daily for they deal with tough issues. Budgets and policies and statutes don't always come easy and these Representatives are pulled in many directions by many interests. Give them strength and resolve for the decisions that must be made as they seek to find the best solutions to problems that sometimes seem insurmountable. May the work of this week be a blessing to them and to the people of our great State.

"In Your challenging name we pray. Amen."

Speaker Morgan leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 12 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 Clary, Cunningham, Daughtridge, Eddins, Insko, Nesbitt, Wainwright, and A. Williams for today.

ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

S.B. 450, AN ACT TO PROVIDE FOR THE RELEASE OR REFUND OF CERTAIN PROPERTY TAXES.

S.B. 694, AN ACT TO PROVIDE IN THE SAME MANNER AS FEDERAL LAW THAT A CONTROLLED SUBSTANCE ANALOGUE SHALL, TO THE EXTENT INTENDED FOR HUMAN CONSUMPTION, BE TREATED AS A CONTROLLED SUBSTANCE IN SCHEDULE I OF THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT.

S.B. 777, AN ACT TO AMEND THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW WITH REGARD TO THE MANUFACTURE, SALE, AND DISTRIBUTION OF TRAILERS AND SEMITRAILERS.

S.B. 912, AN ACT TO CREATE THE OFFENSE OF SEXUAL BATTERY.

H.B. 601, AN ACT TO ENCOURAGE EARLY ENTRY OF MOTIVATED STUDENTS INTO FOUR-YEAR COLLEGE PROGRAMS.

H.B. 1032, AN ACT REQUIRING LOCAL BOARDS OF EDUCATION TO GIVE PREFERENCE IN PURCHASING CONTRACTS TO HIGH-CALCIUM FOODS AND BEVERAGES.

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 598, AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS.

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

June 16, 2003

S.J.R. 1026, A JOINT RESOLUTION PROVIDING THAT THE 2003 GENERAL ASSEMBLY SHALL MEET IN JOINT SESSION TO COMMEMORATE THE 100TH ANNIVERSARY OF ORVILLE AND WILBUR WRIGHT'S FIRST FLIGHT AND INVITING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY. (RESOLUTION 2003-17)

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 727, AN ACT TO CLARIFY THAT MEMBERS OF THE SOIL AND WATER CONSERVATION COMMISSION ARE AUTHORIZED TO HOLD OFFICE CONCURRENTLY WITH OTHER ELECTIVE OR APPOINTIVE OFFICES. (S.L. 2003-198)

S.B. 33, AN ACT TO PROVIDE RECIPROCAL CONCEALED HANDGUN RIGHTS TO CONCEALED HANDGUN PERMIT HOLDERS OF OTHER STATES. (S.L. 2003-199)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Committee on Education:

S.B. 698 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD THREE ADVISORY MEMBERS TO THE STATE BOARD OF EDUCATION, 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 Brubaker and Saunders, Chairs, for the Committee on Public Utilities:

S.B. 939, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SURCHARGE FOR THE TELECOMMUNICATIONS RELAY SERVICE TO INCLUDE WIRELESS COMMUNICATIONS, with a favorable report

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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 C. Wilson, Chair, for the Committee on Commerce:

H.B. 1165, A BILL TO BE ENTITLED AN ACT TO ACKNOWLEDGE STATE POLICY THAT BEACH PRESERVATION AND RESTORATION ARE IN THE PUBLIC INTEREST AND THAT WHERE ECONOMICALLY AND ENVIRONMENTALLY JUSTIFIED BEACH PRESERVATION AND RESTORATION CONSTITUTE A PUBLIC PURPOSE, TO ESTABLISH THE NORTH CAROLINA BEACH PRESERVATION AND RESTORATION COMMISSION, TO ESTABLISH THE BEACH PRESERVATION AND RESTORATION FUND, AND TO APPROPRIATE FUNDS TO THE BEACH PRESERVATION AND RESTORATION FUND, 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 Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representatives G. Allen, Howard, Luebke, McComas, and Miner, Chairs, for the Committee on Finance:

H.B. 1257, A BILL TO BE ENTITLED AN ACT AMENDING VARIOUS PROVISIONS UNDER THE RESPIRATORY CARE PRACTICE ACT, AUTHORIZING THE NORTH CAROLINA RESPIRATORY CARE BOARD TO ESTABLISH FEES FOR VERIFICATION OF LICENSURE STATUS AND APPROVAL OF CONTINUING EDUCATION PROGRAMS, AND AUTHORIZING THE BOARD TO ASSESS CIVIL PENALTIES FOR VIOLATIONS OF THE 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.

H.B. 1316, A BILL TO BE ENTITLED AN ACT TO CREATE A TRAVEL AND TOURISM CAPITAL INVESTMENT PROGRAM, with a

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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.

WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), **H.B. 971** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING THE CONTINUING EDUCATION OF PERSONS PRACTICING UNDER THE COSMETIC ART ACT AND CLARIFYING THE REMITTANCE OF CIVIL PENALTIES UNDER THE ACT, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following is introduced, read the first time and referred to committee:

By Representatives Weiss, B. Allen, and Ross (Primary Sponsors); Alexander, Ellis, Goodwin, Hill, Luebke, Miner, Setzer, and Stam:

H.J.R. 1331, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JANE HURLEY MOSLEY, 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:

H.B. 408 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SECRET PEEPING STATUTE AND TO MAKE CONFORMING CHANGES, 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.

Senate Committee Substitute for **H.B. 440**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF WENTWORTH

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TO EXEMPT AGRICULTURAL LAND USES WITHIN THAT JURISDICTION FROM ZONING, 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.

Speaker Morgan rules the Senate committee substitute bill to be material, thus constituting its first reading.

Senate Committee Substitute for **H.B. 786**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PRIMA FACIE RULE FOR PARKING APPLIES TO CIVIL PARKING AND RED LIGHT CAMERA ENFORCEMENT ACTIONS, 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. 807 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE LAW ESTABLISHING THE ELECTIVE SHARE OF A DECEDENT'S SURVIVING SPOUSE, 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.

Senate Committee Substitute for **H.B. 926** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF ASSAULT IN THE PRESENCE OF A CHILD, 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. 1037 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CRIMINAL PENALTIES FOR ALLOWING

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JUVENILES TO ESCAPE AND TO ALLOW JUVENILE DETENTION FACILITIES TO PHOTOGRAPH JUVENILES AND TO RELEASE THE PHOTOGRAPHS WHEN THE JUVENILE ESCAPES, 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.

Senate Committee Substitute for **H.B. 1120** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE APPOINTMENT OF CERTAIN HIGH SCHOOL STUDENTS AS STUDENT ELECTION ASSISTANTS, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Election Law and Campaign Finance Reform.

Upon concurrence, the Senate committee substitute bill changes the title.

H.B. 1135 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT STUDENTS RECOMMENDED FOR LONG-TERM SUSPENSION RECEIVE A FREE AND APPROPRIATE EDUCATION, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 1171 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE LAW PROHIBITING HAZING, 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.

CONFERENCE REPORT

Representative Sutton moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 745

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 745, A BILL TO BE

June 16, 2003

ENTITLED AN ACT TO REVISE THE MEMBERSHIP OF THE NORTH CAROLINA INDIAN CULTURAL CENTER BOARD, Senate State Government, Local Government, and Veterans' Affairs Committee Substitute Adopted 5/14/03, submit the following report:

The House and Senate agree to the following amendment to the Senate Committee Substitute, Senate State and Local Government and Veterans' Affairs Committee Substitute Adopted 5/14/03, 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 H745-PCCS30363-RK-15.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 12, 2003.

*Conferees for the
Senate*

S/ Ellie Kinnaird, Chair
S/ Katie G. Dorsett
S/ David F. Weinstein
S/ Richard Y. Stevens

*Conferees for the
House of Representatives*

S/ Ronnie N. Sutton, Chair
S/ Douglas Yongue
S/ Mitchell S. Setzer
S/ Keith P. Williams

The Conference Report is adopted, by electronic vote (103-1), and the Senate is so notified by Special Message. The Conference Committee Substitute may be found in its entirety in the Appendix.

Representative Allred requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (104-0).

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following resolution appears on today's Calendar.

H.J.R. 1329, A JOINT RESOLUTION HONORING THE TOWN OF LILLINGTON ON THE OCCASION OF THE TOWN'S CENTENNIAL

June 16, 2003

AND HONORING THE MEMORY OF GENERAL ALEXANDER LILLINGTON, 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. 232 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MILLS RIVER, passes its third reading, by the following three-fifths vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Decker, Dickson, Dockham, Earle, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Walend, Walker, Warner, Warren, Weiss, West, K. Williams, C. Wilson, G. Wilson, Womble, and Yongue - 105.

Voting in the negative: Representatives Moore and Wood - 2.

Excused absences: Representatives Clary, Cunningham, Daughtridge, Eddins, Insko, Nesbitt, Wainwright, and A. Williams - 8.

S.B. 57 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF CAROLINA BEACH, WRIGHTSVILLE BEACH, AND YADKINVILLE TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES, 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.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Decker, Dickson, Dockham, Earle, Ellis, England, Farmer-Butterfield, Fox, Frye,

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Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Walend, Walker, Warner, Warren, Weiss, West, K. Williams, C. Wilson, G. Wilson, Womble, and Yongue - 105.

Voting in the negative: Representatives Moore and Wood - 2.

Excused absences: Representatives Clary, Cunningham, Daughtridge, Eddins, Insko, Nesbitt, Wainwright, and A. Williams - 8.

S.B. 414, A BILL TO BE ENTITLED AN ACT TO ALLOW ROBESON COUNTY TO DELAY THE REAPPRAISAL OF PROPERTY FOR PROPERTY TAX PURPOSES BY ONE YEAR, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Decker, Dickson, Dockham, Earle, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Walend, Walker, Warner, Warren, Weiss, West, K. Williams, C. Wilson, G. Wilson, Womble, and Yongue - 105.

Voting in the negative: Representatives Moore and Wood - 2.

Excused absences: Representatives Clary, Cunningham, Daughtridge, Eddins, Insko, Nesbitt, Wainwright, and A. Williams - 8.

H.B. 1028 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COASTAL RESOURCES COMMISSION TO ADOPT TEMPORARY AND PERMANENT RULES TO ESTABLISH A GENERAL PERMIT FOR THE CONSTRUCTION OF RIPRAP SILLS

June 16, 2003

FOR WETLAND ENHANCEMENT AND SHORELINE PROTECTION
IN ESTUARINE AND PUBLIC TRUST WATERS.

Representative C. Wilson offers Amendment No. 2 which is adopted by electronic vote (108-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Brubaker, Capps, Carney, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtry, Decker, Dickson, Dockham, Earle, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Hill, Hilton, Holliman, Howard, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Walend, Walker, Warner, Warren, Weiss, West, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Clary, Cunningham, Daughtridge, Eddins, Insko, Nesbitt, Wainwright, and A. Williams - 8.

WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), **S.B. 359** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING LOCAL BOARDS OF EDUCATION TO APPLY FOR AND BE GRANTED A CHARTER TO OPERATE A CHARTER SCHOOL AND TO RAISE THE CAP ON CHARTER SCHOOLS TO ONE HUNDRED TEN SCHOOLS, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

S.B. 753 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PERSONS

June 16, 2003

NOMINATED AS MAGISTRATES AND TO ESTABLISH A PILOT PROGRAM IN TWELFTH JUDICIAL DISTRICT TO ADDRESS CONFLICTING CHILD CUSTODY ORDERS, passes its third reading, by electronic vote (108-0), and is ordered sent to the Senate for concurrence in the House committee substitute bill.

S.B. 774 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DUTIES OF OPERATORS OF SKATEBOARD PARKS, TO ESTABLISH THE DUTIES OF PERSONS WHO ENGAGE IN CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES, AND TO LIMIT THE LIABILITY OF GOVERNMENTAL ENTITIES FOR DAMAGE OR INJURIES THAT ARISE OUT OF A PERSON'S PARTICIPATION IN CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES AND THAT OCCUR IN AN AREA DESIGNATED FOR CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES.

On motion of Representative Goodwin and without objection, the bill is temporarily displaced.

INTRODUCTION OF PAGES

Pages for the week of June 16 are introduced to the membership. They are: Rebecca Badger of Craven; Jessica Barnes of Craven; Lauren Bollinger of Mecklenburg; Mollie Bowness of Moore; Nicole Carpenter of Mecklenburg; Patrick Dowd of Yadkin; Paige Fitzgerald of Wake; Britt Huggins of Bladen; Jake Foley of Randolph; Scott Lassiter of Wake; Annie McCollum of Wake; David McCollum of Wake; Allen McCollum of Wake; Josh Nardin of Wake; Jason Nelson of Union; Jody Porowski of Wake; Lauren Ross of Mecklenburg; Lena Saleh of Mecklenburg; Stephen Sigmon of Randolph; Kristy Stiller of Brunswick; Lindsey Weaver of Wake; and Walter Wiggins of Forsyth.

On motion of Representative Culpepper, seconded by Representative Gorman, the House adjourns at 7:50 p.m. to reconvene June 17 at 1:45 p.m.

EIGHTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 17, 2003

June 17, 2003

The House meets at 1:45 p.m. pursuant to adjournment and is called to order by Speaker Black.

The following prayer is offered by the Reverend Jim Lambeth, House Chaplain:

"God of all:

"Give us Your peace that we may rejoice in Your goodness to us and to all Your children, and be thankful for Your constant love and faithfulness. We thank You for those people around us who reveal Your truth and righteousness and who have courage to be bold followers. We thank You for those who speak prophetic words that convey Your desire for us as Your children, even when they may not be the most politically correct or popular. Thank You, God, for these women and men who serve our State in this place. They are challenged by issues that affect the lives of many people - taxes, health care, education, environment, the ordering of our society. Guide Speaker Black and Speaker Morgan in their wise leadership of this Body and give to each Representative the answers that will make North Carolina an even better place to live and work.

"In Your kind name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 16 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Cunningham, Daughtridge, Eddins, Insko, and Miller for today. Representatives Ellis, Goodwin, L. Johnson, Justice, and Luebke are excused for a portion of the session.

ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

S.B. 502, AN ACT TO AUTHORIZE A DEPUTY TO GAIN ACCESS TO THE CONTENTS OF A DECEDENT'S SAFE-DEPOSIT BOX.

S.B. 503, AN ACT TO UPDATE THE LAWS RELATING TO THE ATTENDANCE AGES AND ELIGIBILITY OF STUDENTS FOR NORTH CAROLINA SCHOOLS FOR THE DEAF.

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The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 414, AN ACT TO ALLOW ROBESON COUNTY TO DELAY THE REAPPRAISAL OF PROPERTY FOR PROPERTY TAX PURPOSES BY ONE YEAR.

H.B. 626, AN ACT TO ALLOW THE CITY OF GREENSBORO AND THE PIEDMONT TRIAD INTERNATIONAL AIRPORT ADMINISTRATION TO AMEND THE BOUNDARIES OF CERTAIN TERRITORY THAT CANNOT BE ANNEXED BY THE CITY UNDER GENERAL LAW.

H.B. 680, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF GRANITE QUARRY.

H.B. 774, AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF BEAUFORT.

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.J.R. 1329, A JOINT RESOLUTION HONORING THE TOWN OF LILLINGTON ON THE OCCASION OF THE TOWN'S CENTENNIAL AND HONORING THE MEMORY OF GENERAL ALEXANDER LILLINGTON. (RESOLUTION 2003-18)

CHAPTERED BILLS

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 598, AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS. (S.L. 2003-200)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

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By Representative Nesbitt, Chair, for the Committee on Judiciary II:

S.B. 226 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ADMINISTRATION OF MEDICATION TO A CHILD IN A LICENSED OR UNLICENSED CHILD CARE FACILITY WITHOUT PROPER AUTHORIZATION FROM THE CHILD'S PARENT OR GUARDIAN, 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 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. 995 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW FLEXIBILITY IN SCHOOL CONSTRUCTION AND REPAIR 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.

CONFERENCE REPORT

Representative Holliman sends forth the Conference Report on House Committee Substitute for **S.B. 775**, A BILL TO BE ENTITLED AN ACT TO CONDITIONALLY REQUIRE INSURERS TO PROVIDE INFORMATION REGARDING POLICY LIMITS PRIOR TO LITIGATION WHEN REQUESTED IN WRITING BY THE PERSONS WHO HAVE CLAIMS, OTHER THAN MEDICAL MALPRACTICE CLAIMS, SUBJECT TO NONFLEET PRIVATE PASSENGER AUTOMOBILE INSURANCE POLICIES AND TO GIVE THESE INSURERS THE OPTION OF INITIATING PRELITIGATION MEDIATION OF THE CLAIMS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 18.

SPECIAL MESSAGE FROM THE SENATE

2003 GENERAL ASSEMBLY FIRST SESSION

June 17, 2003

Senate Chamber
June 16, 2003

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. 745** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE MEMBERSHIP OF THE NORTH CAROLINA INDIAN CULTURAL CENTER BOARD.

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

Speaker Black orders the bill enrolled and presented to the Governor.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H.B. 38 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SHORTEN THE PROBATIONARY PERIOD FOR CAREER TEACHERS WHEN THEY CHANGE SCHOOL SYSTEMS OR RETURN TO TEACHING AFTER LEAVING THE PROFESSION, 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.

H.B. 70 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT SO THAT THE GENERAL LAW ON DEFINITION OF A SUBDIVISION APPLIES IN PENDER 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.

H.B. 516 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITIES OF ROCKINGHAM AND STATESVILLE AND THE TOWN OF SMITHFIELD TO LIMIT THE

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CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT, 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.

Senate Committee Substitute for **H.B. 597**, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM 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.

Speaker Black rules the Senate committee substitute bill to be material, thus constituting its first reading.

H.B. 773 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO REQUIRE SPRINKLERS IN BARS, CLUBS, AND OTHER SIMILAR PLACES OF PUBLIC ASSEMBLY, 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.

H.B. 1016 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD PARTICULAR UNIVERSITY FACILITIES AS NON-SMOKING AREAS, 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.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

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H.B. 562 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO USE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS DURING A THREE-YEAR PILOT PROGRAM IN DESIGNATED CORRIDORS; TO AUTHORIZE THE CITY OF CHARLOTTE TO ESTABLISH CIVIL PENALTIES FOR SPEED LIMIT AND SCHOOL ZONE SPEED LIMIT VIOLATIONS; AND TO AUTHORIZE THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION AND THE SECRETARY OF CRIME CONTROL AND PUBLIC SAFETY TO APPROVE STANDARDS FOR THE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS.

On motion of Representative Alexander, the House concurs in the Senate committee substitute bill, by electronic vote (71-37), 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. 656 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE TRUST ADMINISTRATION ACT AND TO MAKE RELATED CHANGES TO THE LAW GOVERNING ACCOUNTINGS IN TESTAMENTARY TRUSTS.

On motion of Representative Culpepper, 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.

H.B. 785 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE RULE 45 OF THE NORTH CAROLINA RULES OF CIVIL PROCEDURE.

On motion of Representative Haire, the House concurs in the Senate committee substitute bill, by electronic vote (106-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 787 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH EQUITY IN REPORTING REQUIREMENTS BETWEEN FEDERAL POLITICAL COMMITTEES AND NORTH CAROLINA POLITICAL COMMITTEES.

On motion of Representative Mitchell, 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.

June 17, 2003

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 801 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE COMPETENCY TESTING PROGRAM TO ENSURE THAT HIGH SCHOOL STUDENTS WHO DO NOT PASS THE COMPETENCY TEST ARE GIVEN AN OPPORTUNITY TO TAKE AN ALTERNATIVE TEST.

On motion of Representative Warner, 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.

H.B. 824 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT ENCROACHMENT ON ITS RIGHTS-OF-WAY FOR THE CONSTRUCTION OF PRIVATE BRIDGES.

On motion of Representative Allred, 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.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

S.B. 119 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE TAX CREDITS FOR HISTORIC REHABILITATION BY REMOVING THE SUNSET ON A PROVISION ALLOWING A PASS-THROUGH ENTITY TO ALLOCATE AMONG ITS OWNERS THE TAX CREDIT FOR INCOME-PRODUCING STRUCTURES, INCREASING THE AMOUNT THAT MAY BE ALLOCATED TO AN OWNER UNDER THIS PROVISION, AND ALLOWING BOTH HISTORIC REHABILITATION TAX CREDITS TO BE TAKEN AGAINST FRANCHISE TAX AND GROSS PREMIUMS TAXES, 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.

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S.B. 919 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE SAFETY OF VICTIMS IN SERIOUS DOMESTIC VIOLENCE CASES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

**2003 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
June 17, 2003

Mr. Speaker:

It is ordered that a message be sent to your Honorable Body with the information that pursuant to **S.J.R. 1026**, A JOINT RESOLUTION PROVIDING THAT THE 2003 GENERAL ASSEMBLY SHALL MEET IN JOINT SESSION TO COMMEMORATE THE 100TH ANNIVERSARY OF ORVILLE AND WILBUR WRIGHT'S FIRST FLIGHT AND INVITING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY, the Senate stands ready to receive your Honorable Body in Joint Session.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

Speaker Black directs a Special Message be sent to the Senate informing that Honorable Body that the House stands ready to repair to the Hall of the Senate to sit in Joint Session with them.

On motion of Representative Culpepper and without objection, the House recesses at 2:15 p.m., and repairs to the Hall of the Senate to sit in Joint Session, to reconvene in the Hall of the House ten minutes after the dissolution of the Joint Session.

RECESS FOR JOINT SESSION

Pursuant to resolution heretofore adopted and exchange of messages, the House of Representatives is received in the Hall of the Senate.

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Speaker Black and Speaker Morgan are seated to the left and right of the President of the Senate, the Honorable Beverly E. Perdue, who is presiding.

The Sergeant-at-Arms of the Senate is recognized and he announces the approach of the members of the Council of State and the members of the Governor's Cabinet who are seated for the Joint Session.

The Sergeant-at-Arms of the Senate is recognized and he announces the approach of Mr. Darryl Collins who is seated for the Joint Session.

The Sergeant-at-Arms of the Senate is recognized and he announces the approach of His Excellency, the Honorable Michael F. Easley, Governor of North Carolina, who is seated for the Joint Session.

The Joint Session is called to order by the President of the Senate.

The President recognizes His Excellency, the Honorable Michael F. Easley, who introduces Mr. Darryl Collins to the Joint Assembly and presents him with "The Order of the Long Leaf Pine".

Mr. Collins, Historian for the Wright Brothers National Memorial, makes brief remarks to the Body concerning the 100th Anniversary of the Wright Brothers' First Flight.

Sitting in Joint Session, the Senate passes **S.J.R. 1027**, A JOINT RESOLUTION HONORING THE MEMORY OF ORVILLE AND WILBUR WRIGHT AND ENCOURAGING THE CITIZENS OF THIS STATE TO RECOGNIZE 2003 AS THE AVIATION CENTENNIAL YEAR IN NORTH CAROLINA, on its second reading, by electronic vote (48-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the House of Representatives by Special Message.

On motion of Speaker Black, the Joint Session is dissolved and the Senate resumes its business.

The House returns to its Chamber pursuant to recess.

CALENDAR (continued)

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

June 17, 2003

S.B. 714 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC SCHOOL EMPLOYEES DO NOT LOSE PAY WHILE THEY ARE ON MILITARY DUTY.

On motion of Speaker Black and without objection, the bill is temporarily displaced.

H.B. 986 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A MOTOR VEHICLE INSURER TO DISCLOSE ANY FINANCIAL INTEREST IN A RECOMMENDED REPAIR FACILITY OR SERVICE.

Representative Lucas moves that the House concur in the Senate committee substitute bill.

Representative Lucas withdraws his motion.

On motion of Representative Lucas, the House does not concur in the Senate committee substitute bill, by electronic vote (112-0), and conferees are requested.

The Senate is so notified by Special Message.

H.B. 1221 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING THE RETURN OF OVERPAYMENTS OF STATE FUNDS BY PERSONS IN STATE-SUPPORTED POSITIONS.

On motion of Representative Decker, the House concurs in the Senate committee substitute bill, by electronic vote (111-0), and the bill is ordered enrolled and presented to the Governor.

S.B. 774 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DUTIES OF OPERATORS OF SKATEBOARD PARKS, TO ESTABLISH THE DUTIES OF PERSONS WHO ENGAGE IN CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES, AND TO LIMIT THE LIABILITY OF GOVERNMENTAL ENTITIES FOR DAMAGE OR INJURIES THAT ARISE OUT OF A PERSON'S PARTICIPATION IN CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES AND THAT OCCUR IN AN AREA DESIGNATED FOR CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES.

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On motion of Representative Goodwin and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 19.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 117 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO NAME THE WESTERN JUSTICE ACADEMY IN HONOR OF REPRESENTATIVE LARRY T. JUSTUS, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

Representative England requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (114-0).

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 423 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND ENHANCE CHILD SUPPORT ENFORCEMENT LAWS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 593 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, passes its second reading, by electronic vote (103-11).

Representative Luebke 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. 293 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING SALES REPRESENTATIVE COMMISSIONS, passes its second reading, by electronic vote (98-14).

Representative Stam objects to the third reading. The bill remains on the Calendar.

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WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Culpepper and without objection, **S.B. 421** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND MAKE TECHNICAL CORRECTIONS TO THE CHILD WELFARE LAWS AND TO ENHANCE THE STATE'S ABILITY TO PROTECT CHILDREN, is withdrawn from the Calendar and placed on the Calendar of June 19.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.J.R. 1023, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EDWARD NELSON WARREN, FORMER MEMBER OF THE GENERAL ASSEMBLY, is read the first time and placed on the Calendar for immediate consideration.

Upon the motion made by Representative Culpepper on June 18, the following remarks are included in this day's Journal:

Homage to Senator Ed Warren
By Representative Arthur Williams

"Ever the gentleman, ever the diplomat, ever the politician, Senator Ed Warren grew up on a farm in Pitt County. And regardless of the many successes he enjoyed in his life, he never really left his humble roots and he kept that farm in his possession throughout his life. The farm served as a reminder of where he was from and who his people were, as a way to stay in touch with many of the people he represented, as a symbol of what much of Pitt County and eastern North Carolina was all about. And even up to the day when he left us, he had a pig-picking all planned and ready to go down on the farm. It was not like him to leave us unexpectedly.

"Ed liked to keep things simple. He reminded himself and others frequently that it is the little things that make the big difference. Things like going into the kitchen to express his gratitude to the cooks after a great meal and sitting in the chair at the table in a restaurant that allowed him to see anyone who entered so that he might speak to them. He knew how to work a crowd and he enjoyed the attention his people skills brought to him. Just a couple of weeks before his death, he made a trip to Raleigh to walk these halls in this place he loved and where he served for 11 terms; five terms in the House and six in the Senate - a total of 22 years in this Body.

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"Ed had a love and passion for many things - not the least was his relationship with Joan, his kindred spirit. They were both products of an earlier, gentler time and their upbringing taught them not to speak ill of others, to watch the way they spent their money, to be thoughtful, to stick to their guns, and to pay attention and remember everything, and to love one another.

"We have all seen what Ed's commitment and passion for health care accomplished - in particular the Heart Disease and Stroke Task Force of North Carolina, what his passion for East Carolina University brought to that great institution (not to mention football games), what his attention to the little things meant to the people he cared for...all those constituent requests for all those years.

"He was a mentor to so many people, including me...and in his leadership he showed that you get more things done with a kind word, a thoughtful gesture, a gentle reminder, than you could with a big stick. Those of us who were fortunate enough to have benefited from his friendship and his mentorship are the better for having crossed paths with this gentle giant. We know that he is up there watching over us with that ever-present smile and those two arms thrown up in the way he expressed victory. We miss him. We pay homage to him. He will not soon be forgotten.

"Mr. Speaker - I am sure there are others who would like to speak on this resolution and I commend this resolution to you."

The resolution passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

Speaker Black votes "aye". The adjusted vote total is (113-0).

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. 1027, A JOINT RESOLUTION HONORING THE MEMORY OF ORVILLE AND WILBUR WRIGHT AND ENCOURAGING THE CITIZENS OF THIS STATE TO RECOGNIZE 2003 AS THE AVIATION CENTENNIAL YEAR IN NORTH CAROLINA, is read the first time 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.

CALENDAR (continued)

S.B. 714 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PUBLIC SCHOOL EMPLOYEES DO NOT LOSE PAY WHILE THEY ARE ON MILITARY DUTY, which was temporarily displaced, is before the Body.

Representative Sexton offers Amendment No. 1 which is adopted by electronic vote (102-10).

The bill, as amended, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 773 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COMMUNITY COLLEGES TO ENTER INTO PUBLIC/PRIVATE PARTNERSHIPS FOR CONSTRUCTION PROJECTS, 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 for concurrence in the House committee substitute bill.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Gibson, Chair, for the Committee on Environment and Natural Resources:

S.B. 824, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, with a favorable

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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.

CONFEREES APPOINTED

Speaker Black appoints the following conferees on **H.B. 986** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A MOTOR VEHICLE INSURER TO DISCLOSE ANY FINANCIAL INTEREST IN A RECOMMENDED REPAIR FACILITY OR SERVICE: Representatives Cole, Lucas, Sutton, LaRoque, K. Williams, and Ray.

The Senate is so notified by Special Message.

CALENDAR (continued)

S.B. 786 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN THE PROPERTY OF A RESIDENT OF A STATE INSTITUTION UNDER THE DEPARTMENT OF HEALTH AND HUMAN SERVICES IS LOST, DESTROYED, OR OTHERWISE DAMAGED THROUGH NEGLIGENT HANDLING BY THE INSTITUTION, THE INSTITUTION MAY MAKE DIRECT PAYMENT OR PROVIDE REPLACEMENT OF THE ITEM TO THE RESIDENT WITHOUT RECOURSE TO THE TORT CLAIMS PROCESS IF THE AMOUNT OF DAMAGES IS LESS THAN FIVE HUNDRED DOLLARS, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 847 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY LATE FEES CHARGED TO RESIDENTIAL TENANTS, passes its second reading, by electronic vote (103-6).

Representative Michaux objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

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S.B. 926 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LICENSING PROCESS FOR NEW GROUP HOME FACILITIES AND FOR THE REIMBURSEMENT OF EDUCATIONAL COSTS BY THE HOME COUNTY TO THE HOST COUNTY, 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.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Michaux removes his objection to the third reading of **S.B. 847** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY LATE FEES CHARGED TO RESIDENTIAL TENANTS.

The bill passes its third reading, and is ordered sent to the Senate for concurrence in the House committee substitute bill.

CALENDAR (continued)

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 955 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW REGARDING CONTRACTS FOR SCHOOL PRINCIPALS, passes its second reading, by electronic vote (69-40).

Representative Sexton objects to the third reading. The bill remains on the Calendar.

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1253**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE FINANCE LAWS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Culpepper and without objection, **H.B. 79** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON

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CONVICTED OF ANY FELONY OR CERTAIN OTHER CRIMINAL OFFENSES OR WHO IS FOUND NOT GUILTY BY REASON OF INSANITY OF ANY FELONY OR CERTAIN OTHER CRIMINAL OFFENSES, TO CLARIFY WHEN THAT SAMPLE IS TAKEN, AND TO RESTRICT THE RELEASE OF INFORMATION FROM THE DNA DATABASE, is withdrawn from the Calendar and placed on the Calendar of June 19.

On motion of Representative Culpepper, seconded by Representative Alexander, the House adjourns at 5:41 p.m. to reconvene June 18 at 2:00 p.m.

EIGHTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 18, 2003

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by Speaker Morgan.

The following prayer is offered by the Reverend Jim Lambeth, House Chaplain:

"Laughing God:

"How You must have fun with us on days like this when we don't take ourselves too seriously. We thank You for beautiful hats and distinguished bow ties and ask that You remind us once again of the fun of life and the joy of being Your children. When things get us down and we think it all depends on us, remind us once again of Your providence and sovereignty. Lay our minds at rest when we fret and pace as if we were somehow in charge of the future of this planet. We are Your servants and we know Your kingdom will come no matter how feeble our efforts; but still You challenge us to be kingdom builders in this world. Bless the work of the Members of this great Body. May their efforts help bring happiness to the people of our State.

"In Your joyful name we pray. Amen."

On motion of Representative Culpepper and without objection, the remarks of Representative A. Williams, on June 17, concerning **S.J.R. 1023**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF

June 18, 2003

EDWARD NELSON WARREN, FORMER MEMBER OF THE GENERAL ASSEMBLY, are spread upon the Journal of June 17.

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 Cunningham, Daughtridge, Eddins, Goodwin, and L. Johnson for today. Representative Womble is excused for a portion of the session.

ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

S.B. 232, AN ACT TO CLARIFY THE AUTHORITY TO FUND THE ESTABLISHMENT OF BIKEWAYS AND TRAILS.

S.B. 558, AN ACT TO PROTECT CONSUMERS AND TRANSFERORS OF MOTOR VEHICLES UNAWARE OF PRIOR DAMAGE OR WHEN PRIOR DAMAGE WAS MINOR.

S.B. 652, AN ACT TO AUTHORIZE CERTAIN AIRPORT AUTHORITIES TO ENTER INTO INSTALLMENT CONTRACTS, TO EXTEND FROM TEN TO FIFTEEN YEARS THE MAXIMUM REPAYMENT PERIOD FOR DAM REPAIR ASSESSMENTS IN THE VILLAGE OF PINEHURST, AND TO ALLOW THE STANLY COUNTY AIRPORT AUTHORITY TO ENTER INTO LONG-TERM LEASES WITH THE UNITED STATES.

S.B. 656, AN ACT TO ESTABLISH THE INNOVATIVE EDUCATION INITIATIVES ACT.

S.B. 966, AN ACT TO REQUIRE INSURERS TO IMPLEMENT SAFEGUARDS FOR THE PROTECTION OF CUSTOMER INFORMATION, PURSUANT TO THE PROVISIONS OF THE GRAMM-LEACH-BLILEY ACT.

H.B. 562, AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO USE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS DURING A THREE-YEAR PILOT PROGRAM IN DESIGNATED CORRIDORS; TO AUTHORIZE THE CITY OF CHARLOTTE TO ESTABLISH CIVIL PENALTIES FOR SPEED LIMIT AND SCHOOL ZONE SPEED LIMIT VIOLATIONS; AND TO AUTHORIZE THE NORTH CAROLINA

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CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION AND THE SECRETARY OF CRIME CONTROL AND PUBLIC SAFETY TO APPROVE STANDARDS FOR THE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS.

H.B. 656, AN ACT TO AMEND THE TRUST ADMINISTRATION ACT AND TO MAKE RELATED CHANGES TO THE LAW GOVERNING ACCOUNTINGS IN TESTAMENTARY TRUSTS.

H.B. 745, AN ACT TO REVISE THE MEMBERSHIP OF THE NORTH CAROLINA INDIAN CULTURAL CENTER BOARD.

H.B. 785, AN ACT TO REWRITE RULE 45 OF THE NORTH CAROLINA RULES OF CIVIL PROCEDURE.

H.B. 787, AN ACT TO ESTABLISH EQUITY IN REPORTING REQUIREMENTS BETWEEN FEDERAL POLITICAL COMMITTEES AND NORTH CAROLINA POLITICAL COMMITTEES.

H.B. 801, AN ACT TO MODIFY THE STATE COMPETENCY TESTING PROGRAM TO ENSURE THAT HIGH SCHOOL STUDENTS WHO DO NOT PASS THE COMPETENCY TEST ARE GIVEN AN OPPORTUNITY TO TAKE AN ALTERNATIVE TEST.

H.B. 824, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT ENCROACHMENT ON ITS RIGHTS-OF-WAY FOR THE CONSTRUCTION OF PRIVATE BRIDGES.

H.B. 1221, AN ACT REQUIRING THE RETURN OF OVERPAYMENTS OF STATE FUNDS BY PERSONS IN STATE-SUPPORTED POSITIONS.

The following resolutions are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.J.R. 1023, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EDWARD NELSON WARREN, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 2003-19)

S.J.R. 1027, A JOINT RESOLUTION HONORING THE MEMORY OF ORVILLE AND WILBUR WRIGHT AND ENCOURAGING THE CITIZENS OF THIS STATE TO RECOGNIZE 2003 AS THE AVIATION CENTENNIAL YEAR IN NORTH CAROLINA. (RESOLUTION 2003-20)

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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. 394, AN ACT ALLOWING A CLAIM FOR EQUITABLE DISTRIBUTION TO SURVIVE THE DEATH OF A SPOUSE WHEN THE PARTIES ARE LIVING SEPARATE AND APART AT THE TIME OF DEATH AND THE CLAIM IS TIMELY FILED. (S.L. 2003-168)

H.B. 273, AN ACT TO ENSURE THAT EMPLOYEES WHO RECEIVE VACCINATION AGAINST SMALLPOX INCIDENT TO THE ADMINISTRATION OF SMALLPOX COUNTERMEASURES BY HEALTH PROFESSIONALS UNDER SECTION 304 OF THE FEDERAL HOMELAND SECURITY ACT OF 2002 AND ANY HOUSEHOLD MEMBERS LIVING IN THE HOMES OF THESE VACCINATED EMPLOYEES WILL BE COVERED FOR ADVERSE MEDICAL REACTIONS DUE TO THE VACCINATION. (S.L. 2003-169)

H.B. 609, AN ACT TO ENHANCE LAWS PERTAINING TO THE AMUSEMENT DEVICE SAFETY ACT OF NORTH CAROLINA. (S.L. 2003-170)

H.B. 925, AN ACT TO ALLOW COUNTY APPEAL IN JUVENILE "PAY ORDER" CASES. (S.L. 2003-171)

H.B. 941, AN ACT PROVIDING FOR THE ANALYSIS OF THE STATE'S LEGACY INFORMATION TECHNOLOGY SYSTEMS. (S.L. 2003-172)

H.B. 1201, AN ACT TO PROMOTE WATER CONSERVATION BY EXPANDING THE DEFINITION OF CONTIGUOUS PREMISES TO INCLUDE MANUFACTURED HOMES AND MANUFACTURED HOME PARKS. (S.L. 2003-173)

H.B. 1181, AN ACT REQUIRING THE REINSPECTION OF WORKPLACES WHERE WILLFUL SERIOUS VIOLATIONS HAVE BEEN FOUND. (S.L. 2003-174)

S.B. 647, AN ACT TO MAKE STATEWIDE AN ACT CURRENTLY APPLICABLE TO MECKLENBURG AND CATAWBA COUNTIES AND CHARLOTTE AND RALEIGH THAT DEEMS THE CREATION

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OF A SELF-FUNDED RISK PROGRAM AS THE PURCHASE OF INSURANCE FOR THE PURPOSE OF WAIVING GOVERNMENTAL IMMUNITY. (S.L. 2003-175)

S.B. 648, AN ACT TO ESTABLISH AN AD HOC CERVICAL CANCER ELIMINATION TASK FORCE TO THE ADVISORY COMMITTEE ON CANCER COORDINATION AND CONTROL. (S.L. 2003-176)

H.B. 344, AN ACT REQUIRING THE MOTOR FLEET MANAGEMENT DIVISION TO USE BEST MANAGEMENT PRACTICES IN OPERATING THE CENTRAL MOTOR POOL, TO USE A FORMULA TO DETERMINE THE MOST COST-EFFECTIVE REPLACEMENT OF VEHICLES, AND TO REPORT SEMIANNUALLY TO THE GENERAL ASSEMBLY ON THE COST SAVINGS RESULTING FROM USE OF THE FORMULA. (S.L. 2003-177)

H.B. 883, AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO TEMPORARILY WAIVE CERTAIN REQUIREMENTS OF THE MENTAL HEALTH COMMITMENT STATUTES TO FURTHER MENTAL HEALTH REFORM EFFORTS. (S.L. 2003-178)

S.B. 897, AN ACT TO EXEMPT FROM PRIOR AUTHORIZATION REQUIREMENTS FOR PRESCRIPTION DRUGS UNDER THE MEDICAID PROGRAM ANTIHEMOPHILIC DRUGS PRESCRIBED FOR THE TREATMENT OF HEMOPHILIA AND BLOOD DISORDERS. (S.L. 2003-179)

S.B. 692, AN ACT TO PROVIDE THAT CERTAIN INFORMATION CONCERNING PLANS TO RESPOND TO TERRORIST ACTIVITY ARE NOT SUBJECT TO THE PUBLIC RECORDS OR OPEN MEETINGS LAWS. (S.L. 2003-180)

H.B. 304, AN ACT TO PROVIDE THAT A DEFENDANT CONVICTED OF MISDEMEANOR STALKING WHO IS SENTENCED TO A COMMUNITY PUNISHMENT SHALL BE PLACED ON SUPERVISED PROBATION IN ADDITION TO ANY OTHER PUNISHMENT IMPOSED BY THE COURT. (S.L. 2003-181)

S.B. 708, AN ACT TO ALLOW CRIMINAL BACKGROUND CHECKS ON PROSPECTIVE MEMBERS OF FIRE DEPARTMENTS. (S.L. 2003-182)

H.B. 869, AN ACT TO ADVANCE THE DATE FOR REPORTING MAILED ABSENTEE AND ONE-STOP VOTES BY PRECINCT FROM

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2006 TO 2004 FOR THOSE COUNTIES CAPABLE OF DOING SO.
(S.L. 2003-183)

S.B. 38, AN ACT TO DESIGNATE THE DEPARTMENT OF TRANSPORTATION AS THE STATE AGENCY RESPONSIBLE FOR FIXED GUIDEWAY TRANSIT SAFETY, TO AMEND THE DEPARTMENT OF TRANSPORTATION LOGO SIGNS PROGRAM TO AUTHORIZE ATTRACTION LOGO SIGNS, TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ADOPT TEMPORARY RULES CONCERNING LOGO SIGNS, TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO AUTOMATE ITS 511 TRAVELER INFORMATION PHONE SYSTEM, AND TO REVISE THE LAW CONCERNING HIGH OCCUPANCY VEHICLE (HOV) LANES. (S.L. 2003-184)

S.B. 90, AN ACT TO ALLOW SANITARY DISTRICT BOARDS TO SET COMPENSATION FOR ITS MEMBERS. (S.L. 2003-185)

S.B. 388, AN ACT TO UPDATE THE NORTH CAROLINA GENERAL STATUTES IN RESPONSE TO RECENT MEDICAL ADVANCES IN SCREENING FOR THE EARLY DETECTION OF CERVICAL CANCER. (S.L. 2003-186)

S.B. 214, AN ACT TO ALLOW TERRITORY TO BE REMOVED FROM A RESEARCH AND PRODUCTION SERVICE DISTRICT. (S.L. 2003-187)

S.B. 319, AN ACT AMENDING THE CABARRUS COUNTY DEMONSTRATION WORK OVER WELFARE PROGRAM. (S.L. 2003-188)

H.B. 655, AN ACT TO ESTABLISH A NO-WAKE ZONE ON PEMBROKE CREEK IN CHOWAN COUNTY AND A GATES COUNTY TAX CERTIFICATION REQUIREMENT. (S.L. 2003-189)

H.B. 696, AN ACT TO AMEND THE CHARTER OF THE TOWN OF WADESBORO TO EXTEND THE MAYOR'S TERM OF OFFICE FROM TWO TO FOUR YEARS AND TO AMEND THE CHARTER OF THE TOWN OF ANSONVILLE TO EXTEND THE MAYOR'S AND COUNCIL MEMBERS' TERMS OF OFFICE FROM TWO TO FOUR YEARS. (S.L. 2003-190)

H.B. 478, AN ACT TO AMEND THE LAW REGARDING THE NORTH CAROLINA CHILD ALERT NOTIFICATION (NC CAN) SYSTEM AND TO RENAME THAT SYSTEM THE AMBER ALERT SYSTEM. (S.L. 2003-191)

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S.B. 877, AN ACT TO ENHANCE PENALTIES FOR VIOLATIONS OF THE CHILD CARE FACILITIES ACT. (S.L. 2003-192)

H.B. 253, AN ACT TO MAKE TECHNICAL CHANGES TO THE CONTINUING CARE RETIREMENT (CCR) LAWS. (S.L. 2003-193)

H.B. 825, AN ACT TO REQUIRE ANY PRIVATE OR PUBLIC INSTITUTION THAT OFFERS A POSTSECONDARY DEGREE TO PROVIDE MENINGOCOCCAL DISEASE IMMUNIZATION INFORMATION TO STUDENTS IF THE INSTITUTION HAS A RESIDENTIAL CAMPUS. (S.L. 2003-194)

H.B. 116, AN ACT TO AMEND THE LAW GOVERNING NOTICE OF TERMINATION OF FARM MACHINERY AGREEMENTS. (S.L. 2003-195)

H.B. 1063, AN ACT TO REQUIRE OPERATORS OF CHILD CARE FACILITIES TO PROVIDE TO PARENTS THE DIVISION OF CHILD DEVELOPMENT'S SUMMARY OF THE LAWS RELATING TO CHILD CARE FACILITIES, TO REQUIRE THE DIVISION OF CHILD DEVELOPMENT TO INCLUDE IN ITS SUMMARY A STATEMENT ON HOW PARENTS MAY OBTAIN INFORMATION ON INDIVIDUAL CHILD CARE FACILITIES, AND TO REQUIRE CHILD CARE FACILITIES TO POST THE SUMMARY IN A PROMINENT PLACE. (S.L. 2003-196)

H.B. 706, AN ACT AMENDING THE CHARTER OF THE CITY OF CHARLOTTE AND THE GENERAL STATUTES ESTABLISHING A REGIONAL PUBLIC TRANSPORTATION AUTHORITY TO ALLOW THE CITY AND A REGIONAL PUBLIC TRANSPORTATION AUTHORITY TO PURCHASE APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT FOR PUBLIC TRANSIT PURPOSES FROM PERSONS OR ENTITIES THAT HAVE RECENTLY MET STATE BIDDING LAW REQUIREMENTS AND PROVIDED APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT TO THE FEDERAL GOVERNMENT, THE STATE OF NORTH CAROLINA, OR ANOTHER STATE. (S.L. 2003-197)

S.B. 414, AN ACT TO ALLOW ROBESON COUNTY TO DELAY THE REAPPRAISAL OF PROPERTY FOR PROPERTY TAX PURPOSES BY ONE YEAR. (S.L. 2003-201)

H.B. 626, AN ACT TO ALLOW THE CITY OF GREENSBORO AND THE PIEDMONT TRIAD INTERNATIONAL AIRPORT ADMINISTRATION TO AMEND THE BOUNDARIES OF CERTAIN TERRITORY

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THAT CANNOT BE ANNEXED BY THE CITY UNDER GENERAL LAW. (S.L. 2003-202)

H.B. 680, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF GRANITE QUARRY. (S.L. 2003-203)

H.B. 774, AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF BEAUFORT. (S.L. 2003-204)

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Nesbitt, Chair, for the Committee on Judiciary II:

S.B. 563 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAWS REGULATING ATHLETE AGENTS AND TO ADOPT THE UNIFORM ATHLETE AGENTS ACT, with a favorable report as to the House committee substitute bill, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 38(b)(2), the House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 722 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO THE DISPLAY OF THE UNITED STATES FLAG, 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 Insko and Justus, Chairs, for the Committee on Health:

H.B. 557, A BILL TO BE ENTITLED AN ACT TO INCREASE THE WELLNESS BENEFIT UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, reported without prejudice, and re-referred to the Committee on Appropriations.

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The bill is re-referred to the Committee on Appropriations.

H.B. 874, A BILL TO BE ENTITLED AN ACT PROVIDING FOR COVERAGE OF EMERGENCY SERVICES IN CERTAIN SITUATIONS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

S.B. 876 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ANY PRIVATE OR PUBLIC INSTITUTION THAT OFFERS A POSTSECONDARY DEGREE TO PROVIDE MENINGOCOCCAL DISEASE IMMUNIZATION INFORMATION TO STUDENTS IF THE INSTITUTION HAS A RESIDENTIAL CAMPUS, 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 Michaux and Stam, Chairs, for the Committee on Election Law and Campaign Finance Reform:

H.B. 1120 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE APPOINTMENT OF CERTAIN HIGH SCHOOL STUDENTS AS STUDENT ELECTION ASSISTANTS AND TO MAKE OTHER CHANGES TO THE ELECTION LAWS, with recommendation that the House concur.

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 Wright:

H.R. 1332, A HOUSE RESOLUTION URGING STATE AND LOCAL AGENCIES TO ADDRESS ISSUES RELATING TO THE HEPATITIS C

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VIRUS, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 469** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COLUMBUS, DAVIE, DUPLIN, AND LENOIR COUNTIES, CERTAIN DISTRICTS CREATED BY THESE COUNTIES, AND MUNICIPALITIES LOCATED WITHIN THESE COUNTIES TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SERVICES, 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. 75 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A LIFE SCIENCES REVENUE BOND AUTHORITY, is read the first time and referred to the Committee on Finance.

S.B. 137, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MUNICIPAL SERVICE DISTRICTS FOR TRANSIT-ORIENTED DEVELOPMENT AND TO AUTHORIZE CITIES TO USE SPECIAL OBLIGATION FINANCING FOR PROJECTS WITHIN MUNICIPAL SERVICE DISTRICTS, is read the first time and referred to the Committee on Finance.

S.B. 633, A BILL TO BE ENTITLED AN ACT TO REVISE THE UNIVERSITY OF NORTH CAROLINA SPECIAL OBLIGATION BOND LAW, is read the first time and referred to the Committee on Finance.

WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), **H.B. 1316** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A TRAVEL AND TOURISM CAPITAL INVESTMENT PROGRAM, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Appropriations.

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CONFERENCE REPORT

Representative Holliman moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 775

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 775, A BILL TO BE ENTITLED AN ACT TO CONDITIONALLY REQUIRE INSURERS TO PROVIDE INFORMATION REGARDING POLICY LIMITS PRIOR TO LITIGATION WHEN REQUESTED IN WRITING BY THE PERSONS WHO HAVE CLAIMS, OTHER THAN MEDICAL MALPRACTICE CLAIMS, SUBJECT TO NONFLEET PRIVATE PASSENGER AUTOMOBILE INSURANCE POLICIES AND TO GIVE THESE INSURERS THE OPTION OF INITIATING PRELITIGATION MEDIATION OF THE CLAIMS, House Committee Substitute Favorable 5/28/03, Fourth Edition Engrossed 6/2/03, submit the following report:

The House and Senate agree to the following amendment to the House Committee Substitute, Adopted 5/28/03, Fourth Edition Engrossed 6/2/03, and the Senate concurs in the House Committee Substitute, as amended:

Page 2, lines 9 through 10 are rewritten to read:

"subsection (a) of this section, the insurer shall provide the policy limits."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 12th, 2003.

*Conferees for the
Senate*

S/ Walter Dalton, Chair
S/ Fletcher L. Hartsell
S/ Scott Thomas

*Conferees for the
House of Representatives*

S/ Hugh Holliman, Chair
S/ Mitchell Setzer
S/ William Wainwright

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The Conference Report is adopted, by electronic vote (112-0), and the Senate is so notified by Special Message.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Womble and without objection, **S.B. 994** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE SUPERINTENDENTS TO REMOVE TO AN ALTERNATIVE EDUCATIONAL SETTING OR TO SUSPEND FROM SCHOOL STUDENTS FOR CONDUCT RELATED TO CONTROLLED SUBSTANCES, ALCOHOLIC BEVERAGES, OR PRESCRIPTION DRUGS, is withdrawn from the Calendar and placed on the Calendar of June 24.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 248 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE CITY OF WILMINGTON TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS.

On motion of Representative Wright and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 19.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 152** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING CHILD CARE FACILITIES TO PLACE CHILDREN IN A SLEEPING POSITION THAT REDUCES THE RISK OF SUDDEN INFANT DEATH SYNDROME (SIDS), PROHIBITING THE ADMINISTRATION OF MEDICATION TO A CHILD IN A LICENSED OR UNLICENSED CHILD CARE FACILITY WITHOUT PROPER AUTHORIZATION FROM THE CHILD'S PARENT OR GUARDIAN, AND REQUIRING CERTAIN AGENCIES AND THE MEDICAL COMMUNITY TO COOPERATE IN INVESTIGATING REPORTS OF CHILD ABUSE AND NEGLECT IN CHILD CARE FACILITIES.

Representative Alexander moves that the House concur in the Senate committee substitute bill.

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The motion fails by electronic vote (56-58).

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Barbee and without objection, **S.B. 76** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF MISENHEIMER, is withdrawn from the Calendar and placed on the Calendar of June 19.

CALENDAR (continued)

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 963** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN PERSONS CONVICTED OF LEAVING THE SCENE OF AN ACCIDENT INVOLVING INJURY OR DEATH SHALL LOSE THEIR LICENSE FOR A PERIOD OF TWO YEARS.

On motion of Representative Warner, the House does not concur in the Senate committee substitute bill, which changes the title, by electronic vote (112-0), and conferees are requested.

Speaker Morgan appoints Representative Warner, Chair; Representatives McAllister, Haire, Stiller, Kiser, and Sherrill as conferees on the part of the House and the Senate is so notified by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 236 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE DIVIDEND RECEIVED DEDUCTION FOR REGULATED INVESTMENT COMPANIES AND REAL ESTATE INVESTMENT TRUSTS TO ENSURE THAT ALL DIVIDENDS ARE TREATED UNIFORMLY, TO EXTEND FOR TWO YEARS THE DEPARTMENT OF REVENUE'S AUTHORITY TO OUTSOURCE THE COLLECTION OF IN-STATE TAX DEBTS, TO AMEND THE MOTOR FUEL TAX LAWS, 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: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, L. Allen, Allred, Baker, Barnhart, Bell, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church,

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Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtry, Decker, Dickson, Dockham, Earle, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Glazier, Goforth, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Munford, Nesbitt, Nye, Owens, Parmon, Preston, Rapp, Ray, Rayfield, Ross, Saunders, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 101.

Voting in the negative: Representatives Barbee, Blackwood, Blust, Gillespie, Mitchell, Moore, Pate, Rhodes, Starnes, and Wood - 10.

Excused absences: Representatives Cunningham, Daughtridge, Eddins, Goodwin, and L. Johnson - 5.

S.B. 293 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING SALES REPRESENTATIVE COMMISSIONS.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (110-0).

The bill, as amended, passes its third reading, by electronic vote (104-8), and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

S.B. 593 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, passes its third reading, by electronic vote (102-9), and is ordered enrolled and presented to the Governor.

CONFEREES APPOINTED

Speaker Morgan announces the following conferees on Senate Committee Substitute for **H.B. 152** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING CHILD CARE FACILITIES TO PLACE CHILDREN IN A SLEEPING POSITION THAT REDUCES THE RISK OF SUDDEN INFANT DEATH SYNDROME (SIDS), PROHIBITING THE ADMINISTRATION OF MEDICATION TO A CHILD

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IN A LICENSED OR UNLICENSED CHILD CARE FACILITY WITHOUT PROPER AUTHORIZATION FROM THE CHILD'S PARENT OR GUARDIAN, AND REQUIRING CERTAIN AGENCIES AND THE MEDICAL COMMUNITY TO COOPERATE IN INVESTIGATING REPORTS OF CHILD ABUSE AND NEGLECT IN CHILD CARE FACILITIES: Representatives Alexander, Hunter, Weiss, Barnhart, Rayfield, and Preston.

The Senate is so notified by Special Message.

CALENDAR (continued)

S.B. 955 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW REGARDING CONTRACTS FOR SCHOOL PRINCIPALS, passes its third reading, by electronic vote (82-31), and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Representative Moore requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (81-32).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 230 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL ARTICLE 6 OF THE UNIFORM COMMERCIAL CODE RELATING TO BULK TRANSFERS AND TO ENACT CONFORMING AMENDMENTS TO THE UNIFORM COMMERCIAL CODE AND OTHER SECTIONS OF THE GENERAL STATUTES, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 511, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL GOVERNMENTS TO PUBLISH THE REVENUE-NEUTRAL TAX RATE IN YEARS WHEN THERE IS A GENERAL REVALUATION OF REAL PROPERTY, passes its second reading, by electronic vote (104-5), 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.

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 1049 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW LICENSED PSYCHOLOGICAL ASSOCIATES TO RECEIVE PAYMENT FOR SERVICES FROM INSURERS AND TO INCREASE THE FEE THE PSYCHOLOGY BOARD MAY CHARGE FOR A TEMPORARY LICENSE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

H.B. 1318, A BILL TO BE ENTITLED AN ACT TO REPEAL THE BILL LEE ACT AND REPLACE IT WITH MORE EFFECTIVE INCENTIVES TO BRING PROSPERITY TO DISTRESSED AREAS OF THE STATE, 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 Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

S.B. 934, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A REGISTRATION FEE FOR THE AUTHORIZATION OF A PRIVATE FACILITY TO SERVE DWI OFFENDERS, 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.

CALENDAR (continued)

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 583 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT CHILDREN IN THE PUBLIC SCHOOLS FROM EXPOSURE TO TOBACCO BY REQUIRING LOCAL BOARDS OF

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EDUCATION TO ADOPT WRITTEN POLICIES PROHIBITING THE USE OF TOBACCO PRODUCTS IN PUBLIC SCHOOL BUILDINGS.

On motion of Representative Insko and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 25.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 881 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT PHASE II PAYMENTS UNDER THE NATIONAL TOBACCO GROWER SETTLEMENT TRUST TO BE PAID WITHOUT REOPENING A DECEDENT'S ESTATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Nesbitt and without objection, the bill is temporarily displaced.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 936, A BILL TO BE ENTITLED AN ACT TO WAIVE VARIOUS DEADLINES, FEES, AND PENALTIES FOR DEPLOYED MILITARY PERSONNEL.

On motion of Representative Miner and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 19.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 1011 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A LIENHOLDER TO REQUEST AN ACCOUNTING OF DISBURSEMENTS OF SUMS RECOVERED FOR PERSONAL INJURY WITH RESPECT TO LIENS IN FAVOR OF PROVIDERS OF HEALTH-RELATED GOODS AND SERVICES, passes its second reading, by electronic vote (109-0), 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 (110-0).

On motion of Representative Brubaker and without objection, the bill is temporarily displaced.

S.B. 881 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT PHASE II PAYMENTS UNDER THE NATIONAL

June 18, 2003

TOBACCO GROWER SETTLEMENT TRUST TO BE PAID WITHOUT REOPENING A DECEDENT'S ESTATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, which was temporarily displaced, is before the Body.

The bill 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.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Brubaker and without objection, **S.B. 1011** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A LIENHOLDER TO REQUEST AN ACCOUNTING OF DISBURSEMENTS OF SUMS RECOVERED FOR PERSONAL INJURY WITH RESPECT TO LIENS IN FAVOR OF PROVIDERS OF HEALTH-RELATED GOODS AND SERVICES, which was temporarily displaced, is withdrawn from the Calendar and placed on the Calendar of June 23.

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1072**, A BILL TO BE ENTITLED AN ACT TO REGULATE PERSONS SEEKING TO ENGAGE IN BUSINESS AS TICKET BROKERS AND TO APPLY THE PRIVILEGE TAX ON AMUSEMENTS TO SERVICES PROVIDED BY TICKET BROKERS, is withdrawn from the Committee on Finance and re-referred to the Committee on Judiciary IV.

On motion of Representative Culpepper, seconded by Representative Sexton, the House adjourns at 4:36 p.m. to reconvene June 19 at 1:00 p.m.

EIGHTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, June 19, 2003

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by Speaker Black.

June 19, 2003

The following prayer is offered by the Reverend Jim Lambeth, House Chaplain:

"O God:

"You delight in the humble praise of Your people. Receive the words of our mouths and the work of our hands as worship. May the actions of this great Assembly show a concern for the needs of the people of North Carolina and may their solutions be pleasing to You. God, it is admittedly frustrating that all that is needed cannot always be met; so Your aid is asked in prioritizing how we use the resources that are available. Be with the conference committee struggling with a budget, with Speaker Black and Speaker Morgan in wise leadership, and with each Representative as they all seek the best for our State.

"Recreating God, the week has been long and busy and time for a rest draws near. Be with those who travel this weekend in Your safety and with us all in the blessing of family, friends, faith, community, and home.

"In Your praise-worthy name we pray. 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 Cunningham, Eddins, L. Johnson, McMahan, and Womble for today. Representative Brubaker is excused for a portion of the session.

ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

S.B. 511, AN ACT TO REQUIRE LOCAL GOVERNMENTS TO PUBLISH THE REVENUE-NEUTRAL TAX RATE IN YEARS WHEN THERE IS A GENERAL REVALUATION OF REAL PROPERTY.

S.B. 593, AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS.

H.B. 692, AN ACT TO PROVIDE THAT LICENSED AUCTIONEERS CONDUCTING AUCTIONS FOR MOTOR VEHICLE DEALERS DO NOT NEED MOTOR VEHICLE DEALER LICENSES.

June 19, 2003

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 494, AN ACT TO ALLOW THE TOWN OF CARRBORO TO REQUIRE SPRINKLERS IN BARS, CLUBS, AND OTHER SIMILAR PLACES OF PUBLIC ASSEMBLY THAT HAVE GATHERINGS OF MORE THAN ONE HUNDRED PEOPLE AND SELL ALCOHOLIC BEVERAGES AND TO AUTHORIZE THE TOWN OF CHAPEL HILL TO POSTPONE FOR TWELVE MONTHS THE APPROVAL OF SPECIAL USE PERMITS AND SITE PLANS PROPOSED ON SITES RESERVED AS SCHOOL SITES ON THE TOWN'S ADOPTED COMPREHENSIVE LAND-USE PLAN.

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.J.R. 606, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CLARENCE LIGHTNER, PROMINENT CIVIC LEADER, POLITICIAN, AND BUSINESSMAN. (RESOLUTION 2003-21)

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 251, AN ACT TO PROHIBIT THE PRACTICE OF THE "REBIRTHING" TECHNIQUE. (S.L. 2003-205)

H.B. 357, AN ACT TO PROHIBIT A PERSON THAT ACCEPTS CREDIT, CHARGE, OR DEBIT CARDS FOR THE TRANSACTION OF BUSINESS FROM PRINTING MORE THAN FIVE DIGITS OF A CREDIT, CHARGE, OR DEBIT CARD ACCOUNT NUMBER OR AN EXPIRATION DATE ON A SALES RECEIPT AND TO PROHIBIT A PERSON FROM SELLING A CASH REGISTER OR OTHER MACHINE OR DEVICE THAT ELECTRONICALLY PRINTS RECEIPTS OF CREDIT, CHARGE, OR DEBIT CARD TRANSACTIONS THAT CANNOT BE PROGRAMMED OR OPERATED TO PRODUCE A RECEIPT WITH FIVE OR FEWER DIGITS OF THE CREDIT, CHARGE, OR DEBIT CARD ACCOUNT NUMBER AND NO EXPIRATION DATE PRINTED ON THE RECEIPT. (S.L. 2003-206)

June 19, 2003

**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. 53, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF VERNON GRANT JAMES, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar.

H.B. 1140 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE QUICK REMOVAL OF VEHICLES, CARGO, OR OTHER PERSONAL PROPERTY FROM CONTROLLED-ACCESS HIGHWAYS AND TO ALLOW DRIVERS TO REMOVE VEHICLES FROM TRAVEL LANES OF A HIGHWAY FOLLOWING MINOR ACCIDENTS, IF THE VEHICLES CAN BE SAFELY MOVED, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

H.J.R. 1331, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JANE HURLEY MOSLEY, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report as to the committee substitute resolution, unfavorable as to the original resolution.

Pursuant to Rule 36(b), the committee substitute resolution is placed on the Calendar of June 23. The original resolution is placed on the Unfavorable Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), **S.B. 722** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO THE DISPLAY OF THE UNITED STATES FLAG, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

June 19, 2003

SPECIAL MESSAGE FROM THE SENATE**2003 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
June 18, 2003

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. 283** (Conference Report), A BILL TO BE ENTITLED AN ACT TO REQUIRE REAL PROPERTY WARRANTY COMPANIES TO CARRY CONTRACTUAL LIABILITY POLICIES; ESTABLISH GREATER UNIFORMITY AND FLEXIBILITY FOR REQUIREMENTS IMPOSED UPON SERVICE AGREEMENT COMPANIES AND PERSONS THAT ISSUE WARRANTIES UNDER ARTICLE 1 OF CHAPTER 58; EXPAND THE DEFINITION OF HOME APPLIANCE WITHIN THE HOME APPLIANCE SERVICE AGREEMENT COMPANIES STATUTE; ENHANCE ENFORCEMENT OF ARTICLE 1 OF CHAPTER 58; REQUIRE MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES TO USE A SPECIFIC FORMAT ON ALL WRITTEN MATERIALS SUBMITTED; MANDATE ALL REQUIRED INSURER SUBMISSIONS TO THE DEPARTMENT OF INSURANCE TO BE IN A SPECIFIC FORMAT IF IN WRITING; DEFINE MECHANICAL BREAK-DOWN SERVICE AGREEMENTS AND REQUIRE ALL MECHANICAL BREAKDOWN SERVICE AGREEMENT COMPANIES TO COMPLY WITH ARTICLE 1 OF CHAPTER 58 OF THE GENERAL STATUTES AND WITH THE RULES REGARDING MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES; PROVIDE THAT A BAD CHECK CONSTITUTES GROUNDS FOR TERMINATION OF A MOTOR VEHICLE LIABILITY INSURANCE POLICY; AND AUTHORIZE THE ISSUANCE OF LIMITED LICENSES FOR THE SALE OF INSURANCE COVERAGE ON PERSONAL PROPERTY STORED IN SELF-SERVICE STORAGE UNITS.

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

June 19, 2003

Speaker Black orders the bill enrolled and presented to the Governor.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 147** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT LEFT TURNS ON RED IN CERTAIN SITUATIONS, 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. 542**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF CASWELL BEACH, OAK ISLAND, AND OCEAN ISLE BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE PURPOSES OF ENGAGING IN BEACH EROSION CONTROL, FLOOD AND HURRICANE PROTECTION WORKS, AND PUBLIC BEACH ACCESS, 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.

Speaker Black rules the Senate committee substitute bill to be material, thus constituting its first reading.

H.B. 826 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONFIDENTIALITY PROVISIONS OF CHAPTER 122C OF THE GENERAL STATUTES TO PERMIT IMPLEMENTATION OF MENTAL HEALTH SYSTEM REFORM, 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.

June 19, 2003

Senate Committee Substitute for **H.B. 1023** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF UNDERINSURED HIGHWAY VEHICLE TO PROVIDE GREATER PROTECTION TO CONSUMERS INJURED IN MOTOR VEHICLE ACCIDENTS, is 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.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute No. 2 for **H.B. 818** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE EFFECTIVE DATE OF THE ACT PROVIDING FOR THE REMOVAL OF DD FORMS 214 AND OTHER MILITARY RECORDS FROM CERTAIN PUBLIC RECORDS.

On motion of Representative Sutton, the House concurs in Senate Committee Substitute Bill No. 2, which changes the title, by electronic vote (111-0), and the bill is ordered enrolled and presented to the Governor.

H.B. 248 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE CITY OF WILMINGTON TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS.

On motion of Representative Wright, the House concurs in the Senate committee substitute bill, by electronic vote (111-0), and the bill is ordered enrolled.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 1016 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD PARTICULAR UNIVERSITY FACILITIES AS NONSMOKING AREAS.

June 19, 2003

On motion of Representative Haire, the House concurs in the Senate committee substitute bill, by electronic vote (109-1), and the bill is ordered enrolled and presented to the Governor.

S.B. 76 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF MISENHEIMER, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, K. Williams, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 109.

Voting in the negative: Representative Capps.

Excused absences: Representatives Brubaker, Cunningham, Eddins, L. Johnson, McMahan, and Womble - 6.

S.B. 236 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE DIVIDEND RECEIVED DEDUCTION FOR REGULATED INVESTMENT COMPANIES AND REAL ESTATE INVESTMENT TRUSTS TO ENSURE THAT ALL DIVIDENDS ARE TREATED UNIFORMLY, TO EXTEND FOR TWO YEARS THE DEPARTMENT OF REVENUE'S AUTHORITY TO OUTSOURCE THE COLLECTION OF IN-STATE TAX DEBTS, TO AMEND THE MOTOR FUEL TAX LAWS, AND TO MAKE VARIOUS ADMINISTRATIVE CHANGES IN THE TAX LAWS.

On motion of Representative Miner and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 24.

June 19, 2003

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Goodwin and without objection, **S.B. 774** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DUTIES OF OPERATORS OF SKATEBOARD PARKS, TO ESTABLISH THE DUTIES OF PERSONS WHO ENGAGE IN CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES, AND TO LIMIT THE LIABILITY OF GOVERNMENTAL ENTITIES FOR DAMAGE OR INJURIES THAT ARISE OUT OF A PERSON'S PARTICIPATION IN CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES AND THAT OCCUR IN AN AREA DESIGNATED FOR CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES, is withdrawn from the Calendar and placed on the Calendar of June 25.

CALENDAR (continued)

H.B. 79 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON CONVICTED OF ANY FELONY OR CERTAIN OTHER CRIMINAL OFFENSES OR WHO IS FOUND NOT GUILTY BY REASON OF INSANITY OF ANY FELONY OR CERTAIN OTHER CRIMINAL OFFENSES, TO CLARIFY WHEN THAT SAMPLE IS TAKEN, AND TO RESTRICT THE RELEASE OF INFORMATION FROM THE DNA DATABASE.

Representative Daughtry offers Amendment No. 1.

Representative Alexander inquires of the Chair if the amendment is germane to the title. Speaker Black rules that the amendment is not germane to the title and the amendment is returned to the Member.

Representative Daughtry moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

The motion fails by electronic vote (55-59).

The bill passes its second reading, by electronic vote (100-13).

Representative Stam objects to the third reading. The bill remains on the Calendar.

S.B. 421 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND MAKE TECHNICAL CORRECTIONS TO

June 19, 2003

THE CHILD WELFARE LAWS AND TO ENHANCE THE STATE'S ABILITY TO PROTECT CHILDREN.

Representative Capps offers Amendment No. 1.

Representative Stam requests that he be excused from voting on this bill, because he is a paid attorney on a closely related case pending in the Supreme Court, under Rule 24.1A and this request is granted.

Amendment No. 1 is adopted by electronic vote (110-0).

The bill, as amended, passes its second reading, by electronic vote (109-0), 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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 521 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE REGULATION OF PYROTECHNIC DISPLAYS, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 537, A BILL TO BE ENTITLED AN ACT TO EXCLUDE AIRPORTS FROM THE PUBLIC ENTERPRISE BILLING INFORMATION PRIVACY LAW, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

S.B. 936, A BILL TO BE ENTITLED AN ACT TO WAIVE VARIOUS DEADLINES, FEES, AND PENALTIES FOR DEPLOYED MILITARY PERSONNEL.

June 19, 2003

Representative Gorman offers Amendment No. 1 which is adopted by electronic vote (110-0).

The bill, as amended, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

On motion of Representative Miner and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 23.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 952 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE NEW CHALLENGE GRANTS AVAILABLE FROM THE DISTINGUISHED PROFESSORS ENDOWMENT TRUST FUND FOR CERTAIN CONSTITUENT INSTITUTIONS, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 1016 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING NURSING HOMES TO ESTABLISH A MEDICATION MANAGEMENT ADVISORY COMMITTEE AND SPECIFYING THE DUTIES OF THE COMMITTEE AND TO REQUIRE NURSING HOMES TO DO CERTAIN THINGS PERTAINING TO THE REDUCTION OF MEDICATION-RELATED ERRORS TO INCREASE PATIENT SAFETY.

On motion of Representative Clary and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 25.

SPECIAL MESSAGE FROM THE SENATE

2003 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
June 19, 2003

June 19, 2003

Mr. Speaker:

Pursuant to your message received on June 18, 2003, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 152** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING CHILD CARE FACILITIES TO PLACE CHILDREN IN A SLEEPING POSITION THAT REDUCES THE RISK OF SUDDEN INFANT DEATH SYNDROME (SIDS), PROHIBITING THE ADMINISTRATION OF MEDICATION TO A CHILD IN A LICENSED OR UNLICENSED CHILD CARE FACILITY WITHOUT PROPER AUTHORIZATION FROM THE CHILD'S PARENT OR GUARDIAN, AND REQUIRING CERTAIN AGENCIES AND THE MEDICAL COMMUNITY TO COOPERATE IN INVESTIGATING REPORTS OF CHILD ABUSE AND NEGLECT IN CHILD CARE FACILITIES, and requests conferees, the President *Pro Tempore* appoints

Senator Purcell, Chair
Senator Forrester
Senator Hagan

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

**2003 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
June 19, 2003

Mr. Speaker:

Pursuant to your message received on June 18, 2003, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 963** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN PERSONS CONVICTED OF LEAVING THE SCENE OF AN ACCIDENT INVOLVING INJURY OR DEATH

June 19, 2003

SHALL LOSE THEIR LICENSE FOR A PERIOD OF TWO YEARS, and requests conferees, the President *Pro Tempore* appoints

Senator Shubert, Chair
Senator Hartsell
Senator Thomas

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

2003 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
June 19, 2003

Mr. Speaker:

Pursuant to your message received on June 17, 2003, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 986** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A MOTOR VEHICLE INSURER TO DISCLOSE ANY FINANCIAL INTEREST IN A RECOMMENDED REPAIR FACILITY OR SERVICE, and requests conferees, the President *Pro Tempore* appoints

Senator Soles, Chair
Senator Rand
Senator Carpenter

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

June 19, 2003

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1304**, A BILL TO BE ENTITLED AN ACT TO IMPOSE AN ADVANCE DISPOSAL FEE ON NEW AND USED MOBILE HOMES, TO REQUIRE COUNTIES TO DEVELOP PLANS THAT PROVIDE FOR THE DECONSTRUCTION OF OBSOLETE MOBILE HOMES AND THE REMOVAL OF REUSABLE OR RECYCLABLE COMPONENTS, AND TO PROVIDE FOR THE ABATEMENT OF NUISANCE OBSOLETE MOBILE HOMES, is withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Finance.

On motion of Representative Culpepper, seconded by Representative Miller, the House adjourns at 2:39 p.m. to reconvene Monday, June 23, 2003, at 6:00 p.m.

EIGHTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Monday, June 23, 2003

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by Speaker Black.

The following prayer is offered by the Reverend Jim Lambeth, House Chaplain:

"We praise and thank You, O God, for You are without beginning and without end, Creator and Preserver of the whole world, Ruler of all that is, seen and unseen. Compared to what You can do, we know our power and effect on the world is insignificant. Yet You have great expectations of us, Your creatures. You gave us dominion over the earth and You called us to live in relationship with each other, caring for the earth and treating each other as we would want to be treated. In our life together we choose women and men, like these in this House, to guide our common life and to make decisions about how we live together. As they are about their work this week they will give voice and vote to many issues that affect life in our State. Give them wisdom and the will for justice and righteousness that in everything they say and do they may show forth their high calling to be servants of the people of North Carolina.

June 23, 2003

"In Your great and eternal name we pray. Amen."

Speaker Black leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 19 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Cunningham, Earle, Fox, Nesbitt, Preston, and Warren for today. Representative L. Johnson is excused for a portion of the session.

ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

S.B. 117, AN ACT TO NAME THE WESTERN JUSTICE ACADEMY IN HONOR OF REPRESENTATIVE LARRY T. JUSTUS.

S.B. 423, AN ACT TO CLARIFY AND ENHANCE CHILD SUPPORT ENFORCEMENT LAWS.

S.B. 537, AN ACT TO EXCLUDE AIRPORTS FROM THE PUBLIC ENTERPRISE BILLING INFORMATION PRIVACY LAW.

S.B. 773, AN ACT TO AUTHORIZE COMMUNITY COLLEGES TO ENTER INTO PUBLIC/PRIVATE PARTNERSHIPS FOR CONSTRUCTION PROJECTS.

S.B. 786, AN ACT TO PROVIDE THAT WHEN THE PROPERTY OF A RESIDENT OF A STATE INSTITUTION UNDER THE DEPARTMENT OF HEALTH AND HUMAN SERVICES IS LOST, DESTROYED, OR OTHERWISE DAMAGED THROUGH NEGLIGENT HANDLING BY THE INSTITUTION, THE INSTITUTION MAY MAKE DIRECT PAYMENT OR PROVIDE REPLACEMENT OF THE ITEM TO THE RESIDENT WITHOUT RECOURSE TO THE TORT CLAIMS PROCESS IF THE AMOUNT OF DAMAGES IS LESS THAN FIVE HUNDRED DOLLARS.

S.B. 926, AN ACT TO CLARIFY THE LICENSING PROCESS FOR NEW GROUP HOME FACILITIES AND FOR THE REIMBURSEMENT OF EDUCATIONAL COSTS BY THE HOME COUNTY TO THE HOST COUNTY.

June 23, 2003

S.B. 952, AN ACT TO MAKE NEW CHALLENGE GRANTS AVAILABLE FROM THE DISTINGUISHED PROFESSORS ENDOWMENT TRUST FUND FOR CERTAIN CONSTITUENT INSTITUTIONS.

H.B. 283, AN ACT TO REQUIRE REAL PROPERTY WARRANTY COMPANIES TO CARRY CONTRACTUAL LIABILITY POLICIES; ESTABLISH GREATER UNIFORMITY AND FLEXIBILITY FOR REQUIREMENTS IMPOSED UPON SERVICE AGREEMENT COMPANIES AND PERSONS THAT ISSUE WARRANTIES UNDER ARTICLE 1 OF CHAPTER 58; EXPAND THE DEFINITION OF HOME APPLIANCE WITHIN THE HOME APPLIANCE SERVICE AGREEMENT COMPANIES STATUTE; ENHANCE ENFORCEMENT OF ARTICLE 1 OF CHAPTER 58; REQUIRE MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES TO USE A SPECIFIC FORMAT ON ALL WRITTEN MATERIALS SUBMITTED; MANDATE ALL REQUIRED INSURER SUBMISSIONS TO THE DEPARTMENT OF INSURANCE TO BE IN A SPECIFIC FORMAT IF IN WRITING; DEFINE MECHANICAL BREAKDOWN SERVICE AGREEMENTS AND REQUIRE ALL MECHANICAL BREAKDOWN SERVICE AGREEMENT COMPANIES TO COMPLY WITH ARTICLE 1 OF CHAPTER 58 OF THE GENERAL STATUTES AND WITH THE RULES REGARDING MOTOR VEHICLE AND HOME APPLIANCE SERVICE AGREEMENT COMPANIES; PROVIDE THAT A BAD CHECK CONSTITUTES GROUNDS FOR TERMINATION OF A MOTOR VEHICLE LIABILITY INSURANCE POLICY; AND AUTHORIZE THE ISSUANCE OF LIMITED LICENSES FOR THE SALE OF INSURANCE COVERAGE ON PERSONAL PROPERTY STORED IN SELF-SERVICE STORAGE UNITS.

H.B. 818, AN ACT TO PROVIDE FOR THE SAFEKEEPING OF MILITARY DISCHARGE DOCUMENTS AND TO PREVENT DISCLOSURE TO UNAUTHORIZED PARTIES.

H.B. 1016, AN ACT TO ADD PARTICULAR UNIVERSITY FACILITIES AS NONSMOKING AREAS.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 248, AN ACT ALLOWING THE CITY OF WILMINGTON TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS.

June 23, 2003

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

S.B. 315, AN ACT RELATING TO CONTRACTS OF MINORS FOR ARTISTIC, CREATIVE, OR ATHLETIC SERVICES. (S.L. 2003-207)

S.B. 669, AN ACT TO AMEND THE LAW REGARDING THE CIVIL REMEDY FOR PROTECTION OF ANIMALS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO AUTHORIZE THE GENERAL STATUTES COMMISSION TO STUDY THE NEED TO REGULATE "PUPPY MILLS". (S.L. 2003-208)

H.B. 201, AN ACT TO REQUIRE A REVIEW PROCEDURE TO ENSURE THAT CANDIDATES' NAMES APPEAR ON THE BALLOT IN ACCORDANCE WITH LAW. (S.L. 2003-209)

H.B. 665, AN ACT TO MODIFY THE DUTIES OF THE BOARD OF SCIENCE AND TECHNOLOGY. (S.L. 2003-210)

H.B. 483, AN ACT PROVIDING FOR THE ABROGATION OF OFFENSIVE PLACE-NAMES THROUGHOUT THE STATE. (S.L. 2003-211)

H.B. 276, AN ACT TO MAKE SUBSTANTIVE AND TECHNICAL AMENDMENTS IN THE LAWS CONCERNING INSURANCE COMPANY SOLVENCY AND TO PROHIBIT OFFICERS AND EMPLOYEES OF THE STATE AND ITS POLITICAL SUBDIVISIONS FROM REQUIRING CONSTRUCTION CONTRACT BIDDERS TO OBTAIN SURETY BONDS FROM SURETIES OR PRODUCERS DESIGNATED BY THE OFFICERS AND EMPLOYEES. (S.L. 2003-212)

H.B. 928, AN ACT TO AUTHORIZE APPALACHIAN STATE UNIVERSITY TO REGULATE PARKING ON CERTAIN STREETS. (S.L. 2003-213)

H.B. 1024, AN ACT ADOPTING THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT FOR NORTH CAROLINA. (S.L. 2003-214)

H.B. 1210, AN ACT MODIFYING THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF THE NORTH CAROLINA SCHOOL OF THE ARTS. (S.L. 2003-215)

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S.B. 771, AN ACT TO PROHIBIT THE USE OF A PERSON'S CREDIT HISTORY AS A SOLE BASIS FOR TERMINATING INSURANCE COVERAGE OR SUBJECTING A POLICY TO CONSENT TO RATE. (S.L. 2003-216)

S.B. 167, AN ACT PERMITTING WEAPONS ON THE HOWELL WOODS NATURE CENTER PROPERTY OF JOHNSTON COMMUNITY COLLEGE FOR HUNTING PURPOSES. (S.L. 2003-217)

S.B. 19, AN ACT TO AMEND THE LAW REGARDING TOWNSHIP ABC ELECTIONS IN CERTAIN TOWNSHIPS. (S.L. 2003-218)

S.B. 629, AN ACT TO CLARIFY THE REQUIREMENTS FOR SUBORDINATION AGREEMENTS. (S.L. 2003-219)

S.B. 439, AN ACT MAKING OMNIBUS CHANGES TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA. (S.L. 2003-220)

H.B. 270, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE INSURANCE LAWS. (S.L. 2003-221)

H.B. 1260, AN ACT TO INCREASE THE MAXIMUM FEES THAT THE BOARD OF EXAMINERS FOR SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS MAY ASSESS FOR CERTAIN FEES. (S.L. 2003-222)

S.B. 887, AN ACT TO MANDATE INSURANCE COVERAGE FOR SURVEILLANCE TESTS FOR WOMEN AGE TWENTY-FIVE AND OLDER AND AT RISK FOR OVARIAN CANCER. (S.L. 2003-223)

H.B. 1155, AN ACT ALLOWING PAYROLL DEDUCTION FOR STATE EMPLOYEES CONTRIBUTING TO THE PARENTAL SAVINGS TRUST FUND. (S.L. 2003-224)

H.B. 637, AN ACT TO PERMIT THE SETTLOR OF A REVOCABLE TRUST TO RELIEVE THE TRUSTEE OF DUTIES, RESTRICTIONS, AND LIABILITIES IMPOSED BY THE UNIFORM TRUSTS ACT. (S.L. 2003-225)

H.B. 842, AN ACT TO PROVIDE FOR A SYSTEM FOR ALL NORTH CAROLINA ELECTIONS THAT COMPLIES WITH THE HELP AMERICA VOTE ACT AND TO HELP PREVENT DUPLICATE NAMES ON JURY LISTS. (S.L. 2003-226)

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H.B. 916, AN ACT TO ESTABLISH A VACCINATION PROGRAM FOR FIRST RESPONDERS TO TERRORIST INCIDENTS, CATASTROPHIC OR NATURAL DISASTERS, OR EMERGENCIES. (S.L. 2003-227)

H.B. 975, AN ACT TO PROVIDE PURCHASING FLEXIBILITY FOR THE UNIVERSITY OF NORTH CAROLINA. (S.L. 2003-228)

H.B. 1151, AN ACT TO AMEND THE ADMINISTRATIVE PROCEDURE ACT TO REVISE THE PROCEDURE FOR ADOPTING PERMANENT AND TEMPORARY RULES, TO CREATE A PROCEDURE FOR THE ADOPTION OF EMERGENCY RULES, TO CLARIFY THE ROLE OF THE RULES REVIEW COMMISSION, AND TO EXCLUDE THE STATE MEDICAL FACILITIES PLAN FROM THE DEFINITION OF A RULE. (S.L. 2003-229)

S.B. 424, AN ACT TO AMEND THE LAW CONCERNING TUITION WAIVERS AND TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY WHETHER TO EXTEND THESE TUITION WAIVERS. (S.L. 2003-230)

S.B. 437, AN ACT TO ALLOW A PLUMBING AND HEATING CONTRACTOR OR AN ELECTRICAL CONTRACTOR LICENSED UNDER CHAPTER 87 OF THE GENERAL STATUTES TO BID AND CONTRACT DIRECTLY WITH THE OWNER OF A PUBLIC BUILDING PROJECT IN CERTAIN CIRCUMSTANCES. (S.L. 2003-231)

S.B. 549, AN ACT TO ADOPT THE REVISED UNIFORM PRINCIPAL AND INCOME ACT. (S.L. 2003-232)

S.B. 622, AN ACT TO FURTHER PROMOTE E-COMMERCE AND E-GOVERNMENT. (S.L. 2003-233)

S.B. 627, AN ACT TO DEDICATE AND ACCEPT CERTAIN PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE, TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE, AND TO DELETE A PARK FROM THE STATE PARKS SYSTEM. (S.L. 2003-234)

H.B. 892, AN ACT TO DETERMINE WHETHER A DRIVER OF A TRUCK, TRACTOR, OR TRUCK TRACTOR TRAILER OF AN INTER-STATE OR INTRASTATE MOTOR CARRIER IS AN EMPLOYEE

SUBJECT TO THE WORKERS' COMPENSATION ACT AND TO DEFINE THE OBLIGATIONS UNDER THE ACT FOR SUCH DRIVERS. (S.L. 2003-235)

H.B. 1123, AN ACT TO EXPRESSLY PROVIDE FOR LIMITED GUARDIANSHIPS FOR INCOMPETENT PERSONS AND TO CLARIFY THE DUTY OF A GUARDIAN AD LITEM APPOINTED TO REPRESENT A PERSON IN AN INCOMPETENCY ADJUDICATION AND TO CLARIFY THE APPOINTMENT OF GUARDIAN AD LITEMS UNDER RULE 17 OF THE RULES OF CIVIL PROCEDURE. (S.L. 2003-236)

S.B. 494, AN ACT TO ALLOW THE TOWN OF CARRBORO TO REQUIRE SPRINKLERS IN BARS, CLUBS, AND OTHER SIMILAR PLACES OF PUBLIC ASSEMBLY THAT HAVE GATHERINGS OF MORE THAN ONE HUNDRED PEOPLE AND SELL ALCOHOLIC BEVERAGES AND TO AUTHORIZE THE TOWN OF CHAPEL HILL TO POSTPONE FOR TWELVE MONTHS THE APPROVAL OF SPECIAL USE PERMITS AND SITE PLANS PROPOSED ON SITES RESERVED AS SCHOOL SITES ON THE TOWN'S ADOPTED COMPREHENSIVE LAND-USE PLAN. (S.L. 2003-237)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Baker, Clary, Crawford, Grady, Owens, Sherrill, and Wright, Chairs, for the Committee on Appropriations:

H.B. 1316 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A TRAVEL AND TOURISM CAPITAL INVESTMENT PROGRAM, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 96, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AVERY COUNTY TO LEVY AN OCCUPANCY TAX IN A TAX

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DISTRICT COMPRISING THE UNINCORPORATED AREAS OF THE COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

H.B. 677, A BILL TO BE ENTITLED AN ACT TO REDUCE THE SALES AND USE TAX ON FUNERAL EXPENSES, 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. 751 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE TITLE TO EXISTING LAND AND THE LAND BUILT UP AND CONSTRUCTED IN THE TOWN OF KITTY HAWK IN THE COUNTY OF DARE AS A RESULT OF CERTAIN EROSION CONTROL WORK IN SAID TOWN AND ANNEXING A TRACT TO THE CORPORATE LIMITS OF THAT TOWN, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

H.B. 1289, A BILL TO BE ENTITLED AN ACT AMENDING VARIOUS PROVISIONS UNDER THE PRIVATE PROTECTIVE SERVICES ACT, REDUCING THE NUMBER OF MEMBERS ON THE PRIVATE PROTECTIVE SERVICES BOARD, AUTHORIZING THE BOARD TO ESTABLISH CONTINUING EDUCATION REQUIREMENTS, AND DECREASING THE REQUIRED MINIMUM BALANCE IN THE PRIVATE PROTECTIVE SERVICES RECOVERY 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. The original bill is placed on the Unfavorable Calendar.

H.B. 1303, A BILL TO BE ENTITLED AN ACT TO EXEMPT ATHLETIC CONTESTS SPONSORED BY INCOME TAX EXEMPT PERSONS FROM THE AMUSEMENTS PRIVILEGE 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. The original bill is placed on the Unfavorable Calendar.

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S.B. 475, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTIES TO THE TOWN OF DALLAS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

S.B. 655 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE DEFINITION OF LOCKSMITH SERVICES UNDER THE LOCKSMITH LICENSING ACT, TO AMEND THE POWERS OF THE NORTH CAROLINA LOCKSMITH LICENSING BOARD TO ALLOW THE BOARD TO EMPLOY AN ATTORNEY AND HAVE CONDUCTED CRIMINAL HISTORY RECORD CHECKS ON APPLICANTS, TO AMEND THE LOCKSMITH LICENSING ACT TO ALLOW THE BOARD TO REGULATE APPRENTICE LOCKSMITHS AND COLLECT FEES, TO CLARIFY THE EXEMPTION FOR GENERAL CONTRACTORS, TO CLARIFY THE EXEMPTION FOR TOWING SERVICES UNDER THE ACT, AND TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO CONDUCT CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR LICENSURE OR APPRENTICE DESIGNATION AS A LOCKSMITH, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

S.B. 993 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE ABILITY OF THE STATE BOARD OF EDUCATION TO SAFEGUARD SCHOOLCHILDREN THROUGH AUTOMATIC REVOCATION OF TEACHER CERTIFICATES UPON CONVICTION OF CERTAIN CRIMES, AND THE USE OF INVESTIGATIVE SERVICES AS NEEDED, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Moore, Vice Chair, for the Committee on Judiciary II:

H.B. 1128, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN EXPANSION OF RIGHTS UNDER EXISTING LAWS RELATING TO GRANDPARENT VISITATION, 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 referred to the Committee on Rules, Calendar, and Operations of the House.

June 23, 2003

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

S.B. 963, A BILL TO BE ENTITLED AN ACT TO PROHIBIT SELLERS FROM EXCESSIVELY RAISING PRICES ON THEIR MERCHANDISE DURING DECLARED STATES OF DISASTER, 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.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 182**, A BILL TO BE ENTITLED AN ACT TO NAME THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Pensions and Retirement.

Upon concurrence, the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 425** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT THAT SMALL HORSE TRAILERS DESIGNED TO CARRY FOUR OR FEWER HORSES MUST STOP AT PERMANENT WEIGH STATIONS, 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. 944 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN NOTIFICATIONS BEFORE A TOWER MAY COLLECT CERTAIN CHARGES, is returned for concurrence in the Senate committee substitute bill.

June 23, 2003

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

H.B. 1070 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXPENDITURE BENCHMARK FOR A SPECIAL RESPONSIBILITY CONSTITUENT INSTITUTION FOR CERTAIN PURCHASING CONTRACTS, 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. 668 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE WINE SHIPPERS PERMITS TO ALLOW THE DIRECT SHIPMENT OF WINES TO RESIDENTS OF NORTH CAROLINA AND TO ESTABLISH A MECHANISM FOR COLLECTING THE TAXES DUE ON WINE SHIPPED TO NORTH CAROLINA, is read the first time and referred to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

2003 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber
June 19, 2003

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. 775** (Conference Report), A BILL TO BE ENTITLED AN ACT TO CONDITIONALLY REQUIRE INSURERS TO PROVIDE INFORMATION REGARDING POLICY LIMITS PRIOR TO LITIGATION WHEN REQUESTED IN WRITING BY THE PERSONS WHO HAVE CLAIMS, OTHER THAN MEDICAL MALPRACTICE CLAIMS, SUBJECT TO NONFLEET PRIVATE PASSENGER AUTOMOBILE INSURANCE POLICIES AND TO GIVE THESE INSURERS THE OPTION OF INITIATING PRELITIGATION MEDIATION OF THE CLAIMS.

June 23, 2003

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

CALENDAR

Action is taken on the following:

H.J.R. 1331 (Committee Substitute), A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JANE HURLEY MOSLEY, FORMER MEMBER OF THE GENERAL ASSEMBLY, 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.

Representative B. Allen requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (110-0).

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. 408 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SECRET PEEPING STATUTE AND TO MAKE CONFORMING CHANGES.

On motion of Representative Hackney, 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.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Culpepper and without objection, Senate Committee Substitute for **H.B. 786**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PRIMA FACIE RULE FOR PARKING APPLIES TO CIVIL PARKING AND RED LIGHT CAMERA ENFORCEMENT ACTIONS, is withdrawn from the Calendar and placed on the Calendar of June 25.

June 23, 2003

CALENDAR (continued)

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 807 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE LAW ESTABLISHING THE ELECTIVE SHARE OF A DECEDENT'S SURVIVING SPOUSE.

On motion of Representative Culpepper, 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.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Dickson and without objection, Senate Committee Substitute for **H.B. 926** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF ASSAULT IN THE PRESENCE OF A CHILD, is withdrawn from the Calendar and placed on the Calendar of June 25.

CALENDAR (continued)

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 1037 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CRIMINAL PENALTIES FOR ALLOWING JUVENILES TO ESCAPE AND TO ALLOW JUVENILE DETENTION FACILITIES TO PHOTOGRAPH JUVENILES AND TO RELEASE THE PHOTOGRAPHS WHEN THE JUVENILE ESCAPES.

On motion of Representative Luebke, 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.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 1171 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE LAW PROHIBITING HAZING.

On motion of Representative Dickson, the House concurs in the Senate committee substitute bill, by electronic vote (110-0), and the bill is ordered enrolled and presented to the Governor.

June 23, 2003

S.B. 76 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF MISENHEIMER.

On motion of Representative Goodwin and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 24.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 1257 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING VARIOUS PROVISIONS UNDER THE RESPIRATORY CARE PRACTICE ACT, AUTHORIZING THE NORTH CAROLINA RESPIRATORY CARE BOARD TO ESTABLISH FEES FOR VERIFICATION OF LICENSURE STATUS AND APPROVAL OF CONTINUING EDUCATION PROGRAMS, AUTHORIZING THE BOARD TO ASSESS CIVIL PENALTIES FOR VIOLATIONS OF THE ACT, AND AUTHORIZING ADJUSTMENTS IN FEES FOR BOARDS TO REFLECT CHANGES IN THE CONSUMER PRICE INDEX.

On motion of Representative Nye and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 24.

H.B. 79 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON CONVICTED OF ANY FELONY OR CERTAIN OTHER CRIMINAL OFFENSES OR WHO IS FOUND NOT GUILTY BY REASON OF INSANITY OF ANY FELONY OR CERTAIN OTHER CRIMINAL OFFENSES, TO CLARIFY WHEN THAT SAMPLE IS TAKEN, AND TO RESTRICT THE RELEASE OF INFORMATION FROM THE DNA DATABASE.

On motion of Representative Stam, the bill is withdrawn from the Calendar and placed on the Calendar of June 24, by electronic vote (65-46).

S.B. 936, A BILL TO BE ENTITLED AN ACT TO WAIVE VARIOUS DEADLINES, FEES, AND PENALTIES FOR DEPLOYED MILITARY PERSONNEL.

The bill, as amended, passes its third reading, by electronic vote (108-0), and is ordered sent to the Senate for concurrence in the House amendment.

S.B. 1011 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A LIENHOLDER TO REQUEST AN ACCOUNTING OF DISBURSEMENTS OF SUMS RECOVERED FOR PERSONAL INJURY WITH RESPECT TO LIENS IN FAVOR OF PROVIDERS OF

June 23, 2003

HEALTH-RELATED GOODS AND SERVICES, passes its third reading, by electronic vote (108-1), and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Representative Yongue requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (109-0).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 698 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD THREE ADVISORY MEMBERS TO THE STATE BOARD OF EDUCATION, passes its second reading, by electronic vote (107-3), 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.

INTRODUCTION OF PAGES

Pages for the week of June 23 are introduced to the membership. They are: William James Allen of Wake; Sarah Amspacher of Carteret; Kathryn Bethune of Wilson; Caitlin Cauley of Pender; Justin Mark Edelman of Cumberland; Marc Epstein of Mecklenburg; Tyler Eubanks of Wake; Forrest Gilliam of Madison; Tyler Haire of New Hampshire; William Harrell of Gates; Angela Hinton of Wake; Samuel Jacob Hollifield of Haywood; Yumicki Jacobs of Pender; Trey James of Mecklenburg; Robert Jansen of Gaston; Ambria Jenkins of Wake; Alecia Murphy of New Hanover; McKenzie Nixon of Pender; Helen Parker of Columbus; Rebecca Parker of Columbus; Joshua Patton of Mecklenburg; Trey Pons of Cumberland; Shannon Savage of Cleveland; Tara Scheidt of Rowan; Julie Stevenson of Cherokee; Ashley Weidner of Mecklenburg; Andrea White of Carteret; and Cameron Young of Lincoln.

RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 357**, A BILL TO BE ENTITLED AN ACT TO ALLOW FRANKLIN COUNTY TO ACQUIRE PROPERTY FOR AIRPORT PURPOSES BY USING THE "QUICK TAKE" PROCEDURE, is withdrawn from the Committee on Local Government II 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, **S.B. 563** (House Committee Substitute), A BILL TO BE

June 23, 2003

ENTITLED AN ACT TO REPEAL THE LAWS REGULATING ATHLETE AGENTS AND TO ADOPT THE UNIFORM ATHLETE AGENTS ACT, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Culpepper moves, seconded by Representative Sherrill, that the House adjourn, subject to the receipt of Messages from the Senate, to reconvene June 24 at 12:30 p.m.

The motion carries.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute for **H.B. 21** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND TO AUTHORIZE THE USE OF HIGHWAY TRUST FUND FUNDS TO MATCH FEDERAL-AID HIGHWAY FUNDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, 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 June 24.

Upon concurrence, the Senate committee substitute bill changes the title.

Speaker Black rules the Senate committee substitute bill to be material, thus constituting its first reading.

The House stands adjourned at 7:51 p.m.

EIGHTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 24, 2003

The House meets at 12:30 p.m. pursuant to adjournment and is called to order by Speaker Morgan.

June 24, 2003

The following prayer is offered by the Reverend James E. Taylor, Associate Rector, St. John's Episcopal Church, Fayetteville, North Carolina.

"O Lord, our Creator, whose glory is in all the world:

"We commend this State to Thy merciful care, that, being guided by Thy Providence, we may dwell secure in Thy peace. Grant to the President of the United States, the Governor of North Carolina, and to all elected officials, wisdom and strength to know and to do Thy will. Fill them with the love of truth and righteousness, and make them ever mindful of their calling to serve this people in Thy fear; in Your name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 23 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Cunningham and Fox for today.

ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

S.B. 881, AN ACT TO PERMIT PHASE II PAYMENTS UNDER THE NATIONAL TOBACCO GROWER SETTLEMENT TRUST TO BE PAID WITHOUT REOPENING A DECEDENT'S ESTATE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

S.B. 955, AN ACT TO MODIFY THE LAW REGARDING CONTRACTS FOR SCHOOL PRINCIPALS.

H.B. 408, AN ACT TO MODIFY THE SECRET PEEPING STATUTE AND TO MAKE CONFORMING CHANGES.

H.B. 807, AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE LAW ESTABLISHING THE ELECTIVE SHARE OF A DECEDENT'S SURVIVING SPOUSE.

H.B. 1037, AN ACT TO ESTABLISH CRIMINAL PENALTIES FOR ALLOWING JUVENILES TO ESCAPE AND TO ALLOW JUVENILE DETENTION FACILITIES TO PHOTOGRAPH JUVENILES AND TO RELEASE THE PHOTOGRAPHS WHEN THE JUVENILE ESCAPES.

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H.B. 1171, AN ACT TO MAKE CHANGES IN THE LAW PROHIBITING HAZING.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 57, AN ACT TO ALLOW THE TOWNS OF CAROLINA BEACH, WRIGHTSVILLE BEACH, AND YADKINVILLE TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES.

H.B. 163, AN ACT TO ALLOW THE CITY OF KINGS MOUNTAIN TO ANNEX CERTAIN PROPERTIES OWNED BY THE TOWN.

H.B. 232, AN ACT TO INCORPORATE THE TOWN OF MILLS RIVER.

H.B. 511, AN ACT TO EXEMPT CERTAIN TOWN-OWNED PROPERTIES OF THE TOWN OF ANDREWS FROM THE CEILING ON VOLUNTARY SATELLITE ANNEXATIONS.

H.B. 725, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CITY OF CLAREMONT AND THE CITY OF CONOVER AND ANNEXING CERTAIN DESCRIBED PROPERTY TO THE CITY OF CLAREMONT.

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.J.R. 1331, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JANE HURLEY MOSLEY, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 2003-22)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Munford, Chair, for the Committee on Judiciary IV:

H.B. 1072, A BILL TO BE ENTITLED AN ACT TO REGULATE PERSONS SEEKING TO ENGAGE IN BUSINESS AS TICKET BROKERS AND TO APPLY THE PRIVILEGE TAX ON AMUSEMENTS TO SERVICES PROVIDED BY TICKET BROKERS, with a favorable report as to the committee substitute bill, which changes the title,

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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.

SUBCOMMITTEE REFERRAL

Representatives Bonner, Hilton, Warner, and Wood, Chairs, for the Standing Committee on Education, refer **S.B. 701**, A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY CERTAIN PUBLIC SCHOOL PROFESSIONAL PERSONNEL, to the Education Subcommittee on Pre-School, Elementary and Secondary Education.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 339** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CONFORM NORTH CAROLINA'S THIRD PARTY ADMINISTRATOR ARTICLE TO REVISIONS TO THE NAIC MODEL THIRD PARTY ADMINISTRATOR STATUTE; REQUIRE GROUP ANNUITY INSURERS TO ISSUE INDIVIDUAL CERTIFICATES OF COVERAGE TO EACH ANNUITANT; REORGANIZE ARTICLE 60 OF CHAPTER 58 OF THE GENERAL STATUTES AND AMEND CURRENT DISCLOSURE REQUIREMENTS FOR SOLICITATION OF LIFE INSURANCE PRODUCTS AND ANNUITIES; REQUIRE INSURERS TO NOTIFY EMPLOYEES OF THE EXISTENCE OF EMPLOYER-OWNED LIFE INSURANCE POLICIES WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF COVERAGE; REQUIRE THAT ASSOCIATION PREMIUM RATES FOR ACCIDENT AND HEALTH INSURANCE BE ACTUARIALLY SOUND AND THAT ASSOCIATIONS BE RATED AS A SINGLE GROUP WHEN THE COVERAGE PROVIDED IS NOT EMPLOYER-BASED; LIMIT AN INDIVIDUAL ACCIDENT AND HEALTH INSURER'S USE OF AN INDIVIDUAL'S OWN CLAIMS' EXPERIENCE TO DEVELOP THE INDIVIDUAL'S RENEWAL RATE; EXEMPT A SOLE PROPRIETOR FROM THE FULL-TIME BASIS OR THIRTY-HOUR WORKWEEK REQUIREMENTS TO BE ELIGIBLE FOR LARGE GROUP HEALTH COVERAGE LIKE THE PROPRIETOR'S FULL-TIME EMPLOYEES; CORRECT AN INADVERTENT CROSS-REFERENCE IN ORDER TO REAPPLY NEWBORN COVERAGE TO A MORE COMPREHENSIVE GROUP OF INSURERS; TECHNICALLY

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CORRECT AN OMISSION REGARDING PROVISIONS GOVERNING PREEXISTING CONDITIONS FOR LIMITED HEALTH, SUPPLEMENTAL HEALTH, AND SPECIFIED DISEASE POLICIES; DECREASE THE TOTAL NUMBER OF MEMBERS THAT SERVE ON THE SMALL EMPLOYER REINSURANCE POOL BOARD FROM NINE TO SIX; ALLOW PERSONS RETROACTIVELY ENROLLED IN MEDICARE PART B THE SAME SIX-MONTH OPEN ENROLLMENT PERIOD FOR MEDICARE SUPPLEMENT PLANS AS PERSONS WHO ENROLLED IN MEDICARE PART B WITHOUT A RETROACTIVE EFFECTIVE DATE OF COVERAGE; TECHNICALLY CORRECT THE REVOCATION AND SUSPENSION LAW TO INCLUDE A BENEFICIARY OF A LIFE OR ANNUITY CONTRACT AS A CLAIMANT; MANDATE HEALTH BENEFIT COVERAGE FOR DESIGNATED TRAVEL EXPENSES WHEN THE REQUIRED DISTANCE TRAVELED THRESHOLD IS MET; TO REQUIRE RATE METHODOLOGY UNDER MEDICARE SUPPLEMENTAL INSURANCE POLICIES TO BE BASED ON ISSUE AGE AND TO MAKE OTHER CHANGES TO THE LAW PERTAINING TO MEDICARE SUPPLEMENTAL INSURANCE POLICIES; AND MAKE TECHNICAL CORRECTIONS TO THE CREDIT 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.

Upon concurrence, the Senate committee substitute bill changes the title.

H.B. 994 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT ALLOWING THE STATE, COUNTIES, AND CITIES TO CONSTRUCT PRE-ENGINEERED STRUCTURES WITHOUT HAVING THE PLANS AND SPECIFICATIONS FOR THE STRUCTURES REVIEWED BY A REGISTERED ARCHITECT OR ENGINEER, is returned for concurrence in Senate Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), Senate Committee Substitute Bill No. 2 is placed on the Calendar of June 25.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

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Senate Committee Substitute for **H.B. 597**, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS.

On motion of Representative Hall, 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: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Guley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, C. Johnson, L. Johnson, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McCombs, McGee, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Cunningham and Fox - 2.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 70 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL A LOCAL ACT SO THAT THE GENERAL LAW ON DEFINITION OF A SUBDIVISION APPLIES IN PENDER COUNTY.

On motion of Representative Justice, the House concurs in the Senate committee substitute bill and the bill is ordered enrolled.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 773 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO REQUIRE SPRINKLERS IN BARS, CLUBS, AND OTHER SIMILAR PLACES OF PUBLIC ASSEMBLY.

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On motion of Representative Insko, the House concurs in the Senate committee substitute bill and the bill is ordered enrolled.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 516 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITIES OF ROCKINGHAM AND STATESVILLE AND THE TOWN OF SMITHFIELD TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT.

On motion of Representative Goodwin, the House concurs in the Senate committee substitute bill and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 21** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND TO AUTHORIZE THE USE OF HIGHWAY TRUST FUND FUNDS TO MATCH FEDERAL-AID HIGHWAY FUNDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Representative Crawford moves that the House concur in the material Senate committee substitute bill.

The motion fails, by the following vote, and the Senate is so notified by Special Message.

Those voting in the affirmative are: Speaker Black; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Bell, Bonner, Bordsen, Carney, Church, Dickson, Earle, Farmer-Butterfield, Glazier, Hackney, Hall, Hill, Hunter, Insko, Jeffus, C. Johnson, Jones, Lucas, Luebke, McLawhorn, Michaux, Nesbitt, Owens, Parmon, Ross, Tolson, Wainwright, Warren, Weiss, A. Williams, Womble, and Wright - 38.

Voting in the negative: Speaker Morgan; Representatives Allred, Baker, Barbee, Barnhart, Blackwood, Blust, Bowie, Brubaker, Capps, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dockham, Eddins, Ellis, England, Frye, Gibson, Gillespie, Goforth, Gorman, Grady, Gulley, Haire, Harrell, Hilton, Holliman, Holmes, Howard, L. Johnson, Justice, Justus, Kiser, LaRoque, Lewis, McAllister, McComas, McCombs, McGee, McHenry, McMahan, Miller, Miner, Mitchell, Moore, Munford, Nye, Pate, Preston, Rapp, Ray,

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Rayfield, Rhodes, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Walend, Walker, Warner, West, K. Williams, C. Wilson, G. Wilson, Wood, and Yongue - 79.

Excused absences: Representatives Cunningham and Fox - 2.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 38 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SHORTEN THE PROBATIONARY PERIOD FOR CAREER TEACHERS WHEN THEY CHANGE SCHOOL SYSTEMS OR RETURN TO TEACHING AFTER LEAVING THE PROFESSION.

On motion of Representative Adams, the House concurs in the Senate committee substitute bill, by electronic vote (110-3), and the bill is ordered enrolled and presented to the Governor.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

H.B. 757, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF OAK ISLAND AND THE TOWN OF ST. JAMES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

S.B. 89 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LAKE LURE MARINE COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

S.B. 408 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF EDEN TO NEGOTIATE ANNEXATION CONTRACTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

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S.B. 497, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF MOUNT AIRY, TO ANNEX CERTAIN DESCRIBED PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY, AND TO MODIFY THE CITY OF MOUNT AIRY OCCUPANCY TAX PROVISIONS, 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 June 25. The original bill is placed on the Unfavorable Calendar.

S.B. 529, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WATER AND SEWER AUTHORITIES TO USE THE SETOFF DEBT COLLECTION ACT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

S.B. 705, 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.

Pursuant to Rule 32(a), the bill is re-referred to the Committee on Appropriations.

S.B. 939 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SURCHARGE FOR THE TELECOMMUNICATIONS RELAY SERVICE TO INCLUDE WIRELESS COMMUNICATIONS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

CALENDAR (continued)

S.B. 76 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF MISENHEIMER.

Representative Decker offers Amendment No. 1 which fails of adoption by electronic vote (10-104).

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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: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blust, Bonner, Bordsen, Bowie, Brubaker, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: Representatives Blackwood and Capps - 2.

Excused absences: Representatives Cunningham and Fox - 2.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Alexander and without objection, **H.B. 79** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON CONVICTED OF ANY FELONY OR CERTAIN OTHER CRIMINAL OFFENSES OR WHO IS FOUND NOT GUILTY BY REASON OF INSANITY OF ANY FELONY OR CERTAIN OTHER CRIMINAL OFFENSES, TO CLARIFY WHEN THAT SAMPLE IS TAKEN, AND TO RESTRICT THE RELEASE OF INFORMATION FROM THE DNA DATABASE, is withdrawn from the Calendar and placed on the Calendar of June 25.

CALENDAR (continued)

S.B. 243, A BILL TO BE ENTITLED AN ACT TO NAME THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY.

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On motion of Representative Hall and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 8.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 995 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW FLEXIBILITY IN SCHOOL CONSTRUCTION AND REPAIR CONTRACTS FOR THE WINSTON-SALEM/FORSYTH COUNTY SCHOOL SYSTEM, 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 for concurrence in the House committee substitute bill.

S.B. 236 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE DIVIDEND RECEIVED DEDUCTION FOR REGULATED INVESTMENT COMPANIES AND REAL ESTATE INVESTMENT TRUSTS TO ENSURE THAT ALL DIVIDENDS ARE TREATED UNIFORMLY, TO EXTEND FOR TWO YEARS THE DEPARTMENT OF REVENUE'S AUTHORITY TO OUTSOURCE THE COLLECTION OF IN-STATE TAX DEBTS, TO AMEND THE MOTOR FUEL TAX LAWS, AND TO MAKE VARIOUS ADMINISTRATIVE CHANGES IN THE TAX LAWS.

Representative Cole offers Amendment No. 1 which is adopted by electronic vote (93-24).

Representative Moore offers Amendment No. 2.

On motion of Speaker Morgan and without objection, the bill with Amendment No. 2 pending, is temporarily displaced.

H.B. 1257 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING VARIOUS PROVISIONS UNDER THE RESPIRATORY CARE PRACTICE ACT, AUTHORIZING THE NORTH CAROLINA RESPIRATORY CARE BOARD TO ESTABLISH FEES FOR VERIFICATION OF LICENSURE STATUS AND APPROVAL OF CONTINUING EDUCATION PROGRAMS, AUTHORIZING THE BOARD TO ASSESS CIVIL PENALTIES FOR VIOLATIONS OF THE ACT, AND AUTHORIZING ADJUSTMENTS IN FEES FOR BOARDS TO REFLECT CHANGES IN THE CONSUMER PRICE INDEX.

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Representative Ellis offers Amendment No. 1 which is ruled to be material. The amendment fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Blackwood, Blust, Bowie, Creech, Daughtridge, Daughtry, Ellis, Glazier, Gulley, Holmes, McCombs, McGee, McMahan, Mitchell, Rhodes, Setzer, Sexton, Stam, Starnes, and Stiller - 20.

Voting in the negative: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Bonner, Bordsen, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Decker, Dickson, Earle, Eddins, England, Frye, Gibson, Gillespie, Goforth, Goodwin, Gorman, Grady, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McHenry, McLawhorn, Michaux, Miller, Miner, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Ross, Sauls, Saunders, Sherrill, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 95.

Excused absences: Representatives Cunningham and Fox - 2.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Earle, Eddins, Ellis, England, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Saunders, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 109.

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Voting in the negative: Representatives McHenry, Moore, Setzer, and Wood - 4.

Excused absences: Representatives Cunningham and Fox - 2.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Wood and without objection, **S.B. 994** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE SUPERINTENDENTS TO REMOVE TO AN ALTERNATIVE EDUCATIONAL SETTING OR TO SUSPEND FROM SCHOOL STUDENTS FOR CONDUCT RELATED TO CONTROLLED SUBSTANCES, ALCOHOLIC BEVERAGES, OR PRESCRIPTION DRUGS, is withdrawn from the Calendar and placed on the Calendar of June 25.

CALENDAR (continued)

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 119 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE TAX CREDITS FOR HISTORIC REHABILITATION BY EXTENDING THE SUNSET ON A PROVISION ALLOWING A PASS-THROUGH ENTITY TO ALLOCATE AMONG ITS OWNERS THE TAX CREDIT FOR INCOME-PRODUCING STRUCTURES AND INCREASING THE AMOUNT THAT MAY BE ALLOCATED TO AN OWNER UNDER THIS PROVISION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

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Voting in the negative: None.

Excused absences: Representatives Cunningham and Fox - 2.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 919 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE SAFETY OF VICTIMS IN SERIOUS DOMESTIC VIOLENCE CASES.

Representative Allred offers Amendment No. 1 which fails of adoption by electronic vote (4-110).

Representative Brubaker requests and is granted permission to be recorded as voting "no". The adjusted vote total is (4-111).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 116.

Voting in the negative: Representative Creech.

Excused absences: Representatives Cunningham and Fox - 2.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 824 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL

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AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, ENVIRONMENTAL HEALTH, AND NATURAL RESOURCES; TO AMEND THE REPORTING REQUIREMENT SET OUT IN S.L. 2001-442; TO EXTEND THE PILOT PROGRAM FOR INSPECTION OF ANIMAL WASTE MANAGEMENT SYSTEMS INITIALLY ESTABLISHED BY SECTION 15.4 OF S.L. 1997-443; AND TO ESTABLISH AN EXCEPTION TO THE MORATORIUM INITIALLY ESTABLISHED BY SECTION 1.2 OF S.L. 1997-458 FOR FACILITIES THAT WERE APPROVED FOR FUNDING UNDER THE AGRICULTURE COST SHARE PROGRAM FOR NONPOINT SOURCE POLLUTION CONTROL AT THE TIME THE MORATORIUM WAS ESTABLISHED, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

S.B. 236 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE DIVIDEND RECEIVED DEDUCTION FOR REGULATED INVESTMENT COMPANIES AND REAL ESTATE INVESTMENT TRUSTS TO ENSURE THAT ALL DIVIDENDS ARE TREATED UNIFORMLY, TO EXTEND FOR TWO YEARS THE DEPARTMENT OF REVENUE'S AUTHORITY TO OUTSOURCE THE COLLECTION OF IN-STATE TAX DEBTS, TO AMEND THE MOTOR FUEL TAX LAWS, AND TO MAKE VARIOUS ADMINISTRATIVE CHANGES IN THE TAX LAWS, which was temporarily displaced with Amendment No. 2 pending, is before the Body.

Amendment No. 2 is adopted by electronic vote (109-7).

Representative Farmer-Butterfield requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (110-7).

Representative Blust offers Amendment No. 3.

Pursuant to Rule 36.1, Representative Sherrill, Chair, for the Committee on Appropriations, requests a fiscal note on the bill.

The bill is removed from the Calendar.

RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2, and without objection, the following bills are withdrawn from the Committee on

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Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance:

H.B. 1281, A BILL TO BE ENTITLED AN ACT TO AMEND THE FINANCE LAWS OF THE STATE.

S.B. 563 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAWS REGULATING ATHLETE AGENTS AND TO ADOPT THE UNIFORM ATHLETE AGENTS ACT.

Representative Culpepper moves, seconded by Representative C. Johnson, that the House adjourn, subject to the receipt of Committee Reports and the receipt of Messages from the Senate, to reconvene June 25 at 2:00 p.m.

The motion carries.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

Senate Committee Substitute for **H.B. 705**, A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE TOWN OF MATTHEWS ALL THE TERRITORY REMAINING IN ITS SPHERE OF INFLUENCE, 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 June 25.

Upon concurrence, the Senate committee substitute bill changes the title.

Speaker Morgan rules the Senate committee substitute bill to be material, thus constituting its first reading.

The House stands adjourned at 4:45 p.m.

EIGHTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 25, 2003

June 25, 2003

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by Speaker Black.

The following prayer is offered by the Reverend Jim Lambeth, House Chaplain:

"Strong Shepherd of Your people:

"You are there for us when we call out to You. Your works are mighty and for them we give You thanks. We raise our voices this day to ask Your blessing on the Members of this House and of this General Assembly. As time moves rapidly toward the beginning of a new fiscal year for our State, budget decisions take on paramount importance. Bless each Budget Conferee in their important work. Give to each of these leaders wisdom, discretion, a love for Your justice and righteousness as they seek to make the best decisions for the people of our great State. And when today's work is over, may they be able to say that the job was well-done.

"In Your caring name we pray. 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 Cunningham and Wainwright for today. Representatives B. Allen, Goodwin, Hackney, and Miller are excused for a portion of the session.

ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

S.B. 421, AN ACT TO CLARIFY AND MAKE TECHNICAL CORRECTIONS TO THE CHILD WELFARE LAWS AND TO ENHANCE THE STATE'S ABILITY TO PROTECT CHILDREN.

S.B. 521, AN ACT TO ENHANCE THE REGULATION OF PYRO-TECHNIC DISPLAYS.

S.B. 714, AN ACT TO ENSURE THAT PUBLIC SCHOOL EMPLOYEES DO NOT LOSE PAY WHILE THEY ARE ON MILITARY DUTY.

S.B. 775, AN ACT TO CONDITIONALLY REQUIRE INSURERS TO PROVIDE INFORMATION REGARDING POLICY LIMITS PRIOR

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TO LITIGATION WHEN REQUESTED IN WRITING BY THE PERSONS WHO HAVE CLAIMS, OTHER THAN MEDICAL MALPRACTICE CLAIMS, SUBJECT TO NONFLEET PRIVATE PASSENGER AUTOMOBILE INSURANCE POLICIES AND TO GIVE THESE INSURERS THE OPTION OF INITIATING PRELITIGATION MEDIATION OF THE CLAIMS.

H.B. 38, AN ACT TO SHORTEN THE PROBATIONARY PERIOD FOR CAREER TEACHERS WHEN THEY CHANGE SCHOOL SYSTEMS OR RETURN TO TEACHING AFTER LEAVING THE PROFESSION.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 70, AN ACT TO REPEAL A LOCAL ACT SO THAT THE GENERAL LAW ON DEFINITION OF A SUBDIVISION APPLIES IN PENDER COUNTY.

H.B. 516, AN ACT AUTHORIZING THE CITIES OF ROCKINGHAM AND STATESVILLE AND THE TOWN OF SMITHFIELD TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT.

H.B. 773, AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO REQUIRE SPRINKLERS IN BARS, CLUBS, AND OTHER SIMILAR PLACES OF PUBLIC ASSEMBLY.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 248, AN ACT ALLOWING THE CITY OF WILMINGTON TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS. (S.L. 2003-238)

S.B. 706, AN ACT TO ALLOW A PUBLIC UNIVERSITY TO ADD BLEACHERS TO AN EXISTING SOFTBALL FIELD WITHOUT HAVING TO CONSTRUCT ADDITIONAL PLUMBING FACILITIES. (S.L. 2003-239)

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S.B. 57, AN ACT TO ALLOW THE TOWNS OF CAROLINA BEACH, WRIGHTSVILLE BEACH, AND YADKINVILLE TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES. (S.L. 2003-240)

H.B. 163, AN ACT TO ALLOW THE CITY OF KINGS MOUNTAIN TO ANNEX CERTAIN PROPERTIES OWNED BY THE TOWN. (S.L. 2003-241)

H.B. 232, AN ACT TO INCORPORATE THE TOWN OF MILLS RIVER. (S.L. 2003-242)

H.B. 511, AN ACT TO EXEMPT CERTAIN TOWN-OWNED PROPERTIES OF THE TOWN OF ANDREWS FROM THE CEILING ON VOLUNTARY SATELLITE ANNEXATIONS. (S.L. 2003-243)

H.B. 725, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CITY OF CLAREMONT AND THE CITY OF CONOVER AND ANNEXING CERTAIN DESCRIBED PROPERTY TO THE CITY OF CLAREMONT. (S.L. 2003-244)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives G. Allen, Howard, Luebke, McComas, and Miner, Chairs, for the Committee on Finance:

H.B. 1301, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS THAT ARE JOINTLY UNDERTAKING A DEVELOPMENT PROJECT TO ENTER INTO AGREEMENTS TO FINANCE THE PROJECT; TO AMEND THE NORTH CAROLINA CONSTITUTION; AND TO CREATE A LOCAL OPTION PARTIAL PROPERTY TAX EXCLUSION FOR IMPROVEMENTS TO PROPERTY LOCATED IN A REDEVELOPMENT AREA, 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. 100 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE EFFICIENCY IN STATE GOVERNMENT BY ALLOWING A SALES AND USE TAX EXEMPTION FOR STATE

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AGENCIES INSTEAD OF A SALES AND USE TAX REFUND TO STATE AGENCIES, 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. 452 (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY MUNICIPALITIES IN UNION COUNTY, 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.

S.B. 668 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE WINE SHIPPERS PERMITS TO ALLOW THE DIRECT SHIPMENT OF WINES TO RESIDENTS OF NORTH CAROLINA AND TO ESTABLISH A MECHANISM FOR COLLECTING THE TAXES DUE ON WINE SHIPPED TO 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. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 800 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FEES THAT THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS MAY ASSESS AND MAKE CHANGES TO THE MASSAGE AND BODYWORK THERAPY 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. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Munford, Chair, for the Committee on Judiciary IV:

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S.B. 716 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE UNIFORM ARBITRATION ACT AND TO ENACT THE REVISED UNIFORM ARBITRATION ACT, 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 Bell and G. Wilson, Chairs, for the Committee on Pensions and Retirement:

H.B. 182 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO NAME THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY, TO ALLOW DUPLIN COUNTY TO USE THE SINGLE-PRIME BIDDING METHOD FOR THE CONSTRUCTION OF DUPLIN COMMONS WITHOUT COMPLYING WITH CERTAIN STATUTORY REQUIREMENTS, AND CONCERNING THE INVESTMENT OF CERTAIN RETIREMENT AND EMPLOYEE BENEFIT FUNDS BY THE CITY OF FAYETTEVILLE, with recommendation that the House concur, and with recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), **S.B. 668** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE WINE SHIPPERS PERMITS TO ALLOW THE DIRECT SHIPMENT OF WINES TO RESIDENTS OF NORTH CAROLINA AND TO ESTABLISH A MECHANISM FOR COLLECTING THE TAXES DUE ON WINE SHIPPED TO NORTH CAROLINA, AND TO INCREASE THE CEILING THAT A SMALL BREWERY MAY PRODUCE WITHOUT BEING REQUIRED TO GO THROUGH A MALT BEVERAGE DISTRIBUTOR, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following is received from the Senate:

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H.B. 684 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATUTORY FRAMEWORK FOR THE FINANCING OF CAPITAL FACILITIES BY THE STATE AND TO AUTHORIZE THE ISSUANCE OF SPECIAL INDEBTEDNESS TO FINANCE THE CONSTRUCTION OF A NEW PSYCHIATRIC HOSPITAL TO BE LOCATED IN BUTNER, is returned for concurrence in the Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 25.

Upon concurrence, the Senate amendment changes the title.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 597**, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS.

On motion of Representative Hall, 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: Speaker Morgan; Representatives Adams, Alexander, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 114.

Voting in the negative: None.

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Excused absences: Representatives B. Allen, Cunningham, and Wainwright - 3.

Senate Committee Substitute for **H.B. 705**, A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE TOWN OF MATTHEWS ALL THE TERRITORY REMAINING IN ITS SPHERE OF INFLUENCE.

On motion of Representative Gulley, 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: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives B. Allen, Cunningham, and Wainwright - 3.

SPEAKER MORGAN PRESIDING.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 469** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COLUMBUS, DAVIE, DUPLIN, AND LENOIR COUNTIES, CERTAIN DISTRICTS CREATED BY THESE COUNTIES, AND MUNICIPALITIES LOCATED WITHIN THESE COUNTIES TO ATTACH PERSONAL PROPERTY,

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GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SERVICES.

On motion of Representative LaRoque, the House concurs in the Senate committee substitute bill, 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.

Senate Committee Substitute for **H.B. 147** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT LEFT TURNS ON RED IN CERTAIN SITUATIONS.

On motion of Representative Gulley, the House does not concur in the Senate committee substitute bill, by electronic vote (104-10), and conferees are requested.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 786**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PRIMA FACIE RULE FOR PARKING APPLIES TO CIVIL PARKING AND RED LIGHT CAMERA ENFORCEMENT ACTIONS.

On motion of Representative Culpepper, the House does not concur in the Senate committee substitute bill, by electronic vote (115-0), and conferees are requested.

Speaker Morgan appoints Representative Culpepper, Chair; Representatives Goodwin, Munford, and C. Wilson as conferees on the part of the House and the Senate is so notified by Special Message.

CONFEREES APPOINTED

Speaker Morgan appoints the following conferees on Senate Committee Substitute for **H.B. 147** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT LEFT TURNS ON RED IN CERTAIN SITUATIONS: Representative Gulley, Chair; Representatives Stam, Goodwin, Kiser, Gorman, and Culpepper.

The Senate is so notified by Special Message.

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CALENDAR (continued)

Senate Committee Substitute for **H.B. 926** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF ASSAULT IN THE PRESENCE OF A CHILD.

Representative Dickson moves that the House concur in the Senate committee substitute bill.

On motion of Representative Dickson and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 2.

Senate Committee Substitute for **H.B. 994** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE STATE, COUNTIES, AND CITIES TO CONSTRUCT PRE-ENGINEERED STRUCTURES WITHOUT HAVING THE PLANS AND SPECIFICATIONS FOR THE STRUCTURES REVIEWED BY A REGISTERED ARCHITECT OR ENGINEER.

On motion of Representative K. Williams, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (114-1), and the bill is ordered enrolled and presented to the Governor.

Representative Setzer requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (115-0).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 1120** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE APPOINTMENT OF CERTAIN HIGH SCHOOL STUDENTS AS STUDENT ELECTION ASSISTANTS.

On motion of Representative Alexander, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (113-2), and the bill is ordered enrolled and presented to the Governor by Special Message.

S.B. 497 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF MOUNT AIRY, TO ANNEX CERTAIN DESCRIBED PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY, TO MODIFY THE CITY OF MOUNT AIRY OCCUPANCY TAX PROVISIONS, AND TO AUTHORIZE THE TOWN OF BLOWING

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ROCK TO INCREASE ITS OCCUPANCY TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES TO ITS OCCUPANCY TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, G. Allen, L. Allen, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Holliman, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McLawhorn, McMahan, Miller, Miner, Mitchell, Nesbitt, Nye, Owens, Parmon, Preston, Rapp, Ray, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Walend, Walker, Warner, Warren, Weiss, A. Williams, K. Williams, C. Wilson, Womble, Wright, and Yongue - 96.

Voting in the negative: Representatives Allred, Baker, Barbee, Capps, Clary, Creech, Eddins, Gillespie, Hilton, McHenry, Moore, Pate, Rayfield, Setzer, West, G. Wilson, and Wood - 17.

Excused absences: Representatives B. Allen, Cunningham, and Wainwright - 3.

H.B. 1257 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING VARIOUS PROVISIONS UNDER THE RESPIRATORY CARE PRACTICE ACT, AUTHORIZING THE NORTH CAROLINA RESPIRATORY CARE BOARD TO ESTABLISH FEES FOR VERIFICATION OF LICENSURE STATUS AND APPROVAL OF CONTINUING EDUCATION PROGRAMS, AUTHORIZING THE BOARD TO ASSESS CIVIL PENALTIES FOR VIOLATIONS OF THE ACT, AND AUTHORIZING ADJUSTMENTS IN FEES FOR BOARDS TO REFLECT CHANGES IN THE CONSUMER PRICE INDEX, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, G. Allen, L. Allen, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier,

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Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McLawhorn, McMahan, Miller, Miner, Mitchell, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Ross, Sauls, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Womble, Wright, and Yongue - 106.

Voting in the negative: Representatives Allred, Hilton, Moore, and Wood - 4.

Excused absences: Representatives B. Allen, Cunningham, and Wainwright - 3.

S.B. 119 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE TAX CREDITS FOR HISTORIC REHABILITATION BY EXTENDING THE SUNSET ON A PROVISION ALLOWING A PASS-THROUGH ENTITY TO ALLOCATE AMONG ITS OWNERS THE TAX CREDIT FOR INCOME-PRODUCING STRUCTURES AND INCREASING THE AMOUNT THAT MAY BE ALLOCATED TO AN OWNER UNDER THIS PROVISION, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Hall, Harrell, Hill, Hilton, Holliman, Howard, Insko, Jeffus, C. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: None.

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Excused absences: Representatives B. Allen, Cunningham, and Wainwright - 3.

S.B. 919 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE SAFETY OF VICTIMS IN SERIOUS DOMESTIC VIOLENCE CASES, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House committee substitute bill.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtride, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: Representative Creech.

Excused absences: Representatives B. Allen, Cunningham, and Wainwright - 3.

Speaker Black requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (113-1).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 751 (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE TITLE TO EXISTING LAND AND THE LAND BUILT UP AND CONSTRUCTED IN THE TOWN OF KITTY HAWK IN THE COUNTY OF DARE AS A RESULT OF CERTAIN EROSION CONTROL WORK IN SAID TOWN AND ANNEXING A TRACT TO THE CORPORATE LIMITS OF THAT TOWN, passes its second reading, by the following vote, and remains on the Calendar.

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Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives B. Allen, Cunningham, Hackney, and Wainwright - 4.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 1049 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW LICENSED PSYCHOLOGICAL ASSOCIATES TO RECEIVE PAYMENT FOR SERVICES FROM INSURERS AND TO INCREASE THE FEE THE PSYCHOLOGY BOARD MAY CHARGE FOR A TEMPORARY LICENSE.

SPEAKER BLACK PRESIDING.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, G. Allen, L. Allen, Allred, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Haire, Hall, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus,

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C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McLawhorn, McMahan, Michaux, Miller, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: Representatives Baker and McHenry - 2.

Excused absences: Representatives B. Allen, Cunningham, Hackney, and Wainwright - 4.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Insko and without objection, **S.B. 583** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT CHILDREN IN THE PUBLIC SCHOOLS FROM EXPOSURE TO TOBACCO BY REQUIRING LOCAL BOARDS OF EDUCATION TO ADOPT WRITTEN POLICIES PROHIBITING THE USE OF TOBACCO PRODUCTS IN PUBLIC SCHOOL BUILDINGS, is withdrawn from the Calendar and placed on the Calendar of July 2.

Pursuant to Rule 36(b)(2), **H.B. 677** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE SALES AND USE TAX ON FUNERAL EXPENSES, is withdrawn from the Calendar pursuant to Rule 36(b) 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.

S.B. 934 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A REGISTRATION FEE FOR THE AUTHORIZATION OF A PRIVATE FACILITY TO SERVE DWI OFFENDERS AND TO INCREASE THE FEE FOR A SUBSTANCE ABUSE ASSESSMENT CONDUCTED BY AN ASSESSING AGENCY.

On motion of Speaker Black, the bill is temporarily displaced.

H.B. 79 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY

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PERSON CONVICTED OF ANY FELONY OR CERTAIN OTHER CRIMINAL OFFENSES OR WHO IS FOUND NOT GUILTY BY REASON OF INSANITY OF ANY FELONY OR CERTAIN OTHER CRIMINAL OFFENSES, TO CLARIFY WHEN THAT SAMPLE IS TAKEN, AND TO RESTRICT THE RELEASE OF INFORMATION FROM THE DNA DATABASE.

Representative Alexander offers Amendment No. 1 which is adopted by electronic vote (112-0).

Representative Daughtry moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

The motion fails by electronic vote (53-62).

Representative Gibson requests and is granted permission to be recorded as voting "no". The adjusted vote total is (53-63).

The bill, as amended, passes its third reading, by electronic vote (106-9), and is ordered engrossed and sent to the Senate.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Culpepper and without objection, Senate Committee Substitute for **H.B. 926** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF ASSAULT IN THE PRESENCE OF A CHILD, is withdrawn from the Calendar of July 2 and placed on the Calendar of June 26.

On motion of Representative Culpepper and without objection, **S.B. 1016** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING NURSING HOMES TO ESTABLISH A MEDICATION MANAGEMENT ADVISORY COMMITTEE AND SPECIFYING THE DUTIES OF THE COMMITTEE AND TO REQUIRE NURSING HOMES TO DO CERTAIN THINGS PERTAINING TO THE REDUCTION OF MEDICATION-RELATED ERRORS TO INCREASE PATIENT SAFETY, is withdrawn from the Calendar and placed on the Calendar of July 2.

CALENDAR (continued)

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

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H.B. 1316 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE A TRAVEL AND TOURISM CAPITAL INVESTMENT PROGRAM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, L. Allen, Baker, Barbee, Bell, Blackwood, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtridge, Daughtry, Dickson, Dockham, Earle, England, Farmer-Butterfield, Fox, Frye, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Jeffus, C. Johnson, L. Johnson, Jones, Justice, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McLawhorn, McMahan, Mitchell, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stiller, Tolson, Walend, Walker, Warren, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Wright, and Yongue - 87.

Voting in the negative: Representatives Allred, Barnhart, Blust, Creech, Eddins, Ellis, Holmes, Insko, Justus, Kiser, McCombs, McHenry, Moore, Stam, Sutton, Warner, Weiss, and Wood - 18.

Excused absences: Representatives Cunningham, Hackney, Miller, and Wainwright - 4.

Representatives Gibson and Ray request and are granted permission to be recorded as voting "aye". The adjusted vote total is (89-18).

S.B. 774 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DUTIES OF OPERATORS OF SKATEBOARD PARKS, TO ESTABLISH THE DUTIES OF PERSONS WHO ENGAGE IN CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES, AND TO LIMIT THE LIABILITY OF GOVERNMENTAL ENTITIES FOR DAMAGE OR INJURIES THAT ARISE OUT OF A PERSON'S PARTICIPATION IN CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES AND THAT OCCUR IN AN AREA DESIGNATED FOR CERTAIN HAZARDOUS RECREATIONAL ACTIVITIES.

Representative Goodwin offers Amendment No. 1 which is adopted by electronic vote (109-0).

The bill, as amended, passes its third reading, by electronic vote (107-0), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill.

June 25, 2003

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 876 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE PHYSICIANS WHO DISPENSE THE CONTROLLED SUBSTANCE BUPRENORPHINE FOR THE TREATMENT OF OPIATE DEPENDENCE TO REGISTER WITH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, 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.

S.B. 994 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE SUPERINTENDENTS TO REMOVE TO AN ALTERNATIVE EDUCATIONAL SETTING OR TO SUSPEND FROM SCHOOL STUDENTS FOR CONDUCT RELATED TO CONTROLLED SUBSTANCES, ALCOHOLIC BEVERAGES, OR PRESCRIPTION DRUGS.

On motion of Representative Wood and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 30.

RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 563** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAWS REGULATING ATHLETE AGENTS AND TO ADOPT THE UNIFORM ATHLETE AGENTS ACT, 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 Justus, the House adjourns at 4:33 p.m. to reconvene June 26 at 1:00 p.m.

EIGHTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 26, 2003

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by Speaker Morgan.

June 26, 2003

The following prayer is offered by the Reverend Jim Lambeth, House Chaplain:

"Generous God:

"We thank You for being with us each day and for the many signs of Your truth and love that surround us. We thank You for the warmth of sunlight, the wetness of rain and all that nourishes the earth; for the support and encouragement that we receive from friends and family and colleagues; for those who provide for the public safety and well-being. Our prayers are raised today for Your blessing on the work of this House. Give to each Representative an open mind, a heart for justice, and hands for service. When things become hectic, give them clarity of purpose and strength for the work ahead. Restoring God, give to us all in the weekend days a time for rest and renewal, for fun and for laughter

"In Your blessing name we pray. 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 Adams, Cunningham, Daughtry, Preston, and Setzer for today. Representative Brubaker is excused for a portion of the session.

ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

S.B. 698, AN ACT TO ADD THREE ADVISORY MEMBERS TO THE STATE BOARD OF EDUCATION.

S.B. 936, AN ACT TO WAIVE VARIOUS DEADLINES, FEES, AND PENALTIES FOR DEPLOYED MILITARY PERSONNEL.

S.B. 1011, AN ACT TO ALLOW A LIENHOLDER TO REQUEST AN ACCOUNTING OF DISBURSEMENTS OF SUMS RECOVERED FOR PERSONAL INJURY WITH RESPECT TO LIENS IN FAVOR OF PROVIDERS OF HEALTH-RELATED GOODS AND SERVICES.

H.B. 994, AN ACT ALLOWING THE STATE, COUNTIES, AND CITIES TO CONSTRUCT PRE-ENGINEERED STRUCTURES WITHOUT HAVING THE PLANS AND SPECIFICATIONS FOR THE

June 26, 2003

STRUCTURES REVIEWED BY A REGISTERED ARCHITECT OR ENGINEER.

H.B. 1120, AN ACT TO PERMIT THE APPOINTMENT OF CERTAIN HIGH SCHOOL STUDENTS AS STUDENT ELECTION ASSISTANTS AND TO MAKE OTHER CHANGES TO THE ELECTION LAWS.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 469, AN ACT TO AUTHORIZE COLUMBUS, DAVIE, DUPLIN, AND LENOIR COUNTIES, CERTAIN DISTRICTS CREATED BY THESE COUNTIES, AND MUNICIPALITIES LOCATED WITHIN THESE COUNTIES TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR WATER AND SEWER SERVICES.

H.B. 597, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS AND FROM THE CORPORATE LIMITS OF THE CITY OF LUMBERTON.

H.B. 673, AN ACT TO ENABLE THE COUNTY OF AVERY TO ESTABLISH AN AVERY COUNTY FIRE 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. 70, AN ACT TO REPEAL A LOCAL ACT SO THAT THE GENERAL LAW ON DEFINITION OF A SUBDIVISION APPLIES IN PENDER COUNTY. (S.L. 2003-245)

H.B. 516, AN ACT AUTHORIZING THE CITIES OF ROCKINGHAM AND STATESVILLE AND THE TOWN OF SMITHFIELD TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT. (S.L. 2003-246)

H.B. 773, AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO REQUIRE SPRINKLERS IN BARS, CLUBS, AND OTHER SIMILAR PLACES OF PUBLIC ASSEMBLY. (S.L. 2003-247)

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**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following report from standing committee is presented:

By Representatives Bell and G. Wilson, Chairs, for the Committee on Pensions and Retirement:

H.B. 1000, A BILL TO BE ENTITLED AN ACT TO MODIFY THE UNIVERSITY OF NORTH CAROLINA'S OPTIONAL RETIREMENT PLAN, 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:

H.B. 394 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING THE LAW PERTAINING TO LEGAL DEADLINES FALLING ON A HOLIDAY, 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. 550 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPROVE AND STRENGTHEN CREMATION LAW IN NORTH CAROLINA AND TO IMPROVE AND MAKE TECHNICAL CORRECTIONS TO THE FUNERAL LAW, is read the first time and referred to the Committee on Finance.

S.B. 945 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE EXTENT TO WHICH A PROSPECTIVE APPLICANT FOR AN AIR QUALITY PERMIT FOR A NEW FACILITY MAY ENGAGE IN CONSTRUCTION PRIOR TO OBTAINING THE AIR QUALITY PERMIT AND TO SPECIFY THE CIRCUMSTANCES UNDER WHICH A PERSON WHO HOLDS AN AIR QUALITY PERMIT MAY ALTER OR EXPAND THE FACILITY UPON GIVING NOTICE TO THE ENVIRONMENTAL MANAGEMENT COMMISSION

June 26, 2003

AND THE PUBLIC OF THE PERMITTEE'S INTENT TO APPLY FOR MODIFICATION OF THE PERMIT, is read the first time and referred to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

**2003 GENERAL ASSEMBLY
FIRST SESSION**

Senate Chamber
June 26, 2003

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. 824**, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, and requests conferees. The President *Pro Tempore* appoints:

Senator Albertson, Chair
Senator Soles
Senator Hartsell

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Janet B. Pruitt
Principal Clerk

Speaker Morgan appoints Representatives Gibson, LaRoque, and McComas, as conferees on the part of the House and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 705**, A BILL TO BE ENTITLED AN ACT TO ANNEX TO THE TOWN OF MATTHEWS ALL THE TERRITORY REMAINING IN ITS SPHERE OF INFLUENCE.

June 26, 2003

On motion of Representative Gulley, 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: Speaker Black, Speaker Morgan; Representatives Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Blackwood, Blust, Bonner, Bordsen, Bowie, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Dickson, Dockham, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gillespie, Glazier, Goforth, Goodwin, Gorman, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McComas, McCombs, McGee, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, and Wright - 101.

Voting in the negative: Representatives Earle, Gibson, and Saunders - 3.

Excused absences: Representatives Adams, Cunningham, Daughtry, Preston, and Setzer - 5.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 542**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF CASWELL BEACH, OAK ISLAND, AND OCEAN ISLE BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR THE PURPOSES OF ENGAGING IN BEACH EROSION CONTROL, FLOOD AND HURRICANE PROTECTION WORKS, AND PUBLIC BEACH ACCESS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Blackwood, Blust, Bonner, Bordsen, Bowie, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Haire, Hall, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore,

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Munford, Nesbitt, Nye, Owens, Parmon, Pate, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, and Wright - 105.

Voting in the negative: None.

Excused absences: Representatives Adams, Cunningham, Daughtry, Preston, and Setzer - 5.

S.B. 497 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF MOUNT AIRY, TO ANNEX CERTAIN DESCRIBED PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY, TO MODIFY THE CITY OF MOUNT AIRY OCCUPANCY TAX PROVISIONS, AND TO AUTHORIZE THE TOWN OF BLOWING ROCK TO INCREASE ITS OCCUPANCY TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES TO ITS OCCUPANCY TAX, 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: Speaker Black, Speaker Morgan; Representatives Alexander, B. Allen, G. Allen, L. Allen, Barnhart, Blackwood, Blust, Bonner, Bordsen, Bowie, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper, Daughtridge, Decker, Dickson, Dockham, Earle, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Haire, Hall, Hill, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lucas, Luebke, McComas, McCombs, McGee, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Rapp, Ray, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, and Wright - 93.

Voting in the negative: Representatives Allred, Baker, Barbee, Capps, Clary, Creech, Eddins, Gillespie, Hilton, Lewis, McHenry, Moore, Rayfield, West, and Wood - 15.

Excused absences: Representatives Adams, Brubaker, Cunningham, Daughtry, Preston, and Setzer - 6.

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Pursuant to Rule 36(b), the following bill appears on today's Calendar.

H.B. 757, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF OAK ISLAND AND THE TOWN OF ST. JAMES.

On motion of Speaker Morgan and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 30.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

S.B. 475, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTIES TO THE TOWN OF DALLAS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Blackwood, Blust, Bonner, Bordsen, Bowie, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Decker, Dickson, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hilton, Holliman, Holmes, Howard, Hunter, Insko, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, and Wright - 106.

Voting in the negative: Representative Hill.

Excused absences: Representatives Adams, Brubaker, Cunningham, Daughtry, Preston, and Setzer - 6.

Pursuant to Rule 36(b), the following resolution appears on today's Calendar.

H.J.R. 53, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF VERNON GRANT JAMES, FORMER MEMBER OF THE

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GENERAL ASSEMBLY, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 76, AN ACT TO INCORPORATE THE VILLAGE OF MISENHEIMER.

S.B. 995, AN ACT TO ALLOW FLEXIBILITY IN SCHOOL CONSTRUCTION AND REPAIR CONTRACTS FOR THE WINSTON-SALEM/FORSYTH COUNTY SCHOOL SYSTEM.

H.B. 705, AN ACT TO ANNEX TO THE TOWN OF MATTHEWS ALL THE TERRITORY REMAINING IN ITS SPHERE OF INFLUENCE AND TO ANNEX CERTAIN PROPERTIES INTO THE TOWN OF WAXHAW.

On motion of Representative Culpepper, seconded by Representative Holliman, the House adjourns at 2:03 p.m. to reconvene June 27 at 10:00 a.m.

EIGHTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Friday, June 27, 2003

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by Speaker Black.

The following prayer is offered by the Reverend Jim Lambeth, House Chaplain:

"God of each new day, as we gather here this morning many would rather be somewhere else, but the task ahead for these good men and women is important. One of the many ways You know the kind of people we are is the way we use the resources You give us. Even in State budgets we show You what is important to us and how we care about the people of

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our State. May the budget that is finally approved for our State be the best, most honorable, most fair use of the resources we have and may it show that this House has a vision of an even better future for all the people of North Carolina. And God, in a busy weekend, may we all find time for rest, family, friends and for You.

"In your ever-present name we pray. 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 Barnhart, Church, Cunningham, Eddins, Haire, Hill, Hilton, L. Johnson, McLawhorn, Pate, Wainwright, Walend, Warner, and Weiss for today.

ENROLLED BILLS

The following bill is duly ratified and presented to the Governor:

H.B. 1129, AN ACT TO REVISE SERVICE REQUIREMENTS TO CONFORM WITH RULE 4 OF THE NORTH CAROLINA RULES OF CIVIL PROCEDURE, AND TO MAKE TECHNICAL AND OTHER CHANGES TO THE WAGE AND HOUR ACT AND THE PRIVATE PERSONNEL SERVICES ACT.

CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

H.B. 818, AN ACT TO PROVIDE FOR THE SAFEKEEPING OF MILITARY DISCHARGE DOCUMENTS AND TO PREVENT DISCLOSURE TO UNAUTHORIZED PARTIES. (S.L. 2003-248)

S.B. 694, AN ACT TO PROVIDE IN THE SAME MANNER AS FEDERAL LAW THAT A CONTROLLED SUBSTANCE ANALOGUE SHALL, TO THE EXTENT INTENDED FOR HUMAN CONSUMPTION, BE TREATED AS A CONTROLLED SUBSTANCE IN SCHEDULE I OF THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT. (S.L. 2003-249)

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S.B. 450, AN ACT TO PROVIDE FOR THE RELEASE OR REFUND OF CERTAIN PROPERTY TAXES. (S.L. 2003-250)

H.B. 601, AN ACT TO ENCOURAGE EARLY ENTRY OF MOTIVATED STUDENTS INTO FOUR-YEAR COLLEGE PROGRAMS. (S.L. 2003-251)

S.B. 912, AN ACT TO CREATE THE OFFENSE OF SEXUAL BATTERY. (S.L. 2003-252)

S.B. 503, AN ACT TO UPDATE THE LAWS RELATING TO THE ATTENDANCE AGES AND ELIGIBILITY OF STUDENTS FOR NORTH CAROLINA SCHOOLS FOR THE DEAF. (S.L. 2003-253)

S.B. 777, AN ACT TO AMEND THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW WITH REGARD TO THE MANUFACTURE, SALE, AND DISTRIBUTION OF TRAILERS AND SEMITRAILERS. (S.L. 2003-254)

S.B. 502, AN ACT TO AUTHORIZE A DEPUTY TO GAIN ACCESS TO THE CONTENTS OF A DECEDENT'S SAFE-DEPOSIT BOX. (S.L. 2003-255)

S.B. 232, AN ACT TO CLARIFY THE AUTHORITY TO FUND THE ESTABLISHMENT OF BIKEWAYS AND TRAILS. (S.L. 2003-256)

H.B. 1032, AN ACT REQUIRING LOCAL BOARDS OF EDUCATION TO GIVE PREFERENCE IN PURCHASING CONTRACTS TO HIGH-CALCIUM FOODS AND BEVERAGES. (S.L. 2003-257)

S.B. 558, AN ACT TO PROTECT CONSUMERS AND TRANSFERORS OF MOTOR VEHICLES UNAWARE OF PRIOR DAMAGE OR WHEN PRIOR DAMAGE WAS MINOR. (S.L. 2003-258)

S.B. 652, AN ACT TO AUTHORIZE CERTAIN AIRPORT AUTHORITIES TO ENTER INTO INSTALLMENT CONTRACTS, TO EXTEND FROM TEN TO FIFTEEN YEARS THE MAXIMUM REPAYMENT PERIOD FOR DAM REPAIR ASSESSMENTS IN THE VILLAGE OF PINEHURST, AND TO ALLOW THE STANLY COUNTY AIRPORT AUTHORITY TO ENTER INTO LONG-TERM LEASES WITH THE UNITED STATES. (S.L. 2003-259)

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H.B. 745, AN ACT TO REVISE THE MEMBERSHIP OF THE NORTH CAROLINA INDIAN CULTURAL CENTER BOARD. (S.L. 2003-260)

H.B. 656, AN ACT TO AMEND THE TRUST ADMINISTRATION ACT AND TO MAKE RELATED CHANGES TO THE LAW GOVERNING ACCOUNTINGS IN TESTAMENTARY TRUSTS. (S.L. 2003-261)

S.B. 966, AN ACT TO REQUIRE INSURERS TO IMPLEMENT SAFEGUARDS FOR THE PROTECTION OF CUSTOMER INFORMATION, PURSUANT TO THE PROVISIONS OF THE GRAMM-LEACH-BLILEY ACT. (S.L. 2003-262)

H.B. 1221, AN ACT REQUIRING THE RETURN OF OVERPAYMENTS OF STATE FUNDS BY PERSONS IN STATE-SUPPORTED POSITIONS. (S.L. 2003-263)

S.B. 511, AN ACT TO REQUIRE LOCAL GOVERNMENTS TO PUBLISH THE REVENUE-NEUTRAL TAX RATE IN YEARS WHEN THERE IS A GENERAL REVALUATION OF REAL PROPERTY. (S.L. 2003-264)

H.B. 692, AN ACT TO PROVIDE THAT LICENSED AUCTIONEERS CONDUCTING AUCTIONS FOR MOTOR VEHICLE DEALERS DO NOT NEED MOTOR VEHICLE DEALER LICENSES. (S.L. 2003-265)

S.B. 593, AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS. (S.L. 2003-266)

H.B. 824, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT ENCROACHMENT ON ITS RIGHTS-OF-WAY FOR THE CONSTRUCTION OF PRIVATE BRIDGES. (S.L. 2003-267)

S.B. 76, AN ACT TO INCORPORATE THE VILLAGE OF MISENHEIMER. (S.L. 2003-268)

S.B. 995, AN ACT TO ALLOW FLEXIBILITY IN SCHOOL CONSTRUCTION AND REPAIR CONTRACTS FOR THE WINSTON-SALEM/FORSYTH COUNTY SCHOOL SYSTEM. (S.L. 2003-269)

H.B. 469, AN ACT TO AUTHORIZE COLUMBUS, DAVIE, DUPLIN, AND LENOIR COUNTIES, CERTAIN DISTRICTS CREATED BY THESE COUNTIES, AND MUNICIPALITIES LOCATED WITHIN

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THESE COUNTIES TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR WATER AND SEWER SERVICES. (S.L. 2003-270)

H.B. 597, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROANOKE RAPIDS AND FROM THE CORPORATE LIMITS OF THE CITY OF LUMBERTON. (S.L. 2003-271)

H.B. 673, AN ACT TO ENABLE THE COUNTY OF AVERY TO ESTABLISH AN AVERY COUNTY FIRE COMMISSION. (S.L. 2003-272)

H.B. 705, AN ACT TO ANNEX TO THE TOWN OF MATTHEWS ALL THE TERRITORY REMAINING IN ITS SPHERE OF INFLUENCE AND TO ANNEX CERTAIN PROPERTIES INTO THE TOWN OF WAXHAW. (S.L. 2003-273)

H.B. 787, AN ACT TO ESTABLISH EQUITY IN REPORTING REQUIREMENTS BETWEEN FEDERAL POLITICAL COMMITTEES AND NORTH CAROLINA POLITICAL COMMITTEES. (S.L. 2003-274)

H.B. 801, AN ACT TO MODIFY THE STATE COMPETENCY TESTING PROGRAM TO ENSURE THAT HIGH SCHOOL STUDENTS WHO DO NOT PASS THE COMPETENCY TEST ARE GIVEN AN OPPORTUNITY TO TAKE AN ALTERNATIVE TEST. (S.L. 2003-275)

H.B. 785, AN ACT TO REWRITE RULE 45 OF THE NORTH CAROLINA RULES OF CIVIL PROCEDURE. (S.L. 2003-276)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives G. Allen, Howard, Luebke, McComas, and Miner, Chairs, for the Committee on Finance:

H.B. 1149, A BILL TO BE ENTITLED AN ACT TO EXEMPT FREE CIRCULATION PUBLICATIONS FROM THE SALES TAX, 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.

S.B. 592 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA STATE BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS TO ACQUIRE REAL PROPERTY, AND TO INCREASE THE CIVIL PENALTY ON ENGINEERS FROM TWO THOUSAND DOLLARS TO FIVE THOUSAND DOLLARS FOR VIOLATIONS OF THE NORTH CAROLINA ENGINEERING AND LAND SURVEYING ACT AND CLARIFYING THE REINSTATEMENT REQUIREMENTS UNDER THE ACT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

S.B. 679 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PUBLIC FINANCING LAWS OF THE STATE, 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.

MESSAGES FROM THE SENATE

The following is received from the Senate:

H.B. 1062 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE COMMUNITY WATER SYSTEMS THAT REGULARLY SERVE ONE THOUSAND OR MORE SERVICE CONNECTIONS OR THREE THOUSAND OR MORE INDIVIDUALS TO PREPARE LOCAL WATER SUPPLY PLANS AND TO AUTHORIZE THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO MAKE DROUGHT DESIGNATIONS, 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.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following is introduced, read the first time and referred to committee:

June 27, 2003

By Representatives Allred and Bordsen (Primary Sponsors); Blust, Bowie, Decker, Jeffus, Jones, Parmon, and Womble:

H.R. 1333, A HOUSE RESOLUTION TO SUPPORT THE COMBINATION OF THE BURLINGTON STATISTICAL AREA WITH THE GREENSBORO/HIGH POINT STATISTICAL AREA, is referred to the Committee on Rules, Calendar, and Operations of the House.

CONFERENCE REPORTS

Representative Alexander sends forth the Conference Report on Senate Committee Substitute for **H.B. 152** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING CHILD CARE FACILITIES TO PLACE CHILDREN IN A SLEEPING POSITION THAT REDUCES THE RISK OF SUDDEN INFANT DEATH SYNDROME (SIDS), PROHIBITING THE ADMINISTRATION OF MEDICATION TO A CHILD IN A LICENSED OR UNLICENSED CHILD CARE FACILITY WITHOUT PROPER AUTHORIZATION FROM THE CHILD'S PARENT OR GUARDIAN, AND REQUIRING CERTAIN AGENCIES AND THE MEDICAL COMMUNITY TO COOPERATE IN INVESTIGATING REPORTS OF CHILD ABUSE AND NEGLECT IN CHILD CARE FACILITIES. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 28.

Representative Rapp sends forth the Conference Report on **S.B. 840** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT FOLKMOOT USA AS NORTH CAROLINA'S OFFICIAL INTERNATIONAL FESTIVAL AND ADOPTING THE CAROLINA LILY AS THE OFFICIAL WILDFLOWER OF NORTH CAROLINA. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 28.

Representative Culpepper moves, seconded by Representative K. Williams, that the House adjourn, subject to the receipt of Conference Reports, and the receipt of Messages from the Senate, to reconvene June 28 at 10:00 a.m.

The motion carries.

Having received no Conference Reports or Messages from the Senate, the House stands adjourned at 5:00 p.m.

June 27, 2003