

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

**FIRST  
SESSION 2003**

**VOLUME II**

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**EIGHTY-EIGHTH DAY**

HOUSE OF REPRESENTATIVES  
Saturday, June 28, 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:

"Seek the Lord and his strength; seek his presence continually. Remember the wonderful works he has done, his miracles, and the judgments he uttered.' (Psalm 105:5)

"God, we do seek You - Your strength, Your wisdom, Your justice, Your compassion. Even as this Body concludes work on a budget for our State, we seek You. May numbers on paper not be mistaken as inanimate, for each number touches other lives and the well-being of our State. Decisions are tough. May they be well made in the best interest of all the people of North Carolina. And when all is done, may these Representatives feel that their work has been worth the effort and that they have served the people well.

"In Your loving name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 27 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Cunningham, Decker, Frye, Goodwin, Haire, Hill, Hilton, LaRoque, McCombs, Moore, Rayfield, Saunders, Stiller, Wainwright, Walend, Walker, Warner, West, and G. Wilson for today.

**CALENDAR**

Action is taken on the following:

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

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TO INCREASE THE FEE FOR A SUBSTANCE ABUSE ASSESSMENT  
CONDUCTED BY AN ASSESSING AGENCY.

Representative Sutton offers Amendment No. 1 which is adopted by electronic vote (55-4).

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 Alexander, B. Allen, L. Allen, Baker, Bell, Blackwood, Bordsen, Capps, Carney, Culpepper, Daughtridge, Dickson, Earle, Eddins, Ellis, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth, Gorman, Grady, Hackney, Harrell, Holliman, Insko, Jeffus, C. Johnson, Jones, Justice, Justus, Lewis, Luebke, McAllister, McComas, McGee, McLawhorn, Miller, Miner, Mitchell, Nye, Owens, Pate, Preston, Rapp, Ross, Sauls, Setzer, Stam, Sutton, Tolson, Warren, Weiss, A. Williams, K. Williams, Wright, and Yongue - 58.

Voting in the negative: Representative McHenry.

Excused absences: Representatives Adams, Cunningham, Decker, Frye, Goodwin, Haire, Hill, Hilton, LaRoque, McCombs, Moore, Rayfield, Saunders, Stiller, Wainwright, Walend, Walker, Warner, West, and G. Wilson - 20.

#### WITHDRAWAL OF BILL FROM CALENDAR

On motion of Speaker Morgan and without objection, **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 withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Culpepper moves, seconded by Representative McComas, that the House adjourn, subject to the receipt of Conference Reports, to reconvene June 29 at 7:30 p.m.

Without objection, the motion carries.

#### CONFERENCE REPORT

Representatives Crawford and Sherrill send forth the Conference Report 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

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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 44(d), the Conference Report is placed on the Calendar of June 29.

Speaker Morgan rules the Conference Report to be material, thus constituting its first reading.

The House stands adjourned at 11:01 p.m.

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## EIGHTY-NINTH DAY

HOUSE OF REPRESENTATIVES  
Sunday, June 29, 2003

The House meets at 7:30 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:

"Wise God:

"You gave us minds to know You, hearts to love You, hands to serve You, and the wits about us to know when we aren't doing what we are supposed to. On this weekend when we are called to take time out to remember You, we are still here at work. Remind us once again, that even the work done in this House is in worship of You - that even as a State budget is sought, it is to reflect the work of a people called in service of You and who work for all the people of our State - for those who are the weakest among us - the children, the widow, the elderly, the orphan, the homeless, the poor, the prisoner, the disenfranchised. God bless our Speakers, the budget conferees, these Representatives, staff, and all those who bring their wisdom to bear on the issues faced here. Give them wise and just decisions and the strength for the work to come. Especially tonight, O God of compassion, we lift our hearts with Representative Earle and her family as they grieve the death of her son's grandparents.

"In Your guiding 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 June 28 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Cunningham and Wood for today.

### CONFERENCE REPORT

Representative Alexander sends forth the Conference Report on **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. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 30.

### CALENDAR

Action is taken on the following:

**S.B. 475**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTIES TO THE TOWN OF DALLAS, 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, Brubaker, Capps, Carney, Church, 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, 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, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, West, A. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 111.

Voting in the negative: None.

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Excused absences: Representatives Cunningham, Hill, and Wood - 3.

Representative Hill requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (112-0).

### CONFERENCE REPORT

Representative Baker moves the adoption of the following Conference Report.

#### House Committee Substitute for S.B. 840

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 840, 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, House Committee Substitute Favorable 5/28/03, submit the following report:

The House recedes from the House Committee Substitute, House Committee Substitute Favorable 5/28/03, and the Second Edition shall be enrolled.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 27, 2003.

*Conferees for the  
Senate*

*Conferees for the  
House of Representatives*

S/ Joe Sam Queen, Chair  
S/ Steve Metcalf  
S/ Richard Y. Stevens

S/ Rex L. Baker, Chair  
S/ Ray Rapp  
S/ Wilma M. Sherrill

The Conference Report, which changes the title, is adopted, by electronic vote (115-0), and the Senate is so notified by Special Message.

### CONFERENCE REPORT

Representatives Crawford and Sherrill move the adoption of the following Conference Report.

June 29, 2003

**Senate Committee Substitute for H.B. 397**

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 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, AND TO IMPLEMENT A STATE BUDGET THAT ENABLES THE STATE TO PROVIDE A SUSTAINABLE RECOVERY THROUGH STRONG EDUCATIONAL AND ECONOMIC TOOLS, Committee Substitute Favorable #2 4/15/03, Fourth Edition Engrossed 4/16/03, Senate Appropriations/Base Budget Committee Substitute Adopted 4/28/03, Seventh Edition Engrossed 4/30/03, submit the following report:

The House and Senate agree to the following amendment to the Senate Committee Substitute, Seventh Edition Engrossed 4/30/03, 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 H397-PCCS30402-JSxf-16.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 28, 2003.

*Conferees for the  
Senate*

S/ Linda Garrou, Chair  
S/ Walter Dalton, Chair  
S/ Kay R. Hagan, Chair  
S/ Charlie Smith Dannelly  
S/ David Hoyle  
S/ John H. Kerr, III  
S/ Steve Metcalf  
S/ William R. Purcell  
S/ Tony Rand  
S/ A. B. Swindell  
S/ Scott Thomas

*Conferees for the  
House of Representatives*

S/ James W. Crawford, Jr., Chair  
S/ Wilma M. Sherrill, Chair  
S/ Martha B. Alexander  
S/ Rex L. Baker  
S/ Harold J. Brubaker  
S/ E. Nelson Cole  
S/ William T. Culpepper, III  
S/ Bill G. Daughtridge, Jr.  
S/ Beverly M. Earle  
S/ Jean Farmer-Butterfield  
S/ Stan Fox

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S/ Michael A. Gorman  
S/ Robert Grady  
S/ Joe Hackney  
S/ Julia Howard  
S/ Maggie Jeffus  
S/ Carolyn H. Justice  
S/ Joe L. Kiser  
S/ Stephen A. LaRoque  
S/ Daniel F. McComas  
S/ W. C. McGee  
S/ David Miner  
S/ Edd Nye  
S/ W. C. Owens, Jr.  
S/ John Sauls  
S/ Bonner L. Stiller  
S/ Joe P. Tolson  
S/ Keith P. Williams  
S/ Thomas E. Wright  
S/ Douglas Y. Yongue

On May 1, the request that Representative Michaux be excused from voting was withdrawn.

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 Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Baker, Barnhart, Bell, Bonner, Bordsen, Brubaker, Carney, Church, Coates, Cole, Crawford, Culpepper, 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, McAllister, McComas, McGee, McLawhorn, Michaux, Miller, Miner, Nesbitt, Nye, Owens, Parmon, Rapp, Ross, Sauls, Saunders, Sherrill, Stiller, Sutton, Tolson, Wainwright, Warner, Warren, Weiss, A. Williams, K. Williams, G. Wilson, Womble, Wright, and Yongue - 77.

Voting in the negative: Representatives Allred, Barbee, Blackwood, Blust, Bowie, Capps, Creech, Culp, Daughtry, Dockham, Eddins, Ellis, Frye, Gillespie, Gulley, Hilton, Holmes, L. Johnson, Justus, Lewis, Luebke, McCombs, McHenry, McMahan, Mitchell, Moore, Munford, Pate, Preston, Ray, Rayfield, Rhodes, Setzer, Stam, Starnes, Walend, Walker, West, and C. Wilson - 39.

Excused absences: Representatives Cunningham and Wood - 2.

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**ENROLLED BILLS**

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

**S.B. 475**, AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTIES TO THE TOWN OF DALLAS.

**CALENDAR (continued)**

**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.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Baker, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, 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, 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, Sherrill, Stam, Starnes, Still, 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, Barbee, Creech, and Moore - 4.

Excused absences: Representatives Cunningham and Wood - 2.

Representative McHenry requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (108-5).

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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.

On motion of Representative Stiller, the House concurs in the material Senate committee substitute bill, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, 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 - 109.

Voting in the negative: None.

Excused absences: Representatives Cunningham and Wood - 2.

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

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ACT, AND TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO CONDUCT CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR LICENSURE OR APPRENTICE DESIGNATION AS A LOCKSMITH.

On motion of Representative Nye, the bill is temporarily displaced.

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

On motion of Representative Miner, the House concurs in the Senate committee substitute bill, by electronic vote (61-50), and the bill is ordered enrolled and presented to the Governor by Special Message.

Representative Harrell requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (62-49).

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

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

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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.

On motion of Representative Wright, the House does not concur in the Senate committee substitute bill, by electronic vote (114-0), and conferees are requested.

On motion of Speaker Black and without objection, the House recesses at 9:53 p.m.

### **RECESS**

The House reconvenes pursuant to recess and is called to order by Speaker Black.

### **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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**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, 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 today's Calendar for immediate consideration. The original bill is placed on the Unfavorable Calendar.

Representative Nesbitt offers Amendment No. 1 which is adopted by electronic vote (113-1).

Representative Culpepper offers Amendment No. 2 which adopted by electronic vote (113-1).

Representative Nye offers Amendment No. 3 which is adopted by electronic vote (116-0).

The bill, as amended, passes its second reading, by electronic vote (87-29), and remains on the Calendar.

#### **CONFEREES APPOINTED**

Speaker Black appoints the following conferees on 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

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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: Representative Wright, Chair; Representatives Gibson, Wainwright, McComas, Howard, and Sherrill.

The Senate is so notified by Special Message.

**CALENDAR (continued)**

**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

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CONDUCT CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR LICENSURE OR APPRENTICE DESIGNATION AS A LOCKSMITH, which was temporarily displaced, is before the Body.

On motion of Representative Luebke and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 1.

**H.B. 1289** (Committee Substitute), 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, 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, Culp, Culpepper, 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, 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, Sherrill, 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 Cunningham and Wood - 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.

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On motion of Representative Crawford, the House concurs in the Senate amendment, which changes the title, by electronic vote (104-8), and the bill is ordered enrolled and presented to the Governor by Special Message.

Representative Miner requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (103-9).

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

**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.

On motion of Representative Insko, the House concurs in the Senate committee substitute bill, by electronic vote (111-1), and the bill is ordered enrolled and presented to the Governor by Special Message.

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.

On motion of Representative Dickson, the House does not concur in the Senate committee substitute bill, by electronic vote (113-0), and conferees are requested.

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

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.

On motion of Representative Goodwin, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (110-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

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

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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.

On motion of Representative Allred, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (110-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

**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 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, 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, 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, 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, Munford, Nesbitt, Nye, Owens, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, 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 - 110.

Voting in the negative: None.

Excused absences: Representatives Cunningham and Wood - 2.

**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

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INCREASE THE FEE THE PSYCHOLOGY BOARD MAY CHARGE FOR A TEMPORARY LICENSE, 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, Alexander, B. Allen, G. Allen, L. Allen, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, 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, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, 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, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 106.

Voting in the negative: Representatives Allred, Baker, McHenry, and West - 4.

Excused absences: Representatives Cunningham and Wood - 2.

#### **CONFEREES APPOINTED**

Speaker Black appoints the following conferees on 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, Chair; Representatives Weiss, Sutton, Moore, Sherrill, Barnhart, and Gorman.

The Senate is so notified by Special Message.

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

**H.B. 1316** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE A TRAVEL AND TOURISM CAPITAL INVESTMENT PROGRAM.

On motion of Representative Nesbitt and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 30.

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On motion of Representative Culpepper, seconded by Representative Sherrill, the House adjourns at 11:57 p.m. to reconvene June 30 at 12:01 a.m.

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## NINETIETH DAY

HOUSE OF REPRESENTATIVES  
Monday, June 30, 2003

The House meets at 12:01 a.m. pursuant to adjournment and is called to order by Speaker Morgan.

The following prayer is offered by Representative Wainwright.

"O Lord, for the beginning of a new day of life, continued blessings, and the privilege of service, we give Thee thanks, we are grateful that You have chosen us to be Your servants and the servants of Your people. Teach us, O Lord, that true greatness is shown by a willingness to help in a time of need. Cause us to genuinely and generously care for the poor and dispossessed. Make us guardians of the dispossessed and caretaker of the needy. Condition us for the work that is before us. Guide us in the direction that You will have us go and let Your will become our will. For it is in Your holy and matchless name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 29 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Cunningham for today. Representatives Culpepper, Earle, Luebke, McComas, Miller, Rhodes, Sutton, Wainwright, and Wood are excused for a portion of the session.

### CONFERENCE REPORT

The material Conference Report for 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

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TRIPLE-A BOND RATING, which changes the title, is adopted on its third roll call reading, by the following vote, and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in Session Laws, Chapter 2003-284.)

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Baker, Barnhart, Bell, Bonner, Bordsen, Brubaker, Carney, Church, Coates, Cole, Crawford, Culpepper, Daughtridge, Decker, Dickson, 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, McAllister, McComas, McLawhorn, Michaux, Miller, Miner, Nesbitt, Nye, Owens, Parmon, Rapp, Ross, Sauls, Saunders, Sherrill, Stiller, Sutton, Tolson, Wainwright, Warner, Warren, Weiss, A. Williams, K. Williams, G. Wilson, Womble, Wright, and Yongue - 75.

Voting in the negative: Representatives Allred, Barbee, Blackwood, Blust, Bowie, Capps, Creech, Culp, Daughtry, Dockham, Eddins, Ellis, Frye, Gillespie, Gulley, Hilton, Holmes, L. Johnson, Justus, Lewis, Luebke, McCombs, McGee, McHenry, McMahan, Mitchell, Moore, Munford, Pate, Preston, Ray, Rayfield, Rhodes, Setzer, Stam, Starnes, Walend, Walker, West, and C. Wilson - 40.

Excused absences: Representatives Cunningham and Wood - 2.

Representative McGee requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (76-39).

### CALENDAR

Action is taken on the following:

**S.B. 274** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE ADJUSTMENTS TO THE BUDGET TO DIRECT SAVINGS IDENTIFIED BY THE BLUE RIBBON COMMISSION ON MEDICAID REFORM TO REPLENISH THE MEDICAID TRUST FUND, TO PROVIDE FOR REVIEW OF 2004-2005 FISCAL YEAR AVAILABILITY, TO PROVIDE CONTINGENCIES FOR FAILURE TO IDENTIFY ADEQUATE SURPLUS PROPERTY TO BE SOLD, TO PROVIDE REVENUE SHORTFALL CONTINGENCY PREPARATIONS, TO REPLENISH CONTINGENCY AND EMERGENCY FUND ALLOCATIONS, AND TO MAINTAIN THE CURRENT LAW ON RECEIPTS.

June 30, 2003

Representative Culpepper offers Amendment No. 4 which is adopted by electronic vote (115-0).

The bill, as amended, passes its third reading, by electronic vote (88-27), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

On motion of Speaker Morgan, the House recesses at 12:14 a.m.

### RECESS

The House reconvenes pursuant to recess and is called to order by Speaker Morgan.

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representatives G. Allen, Howard, and Miner, Chairs, for the Committee on Finance:

**H.B. 806**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ALTERNATIVE FUEL AND ALTERNATIVE FUEL VEHICLE REBATE AND INFRASTRUCTURE GRANT 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 July 3. The original bill is placed on the Unfavorable Calendar.

### ENROLLED BILLS

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

**H.B. 684**, 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.

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**H.B. 826**, AN ACT TO AMEND THE CONFIDENTIALITY PROVISIONS OF CHAPTER 122C OF THE GENERAL STATUTES TO PERMIT IMPLEMENTATION OF MENTAL HEALTH SYSTEM REFORM.

**H.B. 1023**, AN ACT TO ALLOW INTERPOLICY STACKING OF UNINSURED MOTORIST COVERAGE, TO AMEND THE DEFINITION OF UNDERINSURED HIGHWAY VEHICLE, AND TO CLARIFY THE AMOUNT OF UNDERINSURED LIABILITY COVERAGE AVAILABLE WHEN MULTIPLE PARTIES ARE INJURED IN MOTOR VEHICLE ACCIDENTS.

**H.B. 1070**, AN ACT TO INCREASE THE EXPENDITURE BENCHMARK FOR A SPECIAL RESPONSIBILITY CONSTITUENT INSTITUTION FOR CERTAIN PURCHASING CONTRACTS.

**H.B. 1140**, 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.

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

**H.B. 542**, AN ACT TO ALLOW THE TOWNS OF CASWELL BEACH, OAK ISLAND, OCEAN ISLE BEACH, AND SUNSET BEACH AND THE VILLAGE OF BALD HEAD ISLAND 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.

#### INTRODUCTION OF PAGES

Pages for the week of June 30 are introduced to the membership. They are: Leigh Ann Alford of Franklin; Jonathan Baugher of Craven; Amy Brown of Wake; Elizabeth Cross of Granville; Kathryn Davis of Moore; Juliana Deitch of Wake; Alexander Dunshee of Wake; Joshua Hall of Yadkin; Jason Hollowell of Gates; Bethany Hudson of Chatham; Joseph Hurdle of Gates; Walter Manning, III, of Beaufort; Jordan McCarn of Davidson; John McMillian of Stanly; Tina Morrison of Wake; Sarah Neunzig of Gaston; Megan Parker of Johnston; Erin Parker of Johnston; Jordan Rapp of Union; Brittany Skunda of Mecklenburg; Ashton Teague of Cleveland; Anne Weaver of Wake; and Megan Yohman of Wake.

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Representative Gorman moves, seconded by Representative Alexander, that the House adjourn, subject to the receipt of Messages from the Senate and the ratification of bills, to reconvene July 3, at 10:30 a.m.

The motion carries.

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

The following Special Message is received from the Senate:

Senate Committee Substitute No. 2 for **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, 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.

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.

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

#### **2003 GENERAL ASSEMBLY FIRST SESSION**

Senate Chamber  
June 30, 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

June 30, 2003

**H.B. 397** (Conference Report), 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 A SUSTAINABLE RECOVERY THROUGH STRONG EDUCATIONAL AND ECONOMIC TOOLS.

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 Morgan orders the bill enrolled and presented to the Governor by Special Message.

### ENROLLED BILLS

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

**S.B. 274**, AN ACT TO MAKE ADJUSTMENTS TO THE BUDGET TO DIRECT SAVINGS IDENTIFIED BY THE BLUE RIBBON COMMISSION ON MEDICAID REFORM TO REPLENISH THE MEDICAID TRUST FUND, TO PROVIDE FOR REVIEW OF 2004-2005 FISCAL YEAR AVAILABILITY, TO PROVIDE CONTINGENCIES FOR FAILURE TO IDENTIFY ADEQUATE SURPLUS PROPERTY TO BE SOLD, TO PROVIDE REVENUE SHORTFALL CONTINGENCY PREPARATIONS, TO REPLENISH CONTINGENCY AND EMERGENCY FUND ALLOCATIONS, AND TO MAINTAIN THE CURRENT LAW ON RECEIPTS.

**H.B. 397**, 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 A SUSTAINABLE RECOVERY THROUGH STRONG EDUCATIONAL AND ECONOMIC TOOLS.

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

**S.B. 497**, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF MOUNT AIRY, TO ANNEX CERTAIN DESCRIBED

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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.

The House stands adjourned at 4:42 p.m.

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## NINETY-FIRST DAY

HOUSE OF REPRESENTATIVES  
Thursday, July 3, 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:

*"O beautiful for spacious skies, for amber waves of grain, for purple  
mountain majesties above the fruited plain; ...  
O beautiful for patriot dream that sees beyond the years, Your alabaster  
cities gleam, undimmed by human tears! ...  
America! America! God shed Your grace on us, and crown Your good with  
servanthood, from sea to shining sea!"*

"God of all the nations, we are here today, each one, as a patriot, filled with dreams. Our celebration of independence calls us once again to remember those who have made possible what we have as a nation - our forefathers and mothers, those who have given their lives from a war of revolution to a war in Afghanistan and Iraq, our presidents and national leaders, our governors and State leaders, our sisters and brothers across the hall and these Representatives here today. Most of all our celebration is of the people of this great Nation and of this great State. We remember, O God, that our strength is in our diversity - a people coming together from all over the world, from all backgrounds, from all races, from all belief systems, from all life situations - to form a country devoted to our common humanity, each able to express her or his individuality, yet united by our common desire for freedom.

"God, we especially pray for those who celebrate Independence Day this year in foreign lands, under the gun. May the fireworks of our enthusiasm not be explosions of peril for them. May they soon be back home to celebrate with us.

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"And God of all life, may the waning days of this Legislative Session bring decisions reflective of Your blessing of our Nation and State and world. God give us peace!

"In Your freedom-giving name we pray. Amen."

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

A leave of absence is granted Representative Cunningham for today.

### ENROLLED BILLS

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

**S.B. 840**, AN ACT TO ADOPT FOLKMOOT USA AS NORTH CAROLINA'S OFFICIAL INTERNATIONAL FESTIVAL.

### CHAPTERED BILLS

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

**S.B. 656**, AN ACT TO ESTABLISH THE INNOVATIVE EDUCATION INITIATIVES ACT. (S.L. 2003-277)

**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. (S.L. 2003-278)

**S.B. 475**, AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTIES TO THE TOWN OF DALLAS. (S.L. 2003-279)

**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 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. (S.L. 2003-280)

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**S.B. 497**, 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. (S.L. 2003-281)

**H.B. 542**, AN ACT TO ALLOW THE TOWNS OF CASWELL BEACH, OAK ISLAND, OCEAN ISLE BEACH, AND SUNSET BEACH AND THE VILLAGE OF BALD HEAD ISLAND 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. (S.L. 2003-282)

**S.B. 274**, AN ACT TO MAKE ADJUSTMENTS TO THE BUDGET TO DIRECT SAVINGS IDENTIFIED BY THE BLUE RIBBON COMMISSION ON MEDICAID REFORM TO REPLENISH THE MEDICAID TRUST FUND, TO PROVIDE FOR REVIEW OF 2004-2005 FISCAL YEAR AVAILABILITY, TO PROVIDE CONTINGENCIES FOR FAILURE TO IDENTIFY ADEQUATE SURPLUS PROPERTY TO BE SOLD, TO PROVIDE REVENUE SHORTFALL CONTINGENCY PREPARATIONS, TO REPLENISH CONTINGENCY AND EMERGENCY FUND ALLOCATIONS, AND TO MAINTAIN THE CURRENT LAW ON RECEIPTS. (S.L. 2003-283)

**H.B. 397**, 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 A SUSTAINABLE RECOVERY THROUGH STRONG EDUCATIONAL AND ECONOMIC TOOLS. (S.L. 2003-284)

#### MESSAGES FROM THE SENATE

The following is received from the Senate:

**H.B. 685**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SUNSET HARBOR, is returned for concurrence in one Senate amendment.

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

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

Senate Chamber  
June 30, 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. 840** (Conference Report), A BILL TO BE ENTITLED AN ACT TO ADOPT FOLKMOOT USA AS NORTH CAROLINA'S OFFICIAL INTERNATIONAL FESTIVAL.

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*

On motion of Representative Bordsen, seconded by Representative Stam, the House adjourns at 10:42 a.m. to reconvene Monday, July 7, 2003, at 7:00 p.m.

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**NINETY-SECOND DAY**

HOUSE OF REPRESENTATIVES  
Monday, July 7, 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 celebration:

"We thank You for long weekends, for our Nation's birthday, for family time, for time of rest. Now a new week begins and we are back at the daily task. Remind us once again, O God, that all of time, even in the political realm, is holy and precious. Teach us to celebrate each day, and hour and minute. As the remaining decisions of this Legislative Session are debated and made, give

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these Representatives a sense that the time and labor of their service to the citizens of our State is blessed by You. May all our work and our lives show forth our thanksgiving for each day You give us.

"In Your praise-worthy 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 July 3 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Cunningham 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. 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.L. 2003-285)

**S.B. 773**, AN ACT TO AUTHORIZE COMMUNITY COLLEGES TO ENTER INTO PUBLIC/PRIVATE PARTNERSHIPS FOR CONSTRUCTION PROJECTS. (S.L. 2003-286)

**S.B. 537**, AN ACT TO EXCLUDE AIRPORTS FROM THE PUBLIC ENTERPRISE BILLING INFORMATION PRIVACY LAW. (S.L. 2003-287)

**S.B. 423**, AN ACT TO CLARIFY AND ENHANCE CHILD SUPPORT ENFORCEMENT LAWS. (S.L. 2003-288)

**S.B. 117**, AN ACT TO NAME THE WESTERN JUSTICE ACADEMY IN HONOR OF REPRESENTATIVE LARRY T. JUSTUS. (S.L. 2003-289)

July 7, 2003

**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; AND AUTHORIZE THE ISSUANCE OF LIMITED LICENSES FOR THE SALE OF INSURANCE COVERAGE ON PERSONAL PROPERTY STORED IN SELF-SERVICE STORAGE UNITS. (S.L. 2003-290)

**S.B. 955**, AN ACT TO MODIFY THE LAW REGARDING CONTRACTS FOR SCHOOL PRINCIPALS. (S.L. 2003-291)

**H.B. 1016**, AN ACT TO ADD PARTICULAR UNIVERSITY FACILITIES AS NONSMOKING AREAS. (S.L. 2003-292)

**S.B. 952**, AN ACT TO MAKE NEW CHALLENGE GRANTS AVAILABLE FROM THE DISTINGUISHED PROFESSORS ENDOWMENT TRUST FUND FOR CERTAIN CONSTITUENT INSTITUTIONS. (S.L. 2003-293)

**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. (S.L. 2003-294)

**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.L. 2003-295)

July 7, 2003

**H.B. 807**, AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE LAW ESTABLISHING THE ELECTIVE SHARE OF A DECEDENT'S SURVIVING SPOUSE. (S.L. 2003-296)

**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. (S.L. 2003-297)

**S.B. 521**, AN ACT TO ENHANCE THE REGULATION OF PYRO-TECHNIC DISPLAYS. (S.L. 2003-298)

**H.B. 1171**, AN ACT TO MAKE CHANGES IN THE LAW PROHIBITING HAZING. (S.L. 2003-299)

**S.B. 936**, AN ACT TO WAIVE VARIOUS DEADLINES, FEES, AND PENALTIES FOR DEPLOYED MILITARY PERSONNEL. (S.L. 2003-300)

**S.B. 714**, AN ACT TO ENSURE THAT PUBLIC SCHOOL EMPLOYEES DO NOT LOSE PAY WHILE THEY ARE ON MILITARY DUTY. (S.L. 2003-301)

**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. (S.L. 2003-302)

**H.B. 408**, AN ACT TO MODIFY THE SECRET PEEPING STATUTE AND TO MAKE CONFORMING CHANGES. (S.L. 2003-303)

**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.L. 2003-304)

**H.B. 994**, 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. (S.L. 2003-305)

**S.B. 698**, AN ACT TO ADD THREE ADVISORY MEMBERS TO THE STATE BOARD OF EDUCATION. (S.L. 2003-306)

July 7, 2003

**S.B. 775**, 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. (S.L. 2003-307)

**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. (S.L. 2003-308)

**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. (S.L. 2003-309)

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

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

By Representatives Farmer-Butterfield, Yongue, Bonner, and Tolson (Primary Sponsors); and Goodwin:

**H.R. 1334**, A HOUSE RESOLUTION HONORING THE CITIES OF WILSON AND LAURINBURG ON BEING NAMED 2003 ALL-AMERICA CITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

#### **CONFERENCE REPORT**

Representative Alexander moves the adoption of the following Conference Report.

#### **Senate Committee Substitute for H.B. 152**

To: The President of the Senate  
The Speaker of the House of Representatives

July 7, 2003

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 152, A BILL TO BE ENTITLED AN ACT TO REQUIRE CHILD CARE FACILITIES TO DEVELOP AND MAINTAIN A SAFE SLEEP POLICY THAT INCLUDES REQUIRING CAREGIVERS TO PLACE CHILDREN ON THEIR BACK TO SLEEP TO REDUCE THE RISK OF SUDDEN INFANT DEATH SYNDROME (SIDS), AND TO REQUIRE CERTAIN AGENCIES AND THE MEDICAL COMMUNITY TO COOPERATE IN INVESTIGATING REPORTS OF CHILD ABUSE AND NEGLECT IN CHILD CARE FACILITIES, Senate Health & Human Resources Committee Substitute Adopted 6/5/03, submit the following report:

The House and Senate agree to the following amendment to the Senate Committee Substitute, Senate Health & Human Resources Committee Substitute Adopted 6/5/03, 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 H152-PCCS30399-SU-2.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 26, 2003.

*Conferees for the  
Senate*

S/ William R. Purcell, Chair  
S/ James S. Forrester  
S/ Kay R. Hagan

*Conferees for the  
House of Representatives*

S/ Martha Bedell Alexander, Chair  
S/ Howard Hunter, Jr.  
S/ Jennifer Weiss  
S/ Jeffrey L. Barnhart  
S/ John Rayfield  
S/ Jean R. Preston

The Conference Report, which changes the title, is adopted, by electronic vote (111-1), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

#### **CONFERENCE REPORT**

Representative Alexander moves the adoption of the following Conference Report.

July 7, 2003

**Senate Committee Substitute for H.B. 907**

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 907, 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, Senate Health & Human Resources Committee Substitute Adopted 5/14/03 Fourth Edition Engrossed 5/21/03, submit the following report:

The House and the Senate agree to the following amendments to the Senate Health & Human Resources Committee Substitute Adopted 5/14/03 Fourth Edition Engrossed 5/21/03, and the House concurs in the Senate Health & Human Resources Committee Substitute, Fourth Edition Engrossed as amended:

On page 2, lines 37-38, by rewriting the lines to read:

"shall be a representative from a facility that performs cochlear implants; one member shall be recommended by the President of";

And on page 3, lines 42-43, by rewriting the lines to read:

"July 1, 2003, the member who is a representative from a facility that performs cochlear implants and who is appointed by the Governor shall be"

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 29, 2003.

*Conferees for the  
Senate*

S/ Charlie Smith Dannelly, Chair  
S/ Jeanne Hopkins Lucas  
S/ William R. Purcell  
S/ Eleanor Kinnaird  
S/ James Forrester  
S/ Tony Rand

*Conferees for the  
House of Representatives*

S/ Martha B. Alexander, Chair  
S/ Verla Insko  
S/ Maggie Jeffus  
S/ Carolyn Justus  
S/ B. F. England  
S/ Don Munford

The Conference Report is adopted, by electronic vote (113-0), and the Senate is so notified by Special Message.

July 7, 2003

**CALENDAR**

Action is taken on the following:

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

**H.B. 1303** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT ATHLETIC CONTESTS SPONSORED BY INCOME TAX EXEMPT PERSONS FROM THE AMUSEMENTS PRIVILEGE TAX, 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.

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

**H.B. 1301** (Committee Substitute), 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, 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. 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 Representative Stiller and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 8.

**H.B. 1289** (Committee Substitute), 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, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

July 7, 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, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Clary, Coates, Cole, Crawford, 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, 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, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, 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 - 113.

Voting in the negative: Representatives Creech and McHenry - 2.

Excused absence: Representative Cunningham.

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

**H.B. 1316** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE A TRAVEL AND TOURISM CAPITAL INVESTMENT PROGRAM.

Representative Stam offers Amendment No. 1 which fails of adoption by electronic vote (55-59).

Representative Goforth requests and is granted permission to be recorded as voting "no". Speaker Morgan and Representative LaRoque request and are granted permission to change their vote from "aye" to "no". The adjusted vote total is (53-62).

Representative Gorman offers Amendment No. 2.

On motion of Speaker Black and without objection, the bill with Amendment No. 2 pending is temporarily displaced.

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

**H.B. 1000** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE UNIVERSITY OF NORTH CAROLINA'S OPTIONAL

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RETIREMENT PLAN, 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. 1316** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE A TRAVEL AND TOURISM CAPITAL INVESTMENT PROGRAM, which was temporarily displaced with Amendment No. 2 pending, is before the Body.

Representative LaRoque offers perfecting Amendment No. 3 which is adopted by electronic vote (99-14).

Amendment No. 2 is adopted by electronic vote (91-23).

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, Barbee, Bell, Bonner, Bordsen, Bowie, Brubaker, Carney, Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtridge, Decker, Dickson, Dockham, Earle, England, Farmer-Butterfield, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Jeffus, C. Johnson, Jones, Justice, LaRoque, Lucas, Luebke, McAllister, McComas, McLawhorn, McMahan, Miner, Mitchell, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill, Stiller, Tolson, Wainwright, Walend, Walker, Warren, A. Williams, K. Williams, C. Wilson, Womble, Wright, and Yongue - 82.

Voting in the negative: Representatives Allred, Baker, Barnhart, Blackwood, Blust, Capps, Creech, Eddins, Ellis, Fox, Holmes, Hunter, Insko, L. Johnson, Justus, Kiser, Lewis, McCombs, McGee, McHenry, Michaux, Miller, Moore, Nesbitt, Ray, Rayfield, Setzer, Stam, Sutton, Warner, Weiss, West, G. Wilson, and Wood - 34.

Excused absence: Representative Cunningham.

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

**H.B. 1149** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN FREE DISTRIBUTION PUBLICATIONS FROM THE SALES TAX.

July 7, 2003

Representative Jones requests that he be excused from voting on this bill, because he is a newspaper owner and the newspaper is a free publication to the public, under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (88-27).

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. 1062** (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.

On motion of Representative McLawhorn, the House does not concur in the Senate committee substitute bill, by electronic vote (114-1), and conferees are requested.

Representative Gorman 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 (115-0).

Speaker Black appoints Representative McLawhorn, Chair; Representatives Justice and Gibson as conferees on the part of the House and the Senate is so notified by Special Message.

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

Pursuant to Rule 38(a), **H.B. 806** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ALTERNATIVE FUEL AND VEHICLE REBATE AND INFRASTRUCTURE GRANT PROGRAM, is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

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

#### **2003 GENERAL ASSEMBLY FIRST SESSION**

July 7, 2003

Senate Chamber  
July 7, 2003

Mr. Speaker:

Pursuant to your message received on June 25, 2003, that the House of Representatives fails to concur in the Senate Committee Substitute to **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, and requests conferees, the President *Pro Tempore* appoints

Senator Clodfelter, Chair  
Senator Reeves  
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*

#### INTRODUCTION OF PAGES

Pages for the week of July 7 are introduced to the membership. They are: Tate Bolick of Catawba; Jason Bowles of Davie; Mekara Bryant of Edgecombe; Natara Bryant of Edgecombe; Katie Crisp of Jackson; Kathryn Davis of Moore; Scott DiMaio of Moore; Robert Dunn of Guilford; Mark Garrison of Henderson; David Guerdan of Wake; Austin Hester of Wake; Brandon Jaklitsch of Mecklenburg; Erika Kupatt of Wake; Chandler McLean of Cumberland; Lindsay Norris of Onslow; Lesli Oakley of Wake; Paige Roberson of Jackson; Stephen Shutt of Forsyth; Creighton Turner of Cumberland; Lauren Waddey of Wake; Ashley Williams of Onslow; and Rachel Zalph of Wake.

On motion of Representative Culpepper, seconded by Representative Rayfield, the House adjourns at 8:18 p.m. to reconvene July 8 at 2:00 p.m.

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#### NINETY-THIRD DAY

HOUSE OF REPRESENTATIVES  
Tuesday, July 8, 2003

July 8, 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:

"Unchanging God:

"In the midst of today's work, stay close to Your people. As this Body deliberates important issues that will bring change to our State and its people, remind us once again that it is only You who are constant in our lives. All else around us is forever on the move. As these Representatives engineer changes in the way we are governed, give them minds that are just, hearts that care and hands that serve. May our State be better for their decisions. Bless our Speakers with wisdom and insight. And at the end of the day may You have been served in this place, as well as the people of North Carolina.

"In Your constant name we pray. Amen."

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

A leave of absence is granted Representative Cunningham for today.

#### **WITHDRAWAL OF BILLS FROM CALENDAR**

On motion of Representative Howard and without objection, **S.B. 100** (House 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 AND TO ALLOW A SALES AND USE TAX REFUND TO SCHOOL BOARD CO-OPERATIVES, is withdrawn from the Calendar and placed on the Calendar of July 15.

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 July 29.

#### **CALENDAR**

Action is taken on the following:

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

July 8, 2003

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.

On motion of Representative Sexton, 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.

#### **WITHDRAWAL OF BILLS 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 July 15.

On motion of Representative Clary 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 10.

On motion of Representative Stiller and without objection, **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 withdrawn from the Calendar and placed on the Calendar of July 9.

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

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

**H.B. 944** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN NOTIFICATIONS BEFORE A TOWER MAY COLLECT CERTAIN CHARGES.

On motion of Representative Mitchell, the House concurs in the Senate committee substitute bill, by electronic vote (111-1), and the bill is ordered enrolled and presented to the Governor.

July 8, 2003

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

**H.B. 394** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT CLARIFYING THE LAW PERTAINING TO LEGAL DEADLINES FALLING ON A HOLIDAY.

On motion of Representative Stam, the House concurs in the Senate committee substitute bill, by electronic vote (112-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute No. 2 for **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.

On motion of Representative Crawford, 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, 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, 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, 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: None.

Excused absence: Representative Cunningham.

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

July 8, 2003

**S.B. 963** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT SELLERS FROM CHARGING EXCESSIVE PRICES ON THEIR MERCHANDISE AND SERVICES DURING DECLARED STATES OF DISASTER.

On motion of Representative McLawhorn and without objection, the bill is temporarily displaced.

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

Representative Decker offers Amendment No. 1 which fails of adoption by electronic vote (35-81).

The bill passes its second reading by electronic vote (117-0).

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

**S.B. 963** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT SELLERS FROM CHARGING EXCESSIVE PRICES ON THEIR MERCHANDISE AND SERVICES DURING DECLARED STATES OF DISASTER, which was temporarily displaced, is before the Body.

On motion of Representative McLawhorn and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 9.

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

**S.B. 408** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF EDEN TO NEGOTIATE ANNEXATION CONTRACTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: 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, 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, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, 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 - 118.

Voting in the negative: None.

Excused absence: Representative Cunningham.

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

**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, 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, 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, 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, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 111.

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Voting in the negative: Representatives Capps, Hilton, McHenry, Rayfield, and Wood - 5.

Excused absence: Representative Cunningham.

Representative Daughtridge requests and is granted permission to be recorded as voting "aye". Representative Moore requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (111-6).

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

**S.B. 89** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LAKE LURE MARINE 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. 529**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WATER AND SEWER AUTHORITIES TO USE THE SETOFF DEBT COLLECTION ACT.

Representative Hackney requests that he be excused from voting on this bill, because his law firm represents water and sewer authorities, under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (90-26), 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. 452** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY MUNICIPALITIES IN UNION COUNTY, 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, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney,

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Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtride, 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, 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, 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 Allred and Eddins - 2.

Excused absence: Representative Cunningham.

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

**S.B. 800** (House 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, 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, Blust, Bonner, Bordsen, Bowie, Brubaker, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtride, Daughtry, Decker, Dickson, Dockham, Earle, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lucas, Luebke, McAllister, McComas, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Munford, Nesbitt, Nye, Owens, Parmon, Preston, Rapp, Ray, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Walend, Walker, Warner, Warren, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 103.

Voting in the negative: Representatives Allred, Baker, Capps, Eddins, Goodwin, Lewis, McCombs, Moore, Pate, Rayfield, West, and Wood - 12.

Excused absence: Representative Cunningham.

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Representative Mitchell states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (104-12).

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

**S.B. 716** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE UNIFORM ARBITRATION ACT AND TO ENACT THE REVISED UNIFORM ARBITRATION ACT, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill.

### CONFERENCE REPORT

Representative Gibson sends forth the Conference Report on **S.B. 824** (House Committee Substitute), 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; 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. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 9.

### 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. 173**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DAVIDSON, 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 July 9. The original bill is placed on the Unfavorable Calendar.

The committee substitute changes the bill from local to public.

**H.B. 313**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ROCKY MOUNT, 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 July 9. The original bill is placed on the Unfavorable Calendar.

**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, 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 July 9. The original bill is placed on the Unfavorable Calendar.

**H.B. 1256** (Committee Substitute), 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 Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

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

**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, 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.

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**CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's 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, 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, 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, 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, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, 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, Wright, and Yongue - 107.

Voting in the negative: Representatives Allred, Baker, Barbee, Creech, McCombs, Rhodes, and Wood - 7.

Excused absence: Representative Cunningham.

**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

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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, 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, Barnhart, Bell, Blackwood, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, 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, McLawhorn, McMahan, Michaux, Miller, Miner, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Rayfield, Ross, Saunders, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walend, Warner, Warren, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 99.

Voting in the negative: Representatives Allred, Baker, Barbee, Blust, Creech, Gorman, Hilton, McGee, McHenry, Mitchell, Moore, Rhodes, Sauls, Setzer, Walker, West, and Wood - 17.

Excused absence: Representative Cunningham.

**S.B. 679** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PUBLIC FINANCING LAWS OF THE STATE.

On motion of Representative G. Allen and without objection, the bill is temporarily displaced.

**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.

Representative Insko offers Amendment No. 1 which fails of adoption by electronic vote (58-59).

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.R. 1334**, A HOUSE RESOLUTION HONORING THE CITIES OF WILSON AND LAURINBURG ON BEING NAMED 2003 ALL-AMERICA CITIES, 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.

**CALENDAR (continued)**

**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 before the Body.

Representative Allred offers Amendment No. 2.

On motion of Representative Allred and without objection, the bill is temporarily displaced.

**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, with Amendment No. 3 pending, is before the Body. The fiscal note, which Representative Sherrill requested on June 24, was attached on July 1.

Representative Hackney inquires of the Chair if the amendment is out of order because it is not germane to the title.

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On motion of Speaker Morgan, the bill with pending amendment, is temporarily displaced.

**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, which was temporarily displaced with Amendment No. 2 pending, is before the Body.

Representative Allred withdraws his amendment.

On motion of Representative Insko and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 9.

**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. 3 pending, is before the Body.

Speaker Morgan rules Amendment No. 3 out of order.

Representative Miner offers Amendment No. 4 which is adopted by electronic vote (113-2).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill.

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, Clary, Coates, Cole, Crawford, 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, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Miller,

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Miner, Mitchell, Munford, Nesbitt, Nye, Owens, Parmon, 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, Wright, and Yongue - 110.

Voting in the negative: Representatives Blust, Creech, Holmes, Moore, and Wood - 5.

Excused absence: Representative Cunningham.

**H.B. 1149** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN FREE DISTRIBUTION PUBLICATIONS FROM THE SALES TAX.

Pursuant to Rule 24.1A(c), the request that Representative Jones be excused from voting on July 7 is continued.

The bill passes its third reading, by electronic vote (79-36), and is ordered sent to the Senate by Special Message.

#### **RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **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 withdrawn from the Committee on Education and re-referred to the Committee on Finance.

On motion of Representative Culpepper, seconded by Representative Michaux, the House adjourns at 4:20 p.m. to reconvene July 9 at 2:00 p.m.

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### **NINETY-FOURTH DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, July 9, 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:

"Words from the prophet: 'That then is God Your Lord; there is no god but He, the Creator of everything. So serve Him, for He is Guardian over everything...He is the All-subtle, the All-aware.' (Qur'an 6:102-103)

"All-subtle, All-aware God, how often we think that the work of our minds and hands goes unnoticed by You. But even in the halls of government You are aware of how we operate, how the decisions made here affect Your Creation. Give Your wisdom, great Guardian, to these Representatives that decisions made here may be the best ones for the world in which You have placed us and the most just in the lives of the citizens of North Carolina. May all that we do be done knowing that You may be All-subtle, but You are ever All-aware.

"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 July 8 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Cunningham for today. Representative West is excused for a portion of the session.

#### **ENROLLED BILLS**

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

**S.B. 89**, AN ACT TO ESTABLISH THE LAKE LURE MARINE COMMISSION.

**S.B. 293**, AN ACT TO AMEND THE LAW GOVERNING SALES REPRESENTATIVE COMMISSIONS.

**S.B. 529**, AN ACT TO AUTHORIZE WATER AND SEWER AUTHORITIES TO USE THE SETOFF DEBT COLLECTION ACT.

**S.B. 774**, 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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**S.B. 876**, 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.

**H.B. 394**, AN ACT CLARIFYING THE LAW PERTAINING TO LEGAL DEADLINES FALLING ON A HOLIDAY.

**H.B. 425**, AN ACT TO AMEND THE REQUIREMENT THAT SMALL HORSE TRAILERS DESIGNED TO CARRY FOUR OR FEWER HORSES MUST STOP AT PERMANENT WEIGH STATIONS.

**H.B. 944**, AN ACT TO REQUIRE CERTAIN NOTIFICATIONS BEFORE A TOWER MAY COLLECT CERTAIN CHARGES.

**H.B. 1118**, AN ACT TO REQUIRE SIGNS TO BE POSTED WARNING OF THE POSSIBLE DANGERS OF CONSUMPTION OF ALCOHOL DURING PREGNANCY.

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

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Nye and Barnhart, Chairs, for the Appropriations Subcommittee on Health and Human Services.

**H.B. 932** (Committee Substitute), 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, reported to the Standing Committee on Appropriations, with no action taken.

By Representatives G. Allen, Howard, Luebke, McComas, Miner, and Wainwright, Chairs, for the Committee on Finance:

**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

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REQUIREMENTS, AND CONCERNING THE INVESTMENT OF CERTAIN RETIREMENT AND EMPLOYEE BENEFIT FUNDS BY THE CITY OF FAYETTEVILLE, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 10.

**H.B. 831** (Committee Substitute), 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 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.

**S.B. 75** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A LIFE SCIENCES REVENUE BOND AUTHORITY, with a favorable report.

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

**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 AND THE PUBLIC OF THE PERMITTEE'S INTENT TO APPLY FOR MODIFICATION OF THE PERMIT, with a favorable report as to the House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 10. Senate Committee Substitute Bill No. 2 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. 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, 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.

**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, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 10. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Brubaker and Saunders, Chairs, for the Committee on Public Utilities:

**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, 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.

July 9, 2003

By Representatives Baker, Clary, Crawford, Earle, Grady, Owens, Sherrill, and Wright, Chairs, for the Committee on Appropriations:

**H.B. 1170** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE BENEFITS OF MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES RETIREMENT SYSTEM, 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  
July 8, 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. 152** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CHILD CARE FACILITIES TO DEVELOP AND MAINTAIN A SAFE SLEEP POLICY THAT INCLUDES REQUIRING CAREGIVERS TO PLACE CHILDREN ON THEIR BACK TO SLEEP TO REDUCE THE RISK OF SUDDEN INFANT DEATH SYNDROME (SIDS), AND TO REQUIRE CERTAIN AGENCIES AND THE MEDICAL COMMUNITY TO COOPERATE IN INVESTIGATING REPORTS OF CHILD ABUSE AND NEGLECT IN CHILD CARE FACILITIES.

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.

**SPECIAL MESSAGE FROM THE SENATE**

**2003 GENERAL ASSEMBLY  
FIRST SESSION**

July 9, 2003

Senate Chamber  
July 8, 2003

Mr. Speaker:

Pursuant to your message received on June 30, 2003, that the House of Representatives fails to concur in the Senate Committee Substitute to **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 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

July 9, 2003

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, and requests conferees, the President *Pro Tempore* appoints

Senator Soles, Chair  
Senator Hoyle  
Senator Rand  
Senator Berger

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  
July 8, 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. 907** (Conference Report), 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.

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.

July 9, 2003

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

Senate Chamber  
July 8, 2003

Mr. Speaker:

Pursuant to your message received on June 30, 2003, that the House of Representatives fails to concur in the Senate Committee Substitute to **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, and requests conferees, the President *Pro Tempore* appoints

Senator Clodfelter, Chair  
Senator Hagan  
Senator Dorsett  
Senator Thomas  
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*

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

Senate Chamber  
July 8, 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. 934**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A REGISTRATION FEE FOR THE AUTHORIZATION OF A PRIVATE FACILITY TO SERVE DWI OFFENDERS.

July 9, 2003

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

### CONFERENCE REPORT

Representative Gibson moves the adoption of the following Conference Report.

#### **House Committee Substitute for S.B. 824**

To: The President of the Senate  
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 824, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL 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, House Committee Substitute Favorable 6/17/03, submit the following report:

The Senate and the House of Representatives agree to the following amendment to the House Committee Substitute Favorable 6/17/03, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute Favorable 6/17/03 and substitute the attached Proposed Conference Committee Substitute S824-PCCS35338-RT-27.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: 8 July 2003.

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*Conferees for the  
Senate*

S/ Charles W. Albertson, Chair  
S/ Fletcher L. Hartsell, Jr.  
S/ R. C. Soles, Jr.

*Conferees for the  
House of Representatives*

S/ Pryor A. Gibson, Chair  
S/ Stephen A. LaRoque  
S/ Daniel F. McComas

The Conference Report, which changes the title, is adopted, by electronic vote (108-7), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

**CALENDAR**

Action is taken on the following:

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

**H.B. 685**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SUNSET HARBOR.

On motion of Representative Hill, the House concurs in the Senate amendment by electronic vote (114-0), and the bill is ordered enrolled.

Senate Committee Substitute No. 2 for **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.

On motion of Representative Crawford, the House concurs in the material Senate committee substitute bill, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled 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, 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, 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, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absence: Representative Cunningham.

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

**S.B. 679** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PUBLIC FINANCING LAWS OF THE STATE, 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, 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, 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, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 116.

Voting in the negative: None.

Excused absence: Representative Cunningham.

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**S.B. 408** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF EDEN TO NEGOTIATE ANNEXATION CONTRACTS, passes its third reading, by the following vote, and is ordered 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, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Decker, Dickson, Dockham, Earle, Eddins, Ellis, 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, 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, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absence: Representative Cunningham.

Representative Miller 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).

**S.B. 452** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY MUNICIPALITIES IN UNION COUNTY, 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, Bonner, Bordsen, 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, Howard, 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,

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Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absence: Representative Cunningham.

**H.B. 313** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND REVISE THE CHARTER OF THE CITY OF ROCKY MOUNT.

On motion of Representative Daughtridg and without objection, the bill is temporarily displaced.

**H.B. 736** (Committee Substitute), 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 AND TO AUTHORIZE THE CITY OF DURHAM TO ENTER INTO A JOINT AGREEMENT WITH A PRIVATE UNIVERSITY TO EXTEND THE JURISDICTION OF THE CAMPUS LAW ENFORCEMENT AGENCY OF THE PRIVATE UNIVERSITY INTO THE JURISDICTION OF THE CITY OF DURHAM.

Representative Ross requests that she be excused from voting on this bill, because she is an employee of Duke University and they receive a direct benefit under the bill, under Rule 24.1A and this request is granted.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Barnhart, Bell, Blust, Bonner, Bordsen, Bowie, Brubaker, Carney, Church, Clary, Coates, Cole, Crawford, Culpepper, Daughtry, Decker, Dickson, Dockham, Earle, England, Fox, Gibson, Glazier, Goforth, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Nesbitt, Nye, Owens, Preston, Rapp, Rhodes, Saunders, Sexton, Sherrill, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, A. Williams, C. Wilson, Womble, and Yongue - 82.

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Voting in the negative: Representatives Allred, Baker, Barbee, Blackwood, Capps, Creech, Culp, Eddins, Ellis, Frye, Gillespie, Gorman, Hilton, Lewis, McGee, McHenry, Moore, Pate, Ray, Rayfield, Sauls, Setzer, Starnes, Sutton, G. Wilson, and Wood - 26.

Excused absence: Representative Cunningham.

Excused vote: Representative Ross.

**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.

Representative Hill offers Amendment No. 1 which is adopted by electronic vote (114-0). This amendment changes the title.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, G. Allen, L. Allen, Allred, Baker, 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, 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, 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, Sexton, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: Representative McComas.

Excused absence: Representative Cunningham.

**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

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REINSTATEMENT REQUIREMENTS UNDER THE ACT, 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, 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, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gullely, 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, 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, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 110.

Voting in the negative: Representatives Allred, Baker, Creech, Moore, and Wood - 5.

Excused absence: Representative Cunningham.

**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.

Representative Luebke offers Amendment No. 1 which is adopted by electronic vote (115-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House amendment.

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Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, G. Allen, L. Allen, Barbee, Barnhart, Bell, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Ellis, England, Farmer-Butterfield, Fox, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gulley, Hackney, Haire, Hall, Harrell, Hill, Holliman, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lucas, Luebke, McAllister, McCombs, McLawhorn, Michaux, Miller, Miner, Mitchell, Munford, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 92.

Voting in the negative: Representatives Allred, Baker, Blackwood, Clary, Creech, Eddins, Frye, Gorman, Grady, Hilton, Holmes, Lewis, McGee, McHenry, Moore, Rayfield, Rhodes, Setzer, Starnes, West, and Wood - 21.

Excused absence: Representative Cunningham.

Representative McComas requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (93-21).

**S.B. 800** (House 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, 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, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, 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, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McGee, McHenry, McLawhorn, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Wright, and Yongue - 104.

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Voting in the negative: Representatives Baker, Capps, Creech, Goodwin, McCombs, Rayfield, Rhodes, Sutton, Womble, and Wood - 10.

Excused absences: Representatives Cunningham and West - 2.

Representative Ray states that her voting equipment malfunctioned and she requests to be recorded as voting "aye". This request is granted. Representative Creech requests and is granted permission to change his vote from "no" to "not voting". The adjusted vote total is (105-9).

**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, 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, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Grady, Gullely, Hackney, Haire, Hall, Harrell, Hill, Holliman, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McLawhorn, Michaux, Miller, Miner, Mitchell, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 102.

Voting in the negative: Representatives Allred, Baker, Capps, Creech, Gorman, Hilton, Lewis, McHenry, Moore, Rayfield, Rhodes, Setzer, and Wood - 13.

Excused absences: Representatives Cunningham and West - 2.

**H.B. 173** (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.

Representative Howard offers Amendment No. 1 which is adopted by electronic vote (98-11).

July 9, 2003

Representative Goodwin offers Amendment No. 2 which is adopted by electronic vote (106-2).

On motion of Speaker Black and without objection, the bill is temporarily displaced.

**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.

Representative Decker offers Amendment No. 2 which fails of adoption by electronic vote (33-80).

Representative Sutton offers Amendment No. 3 which is adopted by electronic vote (100-11).

Representative Decker offers Amendment No. 4 which fails of adoption by electronic vote (14-100).

Representative McComas requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (13-101).

The bill, as amended, passes its third reading, by electronic vote (112-0), and is ordered sent to the Senate for concurrence in the House amendment.

Representative Carney requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (113-0).

**H.B. 173** (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, which was temporarily displaced, is before the Body.

Representative Walend offers Amendment No. 3 which is adopted by electronic vote (113-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

July 9, 2003

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, Allred, Baker, Barnhart, Bell, Bonner, Bordsen, Bowie, Brubaker, Church, Cole, Crawford, Culpepper, Daughtride, Dickson, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Glazier, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Hunter, Insko, C. Johnson, L. Johnson, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McGee, McLawhorn, Michaux, Miner, Moore, Nye, Owens, Parmon, Pate, Rapp, Ross, Saunders, Setzer, Sherrill, Stiller, Sutton, Tolson, Wainwright, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Wright, and Yongue - 75.

Voting in the negative: Representatives L. Allen, Barbee, Blackwood, Blust, Capps, Carney, Clary, Coates, Creech, Culp, Daughtry, Decker, Dockham, Earle, Ellis, Gillespie, Goforth, Goodwin, Jeffus, Jones, McCombs, McHenry, Miller, Mitchell, Munford, Nesbitt, Preston, Ray, Rayfield, Rhodes, Sauls, Sexton, Stam, Starnes, Walend, Walker, Warner, Womble, and Wood - 39.

Excused absences: Representatives Cunningham and West - 2.

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

On motion of Representative Daughtride and without objection, **H.B. 313** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND REVISE THE CHARTER OF THE CITY OF ROCKY MOUNT, which was temporarily displaced, is withdrawn from the Calendar and placed on the Calendar of July 10.

#### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **H.B. 1170** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE BENEFITS OF MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES RETIREMENT SYSTEM, is placed on today's Calendar for immediate consideration.

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.

July 9, 2003

**CALENDAR (continued)**

**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.

Representative Allred offers Amendment No. 3 which is adopted by electronic vote (98-14).

Representative Ellis offers Amendment No. 4 which is adopted by electronic vote (107-5).

The bill, as amended, passes its second reading, by electronic vote (105-9), and there being no objection is read a third time.

The bill, as amended, passes its third reading, by electronic vote (76-38), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill.

**S.B. 963** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT SELLERS FROM CHARGING EXCESSIVE PRICES ON THEIR MERCHANDISE AND SERVICES DURING DECLARED STATES OF DISASTER.

Representative McLawhorn offers Amendment No. 1 which is adopted by electronic vote (108-1).

The bill, as amended, passes its second reading, by electronic vote (114-1), 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.

**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:

July 9, 2003

**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, 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 Baker, Clary, Crawford, Earle, Grady, Owens, Sherrill, and Wright, Chairs, for the Committee on Appropriations:

**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 as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of July 10. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Culpepper, seconded by Representative Owens, the House adjourns at 4:34 p.m. to reconvene July 10 at 10:30 a.m.

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## NINETY-FIFTH DAY

HOUSE OF REPRESENTATIVES  
Thursday, July 10, 2003

The House meets at 10:30 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:

July 10, 2003

"God of wise choices:

"Despite what the editorialists write, in the waning days of this Legislative Session chaplains do continue to pray for wisdom in the remaining decisions of this House and the ones that come from across the way. In a very short time, great good for our State can be done by this Body, as can great harm. Thus our prayer continues for insight, wisdom and justice as remaining votes are taken. And restoring God, in the days of a weekend ahead give to those who are tired of body, a time of rest, to those tired of mind, a time of peace, and to those tired of spirit, a time of blessed renewal. Surround those who travel with your safety.

"In Your wise and wonderful name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 9 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barbee, Capps, Cunningham, Dockham, Holmes, McCombs, McMahan, Rhodes, West, and C. Wilson for today. Representatives Brubaker, Wainwright, and Wood are excused for a portion of the session.

#### **ENROLLED BILLS**

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

**S.B. 119**, 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.

**S.B. 592**, 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.

July 10, 2003

**S.B. 824**, AN ACT TO AMEND VARIOUS LAWS RELATED TO THE ENVIRONMENT, ENVIRONMENTAL HEALTH, AND NATURAL RESOURCES TO: (1) MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS; (2) AMEND THE REPORTING REQUIREMENT SET OUT IN S.L. 2001-442; (3) CLARIFY WHAT CONSTITUTES A BASE OF OPERATIONS FOR MOBILE FOOD UNITS AND PUSHCARTS; (4) INCREASE THE MEMBERSHIP OF THE ENVIRONMENTAL REVIEW COMMISSION BY TWO; (5) EXTEND BY ONE YEAR THE TIME THAT TEMPORARY RULES TO PROTECT WATER QUALITY AND RIPARIAN BUFFERS IN CERTAIN RIVER BASINS WILL REMAIN IN EFFECT; (6) EXTEND BY TWO YEARS THE PILOT PROGRAM FOR INSPECTION OF ANIMAL WASTE MANAGEMENT SYSTEMS INITIALLY ESTABLISHED BY SECTION 15.4 OF S.L. 1997-443; AND (7) 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.

**S.B. 919**, AN ACT TO ENHANCE THE SAFETY OF VICTIMS IN SERIOUS DOMESTIC VIOLENCE CASES.

**S.B. 939**, AN ACT TO EXTEND THE SURCHARGE FOR THE TELECOMMUNICATIONS RELAY SERVICE TO INCLUDE WIRELESS COMMUNICATIONS.

**H.B. 47**, AN ACT ADOPTING THE CAROLINA LILY AS THE OFFICIAL WILDFLOWER OF NORTH CAROLINA.

**H.B. 152**, AN ACT TO REQUIRE CHILD CARE FACILITIES TO DEVELOP AND MAINTAIN A SAFE SLEEP POLICY THAT INCLUDES REQUIRING CAREGIVERS TO PLACE CHILDREN ON THEIR BACK TO SLEEP TO REDUCE THE RISK OF SUDDEN INFANT DEATH SYNDROME (SIDS), AND TO REQUIRE CERTAIN AGENCIES AND THE MEDICAL COMMUNITY TO COOPERATE IN INVESTIGATING REPORTS OF CHILD ABUSE AND NEGLECT IN CHILD CARE FACILITIES.

**H.B. 743**, AN ACT TO ESTABLISH A NURSE TESTIMONIAL PRIVILEGE.

July 10, 2003

**H.B. 907**, 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.

**H.B. 948**, 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.

**H.B. 1074**, 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; TO AMEND THE LEGISLATION IN OTHER NEEDED WAYS; AND TO CORRECT THE BOUNDARY BETWEEN THE NASH-ROCKY MOUNT SCHOOL ADMINISTRATIVE UNIT AND THE EDGEcombe COUNTY PUBLIC SCHOOL SYSTEM.

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

**S.B. 408**, AN ACT TO ALLOW THE CITY OF EDEN TO NEGOTIATE ANNEXATION CONTRACTS.

**H.B. 685**, AN ACT TO INCORPORATE THE TOWN OF SUNSET HARBOR.

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

The following reports from standing committee and permanent subcommittee 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:

July 10, 2003

**S.B. 701**, A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY CERTAIN PUBLIC SCHOOL PROFESSIONAL PERSONNEL, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill and recommendation that the House committee substitute bill be re-referred to the Committee on Pensions and Retirement.

The House committee substitute bill is re-referred to the Committee on Pensions and Retirement. The original bill is placed on the Unfavorable Calendar.

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

**S.B. 819**, A BILL TO BE ENTITLED AN ACT REGARDING THE USE OF STATE-OWNED PROPERTY IN THE BLOUNT STREET HISTORIC DISTRICT, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the original bill.

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

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

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

By Representative Culpepper:

**H.J.R. 1335**, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 2003 GENERAL ASSEMBLY TO MEET IN 2004 AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION.

Pursuant to Rule 32(a), Speaker Morgan places the resolution on today's Calendar.

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

#### **2003 GENERAL ASSEMBLY FIRST SESSION**

July 10, 2003

Senate Chamber  
July 9, 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. 824** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS LAWS RELATED TO THE ENVIRONMENT, ENVIRONMENTAL HEALTH, AND NATURAL RESOURCES TO: (1) MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS; (2) AMEND THE REPORTING REQUIREMENT SET OUT IN S.L. 2001-442; (3) CLARIFY WHAT CONSTITUTES A BASE OF OPERATIONS FOR MOBILE FOOD UNITS AND PUSHCARTS; (4) INCREASE THE MEMBERSHIP OF THE ENVIRONMENTAL REVIEW COMMISSION BY TWO; (5) EXTEND BY ONE YEAR THE TIME THAT TEMPORARY RULES TO PROTECT WATER QUALITY AND RIPARIAN BUFFERS IN CERTAIN RIVER BASINS WILL REMAIN IN EFFECT; (6) EXTEND BY TWO YEARS THE PILOT PROGRAM FOR INSPECTION OF ANIMAL WASTE MANAGEMENT SYSTEMS INITIALLY ESTABLISHED BY SECTION 15.4 OF S.L. 1997-443; AND (7) 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.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered the bill enrolled.

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

**SPECIAL MESSAGE FROM THE SENATE**

**2003 GENERAL ASSEMBLY  
FIRST SESSION**

Senate Chamber  
July 9, 2003

July 10, 2003

Mr. Speaker:

Pursuant to the message from the Senate on July 8, 2003, informing the House of Representatives that the Senate failed to concur in the House Committee Substitute to **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, it is ordered that a message be sent your Honorable Body with the information that the Senate requests conferees. The President *Pro Tempore* appoints:

Senator Kerr, Chair  
Senator Dalton  
Senator Metcalf  
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*

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

The following Special Messages are received from the Senate:

Senate Committee Substitute for **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, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 14.

Upon concurrence, the Senate committee substitute bill changes the title.

**S.B. 672** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE QUALITY AND ACCOUNTABILITY OF THE PUBLIC HEALTH SYSTEM BY STRENGTHENING THE PUBLIC

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HEALTH INFRASTRUCTURE, TO IMPROVE PUBLIC HEALTH OUTCOMES AND REDUCE HEALTH DISPARITIES BY THE DEVELOPMENT AND IMPLEMENTATION OF A STATE PLAN FOR PUBLIC HEALTH SERVICES, AND TO IMPROVE THE PUBLIC HEALTH WORKFORCE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

#### MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 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, 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. 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

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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 SPECIALTIES, AND TO PROVIDE THAT STATEMENTS CONTAINED IN MEDICAL OR SCIENTIFIC LITERATURE SHALL BE COMPETENT EVIDENCE IN PROCEEDINGS HELD BEFORE THE 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 of July 14.

Upon concurrence, the Senate committee substitute bill changes the title.

**H.B. 1194** (Senate 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, is returned for concurrence in the Senate committee substitute bill 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.B. 182**, A BILL TO BE ENTITLED AN ACT TO NAME THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY.

On motion of Representative L. Allen, the House concurs in the Senate committee substitute bill, which changes the title, and the bill is ordered enrolled.

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

**H.R. 1334** (Committee Substitute), A HOUSE RESOLUTION HONORING THE CITIES OF WILSON AND LAURINBURG ON BEING NAMED 2003 ALL-AMERICA CITIES.

Representative Farmer-Butterfield offers Amendment No. 1 which is adopted by electronic vote (104-0).

Representative Bonner requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (105-0).

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The resolution, as amended, is adopted by electronic vote (109-0) and ordered engrossed and printed.

### CONFEREES APPOINTED

Speaker Morgan appoints the following conferees on **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: Representative Miner, Chair; Representatives McComas, Sutton, and G. Allen.

The Senate is so notified by Special Message.

### CALENDAR (continued)

**H.B. 736** (Committee Substitute), 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 AND TO AUTHORIZE THE CITY OF DURHAM TO ENTER INTO A JOINT AGREEMENT WITH A PRIVATE UNIVERSITY TO EXTEND THE JURISDICTION OF THE CAMPUS LAW ENFORCEMENT AGENCY OF THE PRIVATE UNIVERSITY INTO THE JURISDICTION OF THE CITY OF DURHAM.

Pursuant to Rule 24.1A(c), the request that Representative Ross be excused from voting on July 9 is continued.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Barnhart, Bell, Bonner, Bordsen, Bowie, Carney, Church, Clary, Coates, Cole, Crawford, Culpepper, Daughtride, Daughtry, Dickson, Earle, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth, Goodwin, Grady, Gulley, Hackney, Haire, Harrell, Hill, Holliman, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lucas, Luebke, McAllister, McComas, McLawhorn, Michaux, Miller, Miner, Mitchell, Nesbitt, Nye, Owens, Parmon, Preston, Rapp, Sauls, Saunders, Sexton,

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Sherrill, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, A. Williams, K. Williams, Womble, Wright, and Yongue - 79.

Voting in the negative: Representatives Allred, Baker, Blackwood, Blust, Creech, Culp, Decker, Eddins, Ellis, Frye, Gillespie, Gorman, Hall, Hilton, Lewis, McHenry, Moore, Pate, Ray, Rayfield, Setzer, Stam, Starnes, Sutton, G. Wilson, and Wood - 26.

Excused absences: Representatives Barbee, Brubaker, Capps, Cunningham, Dockham, Holmes, McCombs, McMahan, Rhodes, West, and C. Wilson - 11.

Excused vote: Representative Ross.

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

On motion of Speaker Morgan and without objection, **H.B. 757**, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF OAK ISLAND, is withdrawn from the Calendar and placed on the Calendar of July 15.

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

**H.B. 313** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND REVISE THE CHARTER OF THE CITY OF ROCKY MOUNT, 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, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, 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, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McHenry, McLawhorn, Michaux, Miller, Miner, Mitchell, Moore, Munford, 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, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: None.

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Excused absences: Representatives Barbee, Brubaker, Capps, Cunningham, Dockham, Holmes, McCombs, McMahan, Rhodes, West, and C. Wilson - 11.

**H.B. 173** (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, 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, G. Allen, Allred, Baker, Bell, Bonner, Bowie, Cole, Culp, Culpepper, Daughtridge, Dickson, Eddins, England, Fox, Frye, Gibson, Glazier, Goforth, Gorman, Grady, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Hunter, C. Johnson, L. Johnson, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McGee, Miner, Moore, Nye, Owens, Parmon, Pate, Rapp, Ray, Setzer, Sherrill, Stiller, Tolson, Wainwright, Walker, A. Williams, K. Williams, G. Wilson, Wright, and Yongue - 64.

Voting in the negative: Representatives B. Allen, L. Allen, Blackwood, Blust, Bordsen, Carney, Clary, Coates, Crawford, Creech, Daughtry, Decker, Earle, Ellis, Farmer-Butterfield, Gillespie, Goodwin, Gulley, Insko, Jeffus, Jones, McHenry, McLawhorn, Miller, Mitchell, Munford, Nesbitt, Preston, Rayfield, Ross, Sexton, Stam, Starnes, Sutton, Walend, Warner, Warren, Weiss, Womble, and Wood - 40.

Excused absences: Representatives Barbee, Brubaker, Capps, Cunningham, Dockham, Holmes, McCombs, McMahan, Rhodes, West, and C. Wilson - 11.

Representative Adams requests and is granted permission to change her vote from "aye" to "no". The adjusted vote total is (63-41).

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

The following Special Messages are received from the Senate:

Senate Committee Substitute for **H.B. 1294** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE QUALIFIED BUSINESS INVESTMENTS TAX CREDIT, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Finance.

July 10, 2003

Upon concurrence, the Senate committee substitute bill changes the title.

**S.J.R. 608** (Committee Substitute), A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF TIMOTHY REESE MCLAURIN, is read the first time.

Pursuant to Rule 32(a), the resolution is placed on the Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

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

On motion of Representative Miller and without objection, **H.B. 1256** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DIRECT THE SECRETARY OF HEALTH AND HUMAN SERVICES TO ESTABLISH A DNA DATABANK FOR THE VOLUNTARY SUBMISSION BY INDIVIDUALS OF DNA SAMPLES LINKED WITH THE INDIVIDUAL'S MEDICAL RECORD, is withdrawn from the Calendar and placed on the Calendar of July 14.

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

**S.B. 679** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PUBLIC FINANCING LAWS OF THE STATE.

Representative G. Allen offers Amendment No. 1 which is adopted by electronic vote (106-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Carney, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox,

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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, McGee, McHenry, McLawhorn, Michaux, Miller, Miner, Mitchell, Moore, Munford, 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, A. Williams, K. Williams, G. Wilson, Womble, Wood, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Barbee, Brubaker, Capps, Cunningham, Dockham, Holmes, McCombs, McMahan, Rhodes, West, and C. Wilson - 11.

**S.B. 668** (House Committee Substitute No. 2), 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.

On motion of Speaker Morgan, debate is stopped and the House recesses at 12:04 p.m.

### RECESS

The House reconvenes pursuant to recess and is called to order by Speaker Morgan.

### SPECIAL MESSAGE FROM THE SENATE

#### 2003 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber  
July 10, 2003

Mr. Speaker:

Pursuant to your message received on June 25, 2003, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 147**

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(Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT LEFT TURNS ON RED IN CERTAIN SITUATIONS, and requests conferees, the President *Pro Tempore* appoints

Senator Gulley, Chair  
Senator Dalton  
Senator Dorsett  
Senator Malone  
Senator Brock  
Senator Kinnaird

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  
July 10, 2003

Mr. Speaker:

Pursuant to your message received on July 8, 2003, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 1062** (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, and requests conferees, the President *Pro Tempore* appoints:

Senator Hartsell, Chair  
Senator Albertson  
Senator Jenkins

July 10, 2003

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

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

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

The following reports from standing committees are presented:

By Representatives Baker, Clary, Crawford, Earle, Grady, Owens, Sherrill, and Wright, Chairs, for the Committee on Appropriations:

**H.B. 543** (Committee Substitute), 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.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 14.

**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 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 of July 14. 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. 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, with a favorable report.

July 10, 2003

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

**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 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. 676** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE BANKING 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.

By Representatives Decker and Pate, Chairs, for the Committee on Ways and Means:

**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, 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.

**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, with a

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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.

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

**S.B. 668** (House Committee Substitute No. 2), 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 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, B. Allen, G. Allen, L. Allen, Allred, Baker, Bell, Blackwood, Bonner, Bordsen, Bowie, Carney, Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtry, Decker, Dickson, Earle, Ellis, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Holliman, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McGee, Michaux, Miller, Miner, Mitchell, Munford, Nesbitt, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Ross, Saunders, Setzer, Sexton, Sherrill, Stiller, Sutton, Tolson, Wainwright, Walend, Warner, Warren, Weiss, A. Williams, K. Williams, G. Wilson, Womble, Wright, and Yongue - 91.

Voting in the negative: Representatives Barnhart, Blust, Creech, Eddins, Frye, Gillespie, McHenry, McLawhorn, Moore, Nye, Sauls, Stam, Starnes, Walker, and Wood - 15.

Excused absences: Representatives Barbee, Brubaker, Capps, Cunningham, Dockham, Hilton, Holmes, McCombs, McMahan, Rhodes, West, and C. Wilson - 12.

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**S.B. 945** (House Committee Substitute), 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 AND THE PUBLIC OF THE PERMITTEE'S INTENT TO APPLY FOR MODIFICATION OF THE PERMIT, 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, Carney, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Decker, Dickson, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Holliman, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McGee, McHenry, McLawhorn, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Starnes, Stillier, Sutton, Tolson, Wainwright, Walend, Walker, Warren, Weiss, A. Williams, K. Williams, G. Wilson, Womble, Wright, and Yongue - 101.

Voting in the negative: Representatives Setzer and Warner - 2.

Excused absences: Representatives Barbee, Brubaker, Capps, Cunningham, Dockham, Hilton, Holmes, McCombs, McMahan, Rhodes, West, C. Wilson, and Wood - 13.

**H.B. 932** (Committee Substitute), 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, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

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

**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 Miller offers Amendment No. 1 which is adopted by electronic vote (99-4).

The bill, as amended, passes its second reading, by electronic vote (104-0).

Representative Michaux objects to the third reading. The bill remains on the 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, 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 by Special Message.

**H.J.R. 1335**, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 2003 GENERAL ASSEMBLY TO MEET IN 2004 AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, passes its second reading, by electronic vote (102-1), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

#### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **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

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MUNICIPALITIES LOCATED PRIMARILY OUTSIDE THE COUNTY, is withdrawn from the Committee on Local Government I and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **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 withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, seconded by Representative G. Wilson, the House adjourns at 1:17 p.m. to reconvene Monday, July 14, 2003, at 6:00 p.m.

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## NINETY-SIXTH DAY

HOUSE OF REPRESENTATIVES  
Monday, July 14, 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:

"Empowering God:

"We gather today in these sunset days of this Legislative Session with work remaining to be done. You have called these leaders to serve You here as well as in their home districts, and You have showered them with the gifts they need for service. Give to each Representative in these last days the same energy, imagination, intelligence and love for justice that was prayed for at sunrise, in opening days. As the remaining legislation to be considered is brought before this Body, may it be debated and voted on with forethought and concern for all the people of our State. Bless Speaker Black and Speaker Morgan with continued wisdom in their leadership.

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"And especially tonight, O God, we remember Ann Jordan, whose step-mother was buried today, and Representative Ellis' wife, who had surgery today. Be their comfort and strength.

"In Your endowing 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 July 10 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Capps, Clary, Cunningham, Dockham, McAllister, McMahan, and Miner for today. Representatives Alexander, Ellis, LaRoque, and Nesbitt are excused for a portion of the session.

### ENROLLED BILLS

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

**S.B. 716**, AN ACT TO REPEAL THE UNIFORM ARBITRATION ACT AND TO ENACT THE REVISED UNIFORM ARBITRATION ACT.

**S.B. 925**, 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.

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

**H.B. 182**, 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.

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. 608**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF TIMOTHY REESE MCLAURIN. (RESOLUTION 2003-23)

### CHAPTERED BILLS

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

**H.B. 1140**, 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. (S.L. 2003-310)

**H.B. 1023**, AN ACT TO ALLOW INTERPOLICY STACKING OF UNINSURED MOTORIST COVERAGE, TO AMEND THE DEFINITION OF UNDERINSURED HIGHWAY VEHICLE, AND TO CLARIFY THE AMOUNT OF UNDERINSURED LIABILITY COVERAGE AVAILABLE WHEN MULTIPLE PARTIES ARE INJURED IN MOTOR VEHICLE ACCIDENTS. (S.L. 2003-311)

**H.B. 1070**, AN ACT TO INCREASE THE EXPENDITURE BENCHMARK FOR A SPECIAL RESPONSIBILITY CONSTITUENT INSTITUTION FOR CERTAIN PURCHASING CONTRACTS. (S.L. 2003-312)

**H.B. 826**, AN ACT TO AMEND THE CONFIDENTIALITY PROVISIONS OF CHAPTER 122C OF THE GENERAL STATUTES TO PERMIT IMPLEMENTATION OF MENTAL HEALTH SYSTEM REFORM. (S.L. 2003-313)

**H.B. 684**, AN ACT TO PROVIDE FOR FINANCING THE CONSTRUCTION OF A NEW PSYCHIATRIC HOSPITAL TO BE LOCATED IN BUTNER. (S.L. 2003-314)

**S.B. 840**, AN ACT TO ADOPT FOLKMOOT USA AS NORTH CAROLINA'S OFFICIAL INTERNATIONAL FESTIVAL. (S.L. 2003-315)

**S.B. 408**, AN ACT TO ALLOW THE CITY OF EDEN TO NEGOTIATE ANNEXATION CONTRACTS. (S.L. 2003-316)

**H.B. 685**, AN ACT TO INCORPORATE THE TOWN OF SUNSET HARBOR. (S.L. 2003-317)

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**INTRODUCTION OF BILLS AND RESOLUTIONS**

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

By Representative Culpepper:

**H.R. 1336**, A HOUSE RESOLUTION TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Allred, Baker, Brubaker, Clary, Dockham, Ellis, Gorman, L. Johnson, Walker, and C. Wilson:

**H.R. 1337**, A HOUSE RESOLUTION URGING CONGRESS TO ELIMINATE UNFAIR TAX ADVANTAGES FOR CONGRESSIONAL CAMPAIGN COMMITTEES, is referred to the Committee on Rules, Calendar, and Operations of the House.

**SPECIAL MESSAGES FROM THE SENATE**

The following Special Messages are received from the Senate:

Senate Committee Substitute for **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, 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 No. 3 for **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 returned for concurrence in Senate Committee Substitute Bill No. 3.

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. 999** (Senate Committee Substitute), 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 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. 1006** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT GREATER CONSUMER PROTECTION TO RESIDENTS OF MANUFACTURED HOUSING IN 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.

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.

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

The following report from standing committee is presented:

By Representatives G. Allen, Howard, Luebke, McComas, and Wainwright, Chairs, for 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, 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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**CALENDAR**

Action is taken on the following:

Senate Committee Substitute for **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 SPECIALTIES, AND TO PROVIDE THAT STATEMENTS CONTAINED IN MEDICAL OR SCIENTIFIC LITERATURE SHALL BE COMPETENT EVIDENCE IN PROCEEDINGS HELD BEFORE THE BOARD.

On motion of Representative Howard and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 15.

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

Senate Committee Substitute for **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.

On motion of Representative Gibson, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (103-0), and the bill is ordered enrolled and presented to the Governor.

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**H.B. 313** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND REVISE THE CHARTER OF THE CITY OF ROCKY MOUNT, 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 Morgan; Representatives Adams, B. Allen, G. Allen, L. Allen, Allred, Baker, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Hill, Hilton, Holliman, Holmes, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McComas, McCombs, McGee, McHenry, McLawhorn, 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, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, and Yongue - 103.

Voting in the negative: None.

Excused absences: Representatives Alexander, Capps, Clary, Cunningham, Dockham, McAllister, McMahan, Miner, Nesbitt, and Wright - 10.

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

**S.B. 357** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW MAYLAND COMMUNITY COLLEGE TO LEASE OR SELL AT PRIVATE SALE TWO PROPERTIES AND TO CLARIFY THAT THE CITY OF ROANOKE RAPIDS MAY ORDER OWNERS OF RESIDENTIAL PROPERTY TO REPAIR RATHER THAN VACATE HOUSING TO MEET MINIMUM CODE STANDARDS, 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 by Special Message.

**S.B. 668** (House Committee Substitute No. 2), 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

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COLLECTING THE TAXES DUE ON WINE SHIPPED TO NORTH CAROLINA, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, B. Allen, G. Allen, L. Allen, Allred, Baker, Blackwood, Blust, Bonner, Bordsen, Bowie, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Earle, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Hill, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McComas, McCombs, McGee, Michaux, Mitchell, Munford, Owens, Parmon, Pate, Preston, Rapp, Ray, Ross, Saunders, Setzer, Sexton, Sherrill, Stiller, Sutton, Tolson, Wainwright, Walend, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, and Yongue - 87.

Voting in the negative: Representatives Barnhart, Brubaker, Creech, Eddins, Frye, Gillespie, Hilton, McHenry, McLawhorn, Miller, Moore, Nye, Rayfield, Rhodes, Sauls, Stam, and Starnes - 17.

Excused absences: Representatives Alexander, Capps, Clary, Cunningham, Dockham, Ellis, McAllister, McMahan, Miner, Nesbitt, and Wright - 11.

**S.B. 945** (House Committee Substitute), 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 AND THE PUBLIC OF THE PERMITTEE'S INTENT TO APPLY FOR MODIFICATION OF THE PERMIT, 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 Adams, B. Allen, G. Allen, L. Allen, Allred, Baker, Barnhart, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, Hill, Hilton, Holliman, Holmes, Howard, Hunter,

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Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McComas, McCombs, McGee, McHenry, McLawhorn, 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, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 105.

Voting in the negative: Representative Justice.

Excused absences: Representatives Alexander, Capps, Clary, Cunningham, Dockham, Ellis, McAllister, McMahan, Miner, Nesbitt, and Wright - 11.

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

**H.B. 831** (Committee Substitute No. 2), 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.

On motion of Speaker Morgan, pursuant to Rule 38(a), the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

**H.B. 1256** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DIRECT THE SECRETARY OF HEALTH AND HUMAN SERVICES TO ESTABLISH A DNA DATABANK FOR THE VOLUNTARY SUBMISSION BY INDIVIDUALS OF DNA SAMPLES LINKED WITH THE INDIVIDUAL'S MEDICAL RECORD.

Representative Walend offers Amendment No. 1 which is adopted by electronic vote (107-0).

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, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Carney, Church, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Gulley, Hackney,

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Haire, Hall, Hill, Hilton, Holliman, Holmes, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Kiser, LaRoque, Lewis, Lucas, Luebke, McComas, McCombs, McGee, McHenry, McLawhorn, Michaux, Miller, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, and Yongue - 102.

Voting in the negative: Representatives Brubaker, Grady, Howard, Justus, Parmon, Sherrill, and Wood - 7.

Excused absences: Representatives Capps, Clary, Cunningham, Dockham, Ellis, McAllister, McMahan, Miner, and Wright - 9.

**S.B. 705** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, 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, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Carney, Church, Coates, Cole, Crawford, Culp, Culpepper, Daughtride, Daughtry, Dickson, Earle, Eddins, England, Farmer-Butterfield, Fox, Gibson, Gillespie, Glazier, Goforth, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, McComas, McCombs, McGee, McHenry, McLawhorn, Michaux, Miller, Mitchell, Moore, Munford, 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, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 101.

Voting in the negative: Representatives Allred, Creech, Decker, Frye, Gorman, Hilton, Rhodes, and West - 8.

Excused absences: Representatives Capps, Clary, Cunningham, Dockham, Ellis, McAllister, McMahan, Miner, and Wright - 9.

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**H.B. 543** (Committee Substitute), 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, 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.

#### INTRODUCTION OF PAGES

Pages for the week of July 14 are introduced to the membership. They are: James Beckner, III, of Haywood; Ashley Campbell of Montgomery; Ryan Cash of Mecklenburg; Matthew Crutchfield of Wake; Ashley Deane of Wake; Stephen Gourley of Wayne; Clark Grew of Wake; Mimi Hill of Buncombe; Christian Fincannon of New Hanover; Holly Furr of Stanly; Emily Fusco of Buncombe; Jonathan Harris of Wake; Joseph Hurdle of Gates; Kristen Ketchie of Rowan; John Krebsler of Wilkes; Leslie McGhee of Wake; Nick Miller of Mecklenburg; Tina Morrison of Wake; Paul Nataraja of Wayne; Sarah Neunzig of Gaston; Bryan Nicholls of Beaufort; Erin Parker of Johnston; Jordan Pittman of Brunswick; James Purvis of Wake; Angela Reavis of Franklin; Cameron Tinkham of Gates; Julie Tinney of New Hanover; Morgan Surles of Harnett; Camille Webster of Orange; Philip Womble of Wake; Sarah Seiling of Gates; RaJhai Wilson of Gates; and William Windley of Gaston.

#### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **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 withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Appropriations.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **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

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ECONOMIC DEVELOPMENT PROJECTS, 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. 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 withdrawn from the Committee on Alcoholic Beverage Control and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Culpepper moves, seconded by Representative L. Johnson, that the House adjourn, subject to the receipt of Messages from the Senate, the receipt of Conference Reports, and the referral of bills to committee, to reconvene July 15 at 2:00 p.m.

The motion carries.

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

The following Special Message is received from the Senate:

**S.B. 168** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF ECONOMIC DEVELOPMENT AND TRAINING DISTRICTS, is read the first time and referred to the Committee on Finance.

#### **CONFERENCE REPORT**

Representative McLawhorn sends forth the Conference Report on **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. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 15.

The House stands adjourned at 7:45 p.m.

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**NINETY-SEVENTH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, July 15, 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:

"Complex God:

"Despite all our attempts we cannot tie You down, or capture You, or even completely know You. We most often act as if You wound up the universe and left us alone and in charge, forgetting that all we do is under Your watchful eye. As the hearing before Rules earlier in the day has shown, many good people on all sides of issues, even of life and death, struggle with just decisions and with Your will for the ordering of human society. We pray that the work that has been done in this place and that will be done in these last days is pleasing to You and in some small way expresses our part in tending and keeping Your just kingdom. Bless our Speakers and these Representatives. Give them a depth of vision that they may see the far-reaching effects of their remaining decisions. May our State be a better place for their work.

"In Your innumerable names we pray. Amen."

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

Leaves of absence are granted Representatives Adams, Capps, Cunningham, and Sutton for today.

**ENROLLED BILLS**

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

**S.B. 236**, 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

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YEARS THE DEPARTMENT OF REVENUE'S AUTHORITY TO OUT-SOURCE THE COLLECTION OF IN-STATE TAX DEBTS, TO AMEND THE MOTOR FUEL TAX LAWS, AND TO MAKE VARIOUS ADMINISTRATIVE CHANGES IN THE TAX LAWS.

**S.B. 655**, 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.

**S.B. 800**, 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 BODY-WORK THERAPY LAWS.

**S.B. 993**, 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.

**H.B. 497**, 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.

**H.B. 897**, AN ACT TO IMPROVE THE SOLVENCY OF THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND AND THE NONCOMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND BY TEMPORARILY REQUIRING THAT CLEANUPS PROCEED ONLY AFTER PREAPPROVAL BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES PURSUANT TO A SCHEDULE BASED ON THE DEGREE OF RISK TO HUMAN HEALTH AND THE

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ENVIRONMENT AND OTHER FACTORS; TO PROVIDE THAT PAYMENT OR REIMBURSEMENT FROM THE COMMERCIAL FUND AND NONCOMMERCIAL FUND BE LIMITED TO THAT NECESSARY TO ACHIEVE THE MOST COST-EFFECTIVE CLEANUP; TO PROVIDE FOR THE IMPLEMENTATION OF PERFORMANCE-BASED CLEANUPS; TO MINIMIZE FUTURE DISCHARGES AND RELEASES BY AUTHORIZING THE ADOPTION OF RULES TO REQUIRE THE USE OF SECONDARY CONTAINMENT FOR PETROLEUM UNDERGROUND STORAGE TANK SYSTEMS; 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 TO REDUCE COSTS; TO PROVIDE THAT A MIXED PLUME OF CONTAMINATION THAT RESULTS FROM RELEASES OF PETROLEUM FROM BOTH AN UNDERGROUND STORAGE TANK AND AN ABOVEGROUND STORAGE TANK OR OTHER SOURCE MAY BE CLEANED UP UNDER THE RISK-BASED CLEANUP RULES APPLICABLE TO RELEASES FROM PETROLEUM UNDERGROUND STORAGE TANKS; AND TO AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY ISSUES RELATED TO THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP PROGRAM IN ORDER TO PROTECT PROPERTY VALUES, ENSURE TIMELY REIMBURSEMENT OF PERSONS WHO ENGAGE IN CLEANUPS, AND PROTECT GROUNDWATER.

**H.B. 1170**, AN ACT TO ENHANCE THE BENEFITS OF MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES RETIREMENT SYSTEM.

#### CHAPTERED BILLS

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

**H.B. 182**, 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. (S.L. 2003-318)

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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:

Senate Committee Substitute for **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, with recommendation that the House do not concur and request conferees.

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

**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, 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. 1323**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN INCREASE IN FEES FOR CAMA PERMITS, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of July 16. The original bill is placed on the Unfavorable 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

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TO ACQUIRE PROPERTY FOR USE BY THEIR LOCAL BOARDS OF EDUCATION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 16.

**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, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 16.

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

#### **2003 GENERAL ASSEMBLY FIRST SESSION**

Senate Chamber  
July 14, 2003

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that Senator Hartsell has been added as a conferee and Chair on **H.B. 147** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT LEFT TURNS ON RED IN CERTAIN SITUATIONS. Senator Gulley remains as a member of the Committee.

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

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

The following Special Messages are received from the Senate:

Senate Committee Substitute for **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 returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 16.

Upon concurrence, the Senate committee substitute bill changes the title.

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**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, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 16.

### CONFERENCE REPORT

Representative McLawhorn moves the adoption of the following Conference Report.

#### Senate Committee Substitute for H.B. 1062

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 1062, 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, Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 6/24/03, submit the following report:

The House of Representatives and the Senate agree to the following amendments to the Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 6/24/03 and the House of Representatives concurs in the Senate Agriculture/Environment/Natural Resources Committee Substitute as amended:

On page 1, lines 5 through 7, by rewriting those lines to read:

"SUPPLY PLANS, TO PROVIDE THAT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SHALL ESTABLISH A DROUGHT MANAGEMENT ADVISORY COUNCIL, AND TO AUTHORIZE THE COUNCIL TO ISSUE DROUGHT ADVISORIES."

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and on page 2, line 12,  
by rewriting that line to read:

**"§ 143-355.1. Drought Management Advisory Council; drought advisories."**

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: 14 July 2003.

*Conferees for the  
Senate*

S/ Fletcher L. Hartsell, Chair  
S/ Charles W. Albertson  
S/ Clark Jenkins

*Conferees for the  
House of Representatives*

S/ Marian N. McLawhorn  
S/ Carolyn H. Justice  
S/ Pryor A. Gibson

The Conference Report, which changes the title, is adopted, by electronic vote (112-1) and the Senate is so notified by Special Message.

### CALENDAR

Action is taken on the following:

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

Senate Committee Substitute for **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.

On motion of Representative Fox, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (114-0), 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. 1006** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT GREATER CONSUMER PROTECTION TO RESIDENTS OF MANUFACTURED HOUSING IN NORTH CAROLINA.

On motion of Representative Barnhart, 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.

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Those voting in the affirmative are: Speaker Morgan; Representatives Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Carney, 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, Miner, 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, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Adams, Capps, Cunningham, and Sutton - 4.

Senate Committee Substitute No. 3 for **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.

On motion of Representative Hill, 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.

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

**H.B. 999** (Senate Committee Substitute), 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.

On motion of Representative Hackney, the House concurs in the Senate committee substitute bill, by electronic vote (80-32), and the bill is ordered enrolled and presented to the Governor.

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**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 Michaux offers Amendment No. 2 which is adopted by electronic vote (113-0).

Representative Goodwin offers Amendment No. 3 which is adopted by electronic vote (112-0).

The bill, as amended, passes its third reading, by electronic vote (106-6), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

### CONFERENCE REPORTS

Representative Warner sends forth the Conference Report on 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. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 16.

Representative Munford sends forth the Conference Report on **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. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 16.

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Michaux, Vice Chair, for the Committee on Judiciary III:

**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, 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.

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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.

**CALENDAR (continued)**

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

**S.B. 819** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REGARDING THE SALE OF STATE-OWNED PROPERTY IN THE BLOUNT STREET HISTORIC DISTRICT, passes its second reading, by electronic vote (105-2).

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

**S.B. 872** (House 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.

Representative Gibson 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 (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

**H.B. 757**, A BILL TO BE ENTITLED AN ACT CONCERNING SATELLITE ANNEXATIONS BY THE TOWN OF OAK ISLAND.

Representative Stiller offers Amendment No. 2 which is adopted by electronic vote (109-0).

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

Representative Hill offers Amendment No. 3 which is adopted by electronic vote (67-45).

Representative McComas requests and is granted permission to be recorded as voting "no". The adjusted vote total is (67-46).

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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 Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Carney, 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, Stam, Starnes, Stiller, 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 Bonner.

Excused absences: Representatives Adams, Capps, Cunningham, and Sutton - 4.

Representative A. Williams requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (113-1).

**H.B. 1256** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DIRECT THE SECRETARY OF HEALTH AND HUMAN SERVICES TO ESTABLISH A DNA DATABANK FOR THE VOLUNTARY SUBMISSION BY INDIVIDUALS OF DNA SAMPLES LINKED WITH THE INDIVIDUAL'S MEDICAL RECORD, 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 Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Carney, 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,

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Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Stam, Starnes, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 110.

Voting in the negative: Representatives Parmon, Sherrill, Stiller, and K. Williams - 4.

Excused absences: Representatives Adams, Capps, Cunningham, and Sutton - 4.

**S.B. 705** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, 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 Morgan; Representatives Alexander, B. Allen, G. Allen, L. Allen, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Carney, Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtridge, Daughtry, 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, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Pate, Preston, Rapp, Ray, Rayfield, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: Representatives Allred, Creech, Decker, Parmon, Rhodes, and West - 6.

Excused absences: Representatives Adams, Capps, Cunningham, and Sutton - 4.

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Representative Parmon requests and is granted permission to change her vote from "no" to "aye". The adjusted vote total is (108-5).

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

**S.B. 51** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOPHOLE THAT ALLOWS CORPORATIONS TO CONTINUE AVOIDING FRANCHISE TAXES AND TO REMOVE PROVISIONS THAT COULD RESULT IN FRANCHISE TAXES ON UNRELATED LIMITED LIABILITY COMPANIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Bordsen, Bowie, Brubaker, Carney, Clary, Coates, Cole, Crawford, 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, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McHenry, McLawhorn, McMahan, Michaux, Miller, Miner, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Starnes, Stiller, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 103.

Voting in the negative: Representatives Blust, Creech, Daughtridge, McGee, Mitchell, Moore, Rhodes, Setzer, and Wood - 9.

Excused absences: Representatives Adams, Capps, Cunningham, and Sutton - 4.

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

**S.B. 75** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A LIFE SCIENCES REVENUE BOND AUTHORITY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Carney, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker,

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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, 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, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Adams, Capps, Cunningham, and Sutton - 4.

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

**S.B. 676** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE BANKING LAWS OF NORTH CAROLINA.

On motion of Representative Luebke and without objection, the bill is temporarily displaced.

**S.B. 965** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT THE GENERAL ASSEMBLY MAY PLACE THE CLEAR PROCEEDS OF CIVIL PENALTIES, CIVIL FORFEITURES, AND CIVIL FINES COLLECTED BY A STATE AGENCY IN A STATE FUND TO BE USED EXCLUSIVELY FOR MAINTAINING FREE PUBLIC SCHOOLS.

Representative Culpepper offers Amendment No. 1 which is adopted by electronic vote (114-0).

Representative Baker offers Amendment No. 2.

On motion of Representative Nesbitt and without objection, the bill with pending Amendment No. 2 is temporarily displaced.

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

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**S.B. 100** (House 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 AND TO ALLOW A SALES AND USE TAX REFUND TO SCHOOL BOARD COOPERATIVES.

Representative G. Allen offers Amendment No. 1 which is adopted by electronic vote (108-0).

On motion of Representative G. Allen and without objection, the bill is temporarily displaced.

**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 re-referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 676** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE BANKING LAWS OF 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 Morgan; Representatives B. Allen, L. Allen, Allred, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Carney, Clary, Coates, Cole, Crawford, Creech, Culp, Decker, Dickson, Dockham, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, 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, Miller, Miner, Mitchell, Moore, Munford, 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,

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West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: Representative Daughtry.

Excused absences: Representatives Adams, Capps, Cunningham, and Sutton - 4.

#### **WITHDRAWAL OF OBJECTION TO THIRD READING**

Representative Blackwood removes his objection to the third reading of **S.B. 819** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REGARDING THE SALE OF STATE-OWNED PROPERTY IN THE BLOUNT STREET HISTORIC DISTRICT, and the bill is before the Body.

The bill passes its third reading, by electronic vote (106-0), and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

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

**S.B. 100** (House 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 AND TO ALLOW A SALES AND USE TAX REFUND TO SCHOOL BOARD COOPERATIVES, which was temporarily displaced, is before the Body.

The bill, as amended, passes its second reading, by electronic vote (108-0), and remains on the Calendar.

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

The following reports from standing committees are presented:

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

**H.R. 1336**, A HOUSE RESOLUTION TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, with recommendation

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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.

**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 REPLACING IT WITH A REQUIREMENT OF ELECTRONIC POSTING, 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. 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, 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 July 16. The Senate committee substitute bill is placed on the Unfavorable Calendar.

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

Representative Culpepper gives notice, pursuant to Rule 36(b), and **S.B. 97** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, is placed on today's Calendar for immediate consideration.

Representative Luebke offers Amendment No. 1 which is adopted by electronic vote (108-0).

The bill, as amended, 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 Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Carney, 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, McLawhorn, McMahan, Miller, Miner, Mitchell, Moore, Munford, 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, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: Representative McHenry.

Excused absences: Representatives Adams, Capps, Cunningham, and Sutton - 4.

Representative Culpepper gives notice, pursuant to Rule 36(b), and **S.B. 659** (House 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, TO PROVIDE FOR WIDER DISSEMINATION OF THE ANNUAL REPORT TO THE PUBLIC AND TO EXEMPT CERTAIN NONPROFIT FIRE OR EMERGENCY MEDICAL SERVICE ORGANIZATIONS FROM REPORTING AND OTHER REQUIREMENTS, is placed on today's Calendar for immediate consideration.

The bill passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Representative Culpepper gives notice, pursuant to Rule 36(b), and Senate Committee Substitute for **H.B. 855** (Committee Substitute), A BILL

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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, is placed on today's Calendar for immediate consideration.

On motion of Representative Alexander, the House does not concur in the Senate committee substitute bill, by electronic vote (111-1), and conferees are requested.

Representative McHenry requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (112-0).

Speaker Black appoints Representative Alexander, Chair; Representatives Howard, Justice, Luebke, Rayfield, Wainwright, Sherrill, and Haire as conferees on the part of the House and the Senate is so notified by Special Message.

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

**S.B. 965** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT THE GENERAL ASSEMBLY MAY PLACE THE CLEAR PROCEEDS OF CIVIL PENALTIES, CIVIL FORFEITURES, AND CIVIL FINES COLLECTED BY A STATE AGENCY IN A STATE FUND TO BE USED EXCLUSIVELY FOR MAINTAINING FREE PUBLIC SCHOOLS, which was temporarily displaced with Amendment No. 2 pending, is before the Body.

Representative Baker withdraws Amendment No. 2.

Representative Culpepper offers Amendment No. 3 which is adopted by electronic vote (113-0).

The bill, as amended, passes its second reading, by the following three-fifths vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Carney, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox,

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Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hall, 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, 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: None.

Excused absences: Representatives Adams, Capps, Cunningham, and Sutton - 4.

### SPECIAL MESSAGE FROM THE SENATE

#### 2003 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber  
July 15, 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. 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, 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*

Representative Culpepper moves, seconded by Representative Miller, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate, to reconvene July 16 at 3:00 p.m.

The motion carries.

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**SPECIAL MESSAGES FROM THE SENATE**

The following Special Messages are received from the Senate:

**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, is returned for concurrence in two Senate amendments.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 16.

**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, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 16.

**H.B. 1000** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE UNIVERSITY OF NORTH CAROLINA'S OPTIONAL RETIREMENT PLAN, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 16.

**S.B. 20** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LICENSURE OF PROFESSIONAL EMPLOYER ORGANIZATIONS, is read the first time and referred to the Committee on Finance.

**REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

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

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**H.B. 1194** (Senate 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, with recommendation that the House do not concur and request conferees.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 16.

**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, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 16. The Senate committee substitute bill is placed on the Unfavorable Calendar.

The House stands adjourned at 5:30 p.m.

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## NINETY-EIGHTH DAY

HOUSE OF REPRESENTATIVES  
Wednesday, July 16, 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:

"Shepherding God:

"Walk alongside us in our journey. Be with us on the highest mountaintops of our life and in the deepest, darkest valleys. Even in the halls of government make Your presence and will known. As weighty matters are discussed and votes taken in this House, hold these Representatives to Your high standards, for their decisions affect the lives of many in our State. May their work reflect Your love for all of the creation You called good and for all us creatures You made to live in relationship with You and with each other. In serving the people, may they also be serving You.

"In Your loving name we pray. Amen."

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

Leaves of absence are granted Representatives Church and Cunningham for today. Representative Barbee is excused for a portion of the session.

### ENROLLED BILLS

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

**S.B. 583**, 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.

**S.B. 847**, AN ACT TO CLARIFY LATE FEES CHARGED TO RESIDENTIAL TENANTS.

**S.B. 963**, AN ACT TO PROHIBIT SELLERS FROM CHARGING EXCESSIVE PRICES ON THEIR MERCHANDISE AND SERVICES DURING DECLARED STATES OF DISASTER.

**S.B. 1016**, 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.

**H.B. 974**, AN ACT TO PROHIBIT THE PURCHASE OF RECONSTITUTED OR RECOMBINED FLUID MILK BY ANY DEPARTMENT, INSTITUTION, OR AGENCY OF THE STATE.

**H.B. 999**, 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.

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

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**S.B. 357**, AN ACT TO ALLOW MAYLAND COMMUNITY COLLEGE TO LEASE OR SELL AT PRIVATE SALE TWO PROPERTIES AND TO CLARIFY THAT THE CITY OF ROANOKE RAPIDS MAY ORDER OWNERS OF RESIDENTIAL PROPERTY TO REPAIR RATHER THAN VACATE HOUSING TO MEET MINIMUM CODE STANDARDS.

**S.B. 452**, AN ACT CONCERNING SATELLITE ANNEXATIONS BY MUNICIPALITIES IN UNION COUNTY.

**H.B. 401**, AN ACT AUTHORIZING THE CITY OF HENDERSON TO CONVEY CERTAIN PROPERTY AT PRIVATE SALE, AND TO ALLOW THE CITY TO ACCEPT A DEED SUBJECT TO A DEED OF TRUST.

**H.B. 474**, AN ACT TO AMEND THE EMERGENCY PENSION FUND FOR LAW ENFORCEMENT OFFICERS IN MECKLENBURG COUNTY.

**H.B. 570**, AN ACT TO AMEND THE PROVISIONS OF THE CITY OF LUMBERTON FIREMEN'S RELIEF FUND AND SUPPLEMENTARY PENSION FUND.

#### **CHAPTERED BILLS**

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

**H.B. 1170**, AN ACT TO ENHANCE THE BENEFITS OF MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES RETIREMENT SYSTEM. (S.L. 2003-319)

#### **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:

Senate Committee Substitute for **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 recommendation that the House do not concur and request conferees.

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Pursuant to Rule 36(b), the bill is placed on the Calendar of July 17.

**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, with a favorable report as to the committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of July 17. The original bill is placed on the Unfavorable Calendar.

Senate Committee Substitute for **H.B. 1294** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE QUALIFIED BUSINESS INVESTMENTS TAX CREDIT, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 17.

**S.B. 168** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF ECONOMIC DEVELOPMENT AND TRAINING DISTRICTS, with a favorable report, as amended.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 17.

**S.B. 324**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE HOMEOWNERS RECOVERY FUND PERMIT FEE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 17.

**S.B. 633**, A BILL TO BE ENTITLED AN ACT TO REVISE THE UNIVERSITY OF NORTH CAROLINA SPECIAL OBLIGATION BOND LAW, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 17.

By Representatives Bell and G. Wilson, Chairs, for the Committee on Pensions and Retirement:

**S.B. 701** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL EMPLOYEES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 17.

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

**H.R. 1332**, A HOUSE RESOLUTION URGING STATE AND LOCAL AGENCIES TO ADDRESS ISSUES RELATING TO THE HEPATITIS C VIRUS, 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.

**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, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 17. The Senate committee substitute bill is placed on the Unfavorable Calendar.

**S.J.R. 327**, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF JOSEPH A. SMITH, JR. AS COMMISSIONER OF BANKS, with a favorable report.

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

**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, with a favorable report as to the House committee substitute bill, 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 of July 17. The Senate committee substitute bill is placed on the Unfavorable Calendar.

#### **WITHDRAWAL OF BILLS FROM CALENDAR**

On motion of Representative Howard and without objection, the following bills are withdrawn from the Calendar and placed on the Calendar of July 17.

**S.B. 75** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A LIFE SCIENCES REVENUE BOND AUTHORITY.

**S.B. 676** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE BANKING LAWS OF NORTH CAROLINA.

**S.B. 965** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT THE GENERAL ASSEMBLY MAY PLACE THE CLEAR PROCEEDS OF CIVIL PENALTIES, CIVIL FORFEITURES, AND CIVIL FINES COLLECTED BY A STATE AGENCY IN A STATE FUND TO BE USED EXCLUSIVELY FOR MAINTAINING FREE PUBLIC SCHOOLS.

**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.

**S.B. 359** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE FORSYTH BOARD 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.

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

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

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By Representatives Ross and B. Allen:

**H.J.R. 1338**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ALAN PRESTON NEELY, MINISTER AND COMMUNITY LEADER.

Pursuant to Rule 32(a), the resolution is placed on today's Calendar.

By Representative Holliman:

**H.R. 1339**, A HOUSE RESOLUTION HONORING THE 175TH ANNIVERSARY OF THE CITY OF LEXINGTON.

Pursuant to Rule 32(a), the resolution is placed on today's Calendar.

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

Pursuant to Rule 36(b)(2), **H.B. 1233** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REVENUE LAWS STUDY COMMITTEE TO STUDY METHODS FOR FUNDING THE COST OF ALLOWING LOCAL SCHOOL ADMINISTRATIVE UNITS A SALES AND USE TAX EXEMPTION INSTEAD OF A SALES AND USE TAX REFUND AND TO REQUIRE THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF CHANGING THE KINDERGARTEN ADMISSION REQUIREMENTS, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

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

The following reports from standing committees are presented:

By Representatives Baker, Clary, Crawford, Earle, Grady, Owens, Sherrill, and Wright, Chairs, for the Committee on Appropriations:

**S.B. 226** (House 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 House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 17. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

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**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, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Education.

The bill is re-referred to the Committee on Education.

**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, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of July 17. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

#### **CONFERENCE REPORT**

Representative Lucas sends forth the Conference Report 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. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 17.

#### **CONFERENCE REPORTS**

Representative Warner moves the adoption of the following Conference Report.

#### **Senate Committee Substitute for H.B. 963**

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 963, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN PERSONS CONVICTED OF LEAVING THE SCENE OF AN ACCIDENT INVOLVING INJURY OR DEATH MAY LOSE THEIR LICENSE FOR A PERIOD OF TWO YEARS, Senate Judiciary II Committee Substitute Adopted 6/3/03, Fourth Edition Engrossed 6/10/03, submit the following report:

July 16, 2003

The House and Senate agree to the following amendments to the Senate Judiciary II Committee Substitute, Senate Judiciary II Committee Substitute Adopted 6/3/03, Fourth Edition Engrossed 6/10/03, and the House concurs in the Senate Committee Substitute as amended:

On page 1, line 3, rewrite the line to read:

"THE SCENE OF AN ACCIDENT INVOLVING PERSONAL INJURY OR DEATH MAY";

And on page 1, lines 7-9, rewrite the lines to read:

"(e) The Division of Motor Vehicles shall revoke the driver's license of a person convicted of violating subsection (a) of this section for a period of one year, unless the court makes a finding that a longer period of revocation is appropriate under the circumstances of the case. If the court makes this finding, the Division of Motor Vehicles shall revoke that person's driver's license for two years. Upon a first conviction only for a violation of".

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 14, 2003.

*Conferees for the  
Senate*

S/ Fern H. Shubert, Chair  
S/ Fletcher L. Hartsell, Jr.  
S/ Scott Thomas

*Conferees for the  
House of Representatives*

S/ Alex Warner, Chair  
S/ Mary E. McAllister  
S/ R. Phillip Haire  
S/ Bonner L. Stiller  
S/ Joe L. Kiser  
S/ Wilma M. Sherrill

The Conference Report, which changes the title, is adopted, by electronic vote (115-0) 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.

Representative Munford moves the adoption of the following Conference Report.

**House Committee Substitute for S.B. 693**

To: The President of the Senate  
The Speaker of the House of Representatives

July 16, 2003

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate 693, 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, House Committee Substitute Favorable 5/19/03 Fourth Edition Engrossed 5/22/03, submit the following report:

The Senate and House agree to the following amendment and the Senate concurs in the House Committee Substitute Favorable 5/19/03, Fourth Edition Engrossed 5/22/03, as amended:

On page 3, lines 20-21, by inserting between the lines a new subsection to read:

"(b1) This section does not apply to law enforcement officers, unless the State proves beyond a reasonable doubt, pursuant to subsection (d) of this section, both of the following:

- (1) That the law enforcement officer was not performing or attempting to perform a law enforcement function.
- (2) That the law enforcement officer knowingly wore or had in his or her immediate possession a bulletproof vest at the time of the commission of the felony for the purpose of aiding the law enforcement officer in the commission of the felony."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 15, 2003.

*Conferees for the  
Senate*

S/ Scott Thomas, Chair  
S/ Fletcher L. Hartsell, Jr.  
S/ Tony P. Moore

*Conferees for the  
House of Representatives*

S/ Don Munford, Chair  
S/ Maggie Jeffus  
S/ Bonnie L. Stiller

The Conference Report is adopted, by electronic vote (117-0), and the Senate is so notified by Special Message.

#### CALENDAR

Action is taken on the following:

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Senate Committee Substitute for **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.

On motion of Representative Gibson, the House concurs in the material Senate committee substitute bill, on its second roll call reading, by the following vote, 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, Barbee, Barnhart, Bell, Blackwood, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, Clary, Coates, Cole, Crawford, Culp, Culpepper, 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, 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, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 106.

Voting in the negative: Representatives Baker, Blust, Creech, Daughtridge, Moore, Starnes, West, and Wood - 8.

Excused absences: Representatives Church and Cunningham - 2.

**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.

On motion of Representative Michaux, the House concurs in the Senate amendment, by electronic vote (110-0), and the bill is ordered enrolled.

Senate Committee Substitute for **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.

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On motion of Representative Barnhart, the House concurs in the material Senate committee substitute bill, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: 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, 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, Gullely, 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, Stillier, 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 Church and Cunningham - 2.

**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.

On motion of Representative Bell, the House concurs in Senate Amendment No. 1 by electronic vote (116-0).

On motion of Representative Bell, the House concurs in Senate Amendment No. 2, by electronic vote (118-0), and the bill is ordered enrolled and presented to the Governor.

**H.B. 1000** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE UNIVERSITY OF NORTH CAROLINA'S OPTIONAL RETIREMENT PLAN.

On motion of Representative Hackney, the House concurs in the Senate amendment, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor.

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**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.

On motion of Representative Holliman, the House concurs in the Senate amendment, by electronic vote (112-4), and the bill is ordered enrolled and presented to the Governor.

On motion of Representative Holliman, **H.R. 1339**, A HOUSE RESOLUTION HONORING THE 175TH ANNIVERSARY OF THE CITY OF LEXINGTON, is moved up on today's Calendar for immediate consideration.

The resolution is adopted, by electronic vote (116-0), and ordered printed.

**H.B. 1194** (Senate 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.

On motion of Representative Tolson, the House does not concur in the Senate committee substitute bill, by electronic vote (115-0), and conferees are requested.

Speaker Morgan appoints Representative Tolson, Chair; Representatives Brubaker and Culpepper as conferees on the part of the House and the Senate is so notified by Special Message.

**S.B. 317** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A TWO-YEAR MORATORIUM ON ANNEXATIONS INTO THE COUNTY OF CABARRUS BY MUNICIPALITIES LOCATED PRIMARILY OUTSIDE THE COUNTY AND TO ADD TERRITORY TO THE ECONOMIC DEVELOPMENT ZONE WHERE THERE IS A MORATORIUM ON ANNEXATION.

Representative Brubaker 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, by electronic vote (116-0). The caption having been amended, the bill remains on the Calendar.

**S.B. 51** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOPHOLE THAT ALLOWS CORPORATIONS TO CONTINUE AVOIDING FRANCHISE TAXES AND TO REMOVE

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PROVISIONS THAT COULD RESULT IN FRANCHISE TAXES ON UNRELATED LIMITED LIABILITY COMPANIES, 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 Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, 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, Miner, Mitchell, Moore, Munford, Nesbitt, 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 absences: Representatives Barbee, Church, and Cunningham - 3.

**S.B. 97** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, 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, 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, Wood, Wright, and Yongue - 113.

July 16, 2003

Voting in the negative: None.

Excused absences: Representatives Barbee, Church, and Cunningham - 3.

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

**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, 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, Barnhart, Bell, Blackwood, Blust, Bonner, Bordsen, Bowie, Brubaker, Capps, Carney, 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, 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 Barbee, Church, and Cunningham - 3.

**H.B. 1323** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN INCREASE IN FEES FOR CAMA PERMITS, 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, Barnhart, Bell, Blackwood, Bonner, Bordsen, Brubaker, Carney, Clary, Coates, Cole, Crawford, Culpepper, Daughtride, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Glazier, Goforth, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman,

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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, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Rapp, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Starnes, Stiller, Sutton, Tolson, Wainwright, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 97.

Voting in the negative: Representatives Allred, Blust, Capps, Creech, Culp, Daughtry, Decker, Gillespie, Gorman, McHenry, Mitchell, Moore, Preston, Ray, Rayfield, Rhodes, Walend, Warner, and Wood - 19.

Excused absences: Representatives Barbee, Church, and Cunningham - 3.

**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, 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, Barnhart, Bell, Blackwood, Bordsen, Brubaker, Capps, Carney, 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, 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 - 112.

Voting in the negative: Representative Blust.

Excused absences: Representatives Barbee, Church, and Cunningham - 3.

**S.B. 831** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR IMPROVED STAGGERED TERMS OF

July 16, 2003

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.

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

Representative Culpepper offers Amendment No. 2 which is adopted by electronic vote (114-0).

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

Representative Wainwright requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (109-0).

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

**S.B. 100** (House 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 AND TO ALLOW A SALES AND USE TAX REFUND TO SCHOOL BOARD COOPERATIVES, passes its third reading, by electronic vote (113-0), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

#### **CONFERENCE REPORT**

Representative Dickson sends forth the Conference Report on 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. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 17.

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

#### **2003 GENERAL ASSEMBLY FIRST SESSION**

July 16, 2003

Senate Chamber  
July 16, 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. 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 TRANS-ACTIONS, and requests conferees. The President *Pro Tempore* appoints:

Senator Thomas, Chair  
Senator Swindell  
Senator Apodaca

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 Saunders, Brubaker, Bordsen, Howard, Coates, and LaRoque as conferees on the part of the House and the Senate is so notified by Special Message.

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

#### **2003 GENERAL ASSEMBLY FIRST SESSION**

Senate Chamber  
July 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. 1062** (Conference Report), A BILL TO BE ENTITLED AN ACT TO REQUIRE COMMUNITY WATER SYSTEMS THAT REGULARLY SERVE ONE

July 16, 2003

THOUSAND OR MORE SERVICE CONNECTIONS OR THREE THOUSAND OR MORE INDIVIDUALS TO PREPARE LOCAL WATER SUPPLY PLANS, TO PROVIDE THAT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SHALL ESTABLISH A DROUGHT MANAGEMENT ADVISORY COUNCIL, AND TO AUTHORIZE THE COUNCIL TO ISSUE DROUGHT ADVISORIES.

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 Morgan orders the bill enrolled and presented to the Governor.

### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 224**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CITY OF KANNAPOLIS, 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. 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 withdrawn from the Committee on Health and re-referred to the Committee on Rules, Calendar, and Operations of the House.

### SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

**S.B. 464** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE DEBT AFFORDABILITY ADVISORY COMMITTEE AND THE CAPITAL PROJECTS PRIORITY COMMITTEE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Culpepper moves, seconded by Representative Wood, that the House adjourn, subject to the receipt of Committee Reports, the receipt of

July 16, 2003

Conference Reports, and the receipt of Messages from the Senate, to reconvene July 17 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.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 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 July 17. The Senate committee substitute bill is placed on the Unfavorable Calendar.

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

The following Special Messages are received from the Senate:

Senate Committee Substitute for **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 returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 17.

Upon concurrence, the Senate committee substitute bill changes the title.

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**H.B. 1066** (Senate 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, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 17.

**H.B. 1114** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VOLUNTEER FILES MAINTAINED BY LOCAL BOARDS OF EDUCATION PRIVATE, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 17.

**H.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 returned for concurrence in the Senate amendment.

Pursuant to Rule 36(b), the Senate resolution is placed on the Calendar of July 17.

Upon concurrence, the Senate amendment changes the title.

**S.B. 859** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CATAWBA RIVER BASIN BI-STATE ADVISORY COMMISSION AND TO APPROPRIATE FUNDS TO ENABLE THE COMMISSION TO ACHIEVE ITS PURPOSES, is read the first time and referred to the Committee on Environment and Natural Resources.

The House stands adjourned at 6:40 p.m.

July 16, 2003

**NINETY-NINTH DAY**

HOUSE OF REPRESENTATIVES  
Thursday, July 17, 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, Giver of wisdom:

"We pause in the midst of the frantic last days of this Legislative Session to approach You. Help us that our prayers might be genuine and offered in spirit and in truth rather than just another item on a busy calendar or as an afterthought. Give to this House a measure of Your wisdom. May last decisions made not be rash or done in haste for they are as important as first decisions. Bless Speaker Black and Speaker Morgan as they moderate this Body, and give to us all at the end of the day a sense that we have used Your blessing of us as a blessing to the people of North Carolina.

"In Your imparting name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 16 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Church, Culp, Cunningham, Starnes, Stiller, and Walend for today. Representatives Bordsen, LaRoque, and Sauls are excused for a portion of the session.

**ENROLLED BILLS**

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

**S.B. 97**, AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES.

**S.B. 668**, AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE WINE SHIPPERS PERMITS TO ALLOW THE DIRECT SHIPMENT OF WINES TO RESIDENTS OF

July 17, 2003

NORTH CAROLINA AND TO ESTABLISH A MECHANISM FOR COLLECTING THE TAXES DUE ON WINE SHIPPED TO NORTH CAROLINA.

**S.B. 679**, AN ACT TO MODIFY THE PUBLIC FINANCING LAWS OF THE STATE.

**S.B. 945**, 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 AND THE PUBLIC OF THE PERMITTEE'S INTENT TO APPLY FOR MODIFICATION OF THE PERMIT.

**H.B. 223**, AN ACT TO PERMIT THE STATE BOARD OF COMMUNITY COLLEGES TO USE CERTAIN FUNDS TO PROVIDE FINANCIAL ASSISTANCE TO STUDENTS WITH DISABILITIES.

**H.B. 331**, 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.

**H.B. 543**, 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.

**H.B. 1000**, AN ACT TO MODIFY THE UNIVERSITY OF NORTH CAROLINA'S OPTIONAL RETIREMENT PLAN.

**H.B. 1006**, AN ACT TO GRANT GREATER CONSUMER PROTECTION TO RESIDENTS OF MANUFACTURED HOUSING IN NORTH CAROLINA, TO CLARIFY THE SALES TAX ON MODULAR HOMES, AND TO ESTABLISH MINIMUM CONSTRUCTION AND DESIGN STANDARDS FOR SINGLE-FAMILY MODULAR HOMES.

**H.B. 1049**, 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.

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**H.B. 1062**, 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, TO PROVIDE THAT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SHALL ESTABLISH A DROUGHT MANAGEMENT ADVISORY COUNCIL, AND TO AUTHORIZE THE COUNCIL TO ISSUE DROUGHT ADVISORIES.

**H.B. 1301**, AN ACT TO AUTHORIZE LOCAL GOVERNMENTS THAT ARE JOINTLY UNDERTAKING A DEVELOPMENT PROJECT TO ENTER INTO AGREEMENTS TO FINANCE THE PROJECT.

**S.B. 693**, AN ACT TO AMEND THE LAW REGARDING ENHANCED SENTENCES AS RECOMMENDED BY THE SENTENCING COMMISSION AND TO MAKE CONFORMING CHANGES.

**H.B. 963**, AN ACT TO PROVIDE THAT CERTAIN PERSONS CONVICTED OF LEAVING THE SCENE OF AN ACCIDENT INVOLVING PERSONAL INJURY OR DEATH MAY LOSE THEIR LICENSE FOR A PERIOD OF TWO YEARS.

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

**H.B. 733**, 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.

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

**H.J.R. 69**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THOMAS BELL HUNTER, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 2003-24)

**H.J.R. 231**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES BENNETT "C.B." DEANE, FORMER NORTH CAROLINA MEMBER OF CONGRESS. (RESOLUTION 2003-25)

July 17, 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. 357**, AN ACT TO ALLOW MAYLAND COMMUNITY COLLEGE TO LEASE OR SELL AT PRIVATE SALE TWO PROPERTIES AND TO CLARIFY THAT THE CITY OF ROANOKE RAPIDS MAY ORDER OWNERS OF RESIDENTIAL PROPERTY TO REPAIR RATHER THAN VACATE HOUSING TO MEET MINIMUM CODE STANDARDS. (S.L. 2003-320)

**S.B. 452**, AN ACT CONCERNING SATELLITE ANNEXATIONS BY MUNICIPALITIES IN UNION COUNTY. (S.L. 2003-321)

**H.B. 401**, AN ACT AUTHORIZING THE CITY OF HENDERSON TO CONVEY CERTAIN PROPERTY AT PRIVATE SALE, AND TO ALLOW THE CITY TO ACCEPT A DEED SUBJECT TO A DEED OF TRUST. (S.L. 2003-322)

**H.B. 474**, AN ACT TO AMEND THE EMERGENCY PENSION FUND FOR LAW ENFORCEMENT OFFICERS IN MECKLENBURG COUNTY. (S.L. 2003-323)

**H.B. 570**, AN ACT TO AMEND THE PROVISIONS OF THE CITY OF LUMBERTON FIREMEN'S RELIEF FUND AND SUPPLEMENTARY PENSION FUND. (S.L. 2003-324)

**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. 224**, 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 of July 18. The original bill is placed on the Unfavorable Calendar.

July 17, 2003

**H.B. 759**, A BILL TO BE ENTITLED AN ACT TO REDUCE SALES TAXES ON LIGHT CONSTRUCTION EQUIPMENT, 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. 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, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 18.

**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, 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 Baker, Clary, Crawford, Earle, Grady, Owens, Sherrill, and Wright, Chairs, for the Committee on Appropriations:

**H.B. 831** (Committee Substitute No. 2), 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 Committee Substitute Bill No. 3, which changes the title, unfavorable as to Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), Committee Substitute Bill No. 3 is placed on the Calendar of July 18. Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

July 17, 2003

Speaker Black rules the House committee substitute bill to be material, thus constituting its first reading.

### **CONFERENCE REPORT**

Representative Culpepper sends forth the Conference Report on 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. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 18.

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

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

By Representatives McComas, Justice, Stiller and Wright (Primary Sponsors):

**H.R. 1340**, A HOUSE RESOLUTION HONORING THE GREATER WILMINGTON CHAMBER OF COMMERCE ON THE OCCASION OF ITS 150TH ANNIVERSARY.

Pursuant to Rule 32(a), the resolution is placed on today's Calendar.

### **CONFERENCE REPORT**

Representative Tolson sends forth the Conference Report on **H.B. 1194** (Senate 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. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 18.

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

#### **2003 GENERAL ASSEMBLY FIRST SESSION**

Senate Chamber  
July 16, 2003

July 17, 2003

Mr. Speaker:

Pursuant to your message received on July 15, 2003, that the House of Representatives fails to concur in the Senate Committee Substitute to **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, and requests conferees, the President *Pro Tempore* appoints

Senator Kerr, Chair  
Senator Hoyle  
Senator Queen  
Senator Bingham

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

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

**SPECIAL MESSAGE FROM THE SENATE**

**2003 GENERAL ASSEMBLY  
FIRST SESSION**

Senate Chamber  
July 16, 2003

Mr. Speaker:

Pursuant to your message received today, July 16, 2003, that the House of Representatives fails to concur in the Senate Committee Substitute to **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, and requests conferees, the President *Pro Tempore* appoints

July 17, 2003

Senator Reeves, Chair  
Senator Carrington  
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*

**SPECIAL MESSAGE FROM THE SENATE**

**2003 GENERAL ASSEMBLY  
FIRST SESSION**

Senate Chamber  
July 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 **S.B. 693** (Conference Report), 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.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered the bill enrolled.

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

**SPECIAL MESSAGES FROM THE SENATE**

The following Special Messages are received from the Senate:

Senate Committee Substitute No. 2 for **H.B. 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, is returned for concurrence in Senate

July 17, 2003

Committee Substitute Bill No. 2 and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute bill changes the title.

Senate Committee Substitute for **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 returned for concurrence in Senate committee substitute bill and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute bill changes the title.

**S.J.R. 1022**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SAMUEL KOONCE, FORMER CIVIC LEADER, is read the first time.

Pursuant to Rule 32(a), the resolution is placed on today's Calendar.

#### **CONFERENCE REPORT**

Representative Dickson moves the adoption of the following Conference Report.

#### **Senate Committee Substitute for H.B. 926**

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 926, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE PENALTY FOR AN ASSAULT IN THE PRESENCE OF A MINOR, Senate Judiciary I Committee Substitute, Adopted 6/9/03, submit the following report:

The House and Senate agree to the following amendment to the Senate Committee Substitute, Senate Judiciary I Committee Substitute, Adopted 6/9/03, 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, H926-PCCS50297-RK-21.

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The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 16, 2003.

*Conferees for the  
Senate*

S/ Daniel G. Clodfelter, Chair  
S/ Kay R. Hagan  
S/ Katie G. Dorsett  
S/ Scott Thomas  
S/ Richard Y. Stevens

*Conferees for the  
House of Representatives*

S/ Margaret H. Dickson, Chair  
S/ Jeffrey L. Barnhart  
S/ M. A. Gorman  
S/ Timothy K. Moore  
S/ Wilma M. Sherrill  
S/ Ronnie Sutton  
S/ Jennifer Weiss

The Conference Report, which changes the title, is adopted, by electronic vote (107-0), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

#### **WITHDRAWAL OF BILLS FROM CALENDAR**

On motion of Representative Howard and without objection, the following bills are withdrawn from the Calendar and placed on the Calendar of July 18.

**S.B. 75** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A LIFE SCIENCES REVENUE BOND AUTHORITY.

**S.B. 676** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE BANKING LAWS OF NORTH CAROLINA.

**S.B. 35** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CLOVER GARDEN CHARTER SCHOOL TO ELECT TO PARTICIPATE IN THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, TO AUTHORIZE THE STATE BOARD OF EDUCATION TO GRANT OR RENEW CHARTERS FOR CHARTER SCHOOLS FOR PERIODS UP TO TEN YEARS, TO REQUIRE THE STATE BOARD OF EDUCATION TO REVIEW THE OPERATIONS OF CHARTER SCHOOLS AT LEAST EVERY FIVE YEARS, AND TO MODIFY THE AUTHORITY

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OF THE DUPLIN BOARD OF COUNTY COMMISSIONERS 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.

### CONFERENCE REPORT

The Conference Report on Senate Committee Substitute for **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 before the Body.

On motion of Representative Culpepper and without objection, the Conference Report is withdrawn from the Calendar and placed on the Calendar of July 18.

### CALENDAR

Action is taken on the following:

Senate Committee Substitute for **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.

On motion of Representative Gibson, 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, B. Allen, G. Allen, L. Allen, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Bowie, Brubaker, Carney, Clary, Coates, Cole, Crawford, Creech, 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, McLawhorn, McMahan, Michaux, Miller, Mitchell, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rhodes, Ross,

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Sauls, Saunders, Sexton, Sherrill, Stam, Sutton, Tolson, Wainwright, Walker, Warner, Warren, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, and Yongue - 101.

Voting in the negative: Representatives Allred, Baker, Capps, McHenry, Moore, Rayfield, Setzer, West, and Wood - 9.

Excused absences: Representatives Church, Culp, Cunningham, Starnes, Stiller, and Walend - 6.

Senate Committee Substitute for **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.

On motion of Representative Sexton, 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, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bordsen, Brubaker, Capps, Carney, Clary, Coates, Cole, Crawford, Creech, 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, 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, Sutton, Tolson, Wainwright, 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 Church, Culp, Cunningham, Starnes, Stiller, and Walend - 6.

Senate Committee Substitute for **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

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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 Alexander, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (103-5), and the bill is ordered enrolled and presented to the Governor by Special Message.

**H.B. 1066** (Senate 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.

On motion of Representative C. Wilson, the House concurs in the Senate committee substitute bill, by electronic vote (108-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

**H.B. 1114** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VOLUNTEER FILES MAINTAINED BY LOCAL BOARDS OF EDUCATION PRIVATE.

On motion of Representative Saunders, 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 by Special Message.

**S.B. 226** (House 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.

Representative Stam offers Amendment No. 1 which fails of adoption by electronic vote (20-91).

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 for concurrence in House Committee Substitute Bill No. 2 by Special Message.

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Senate Committee Substitute for **H.B. 1294** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE QUALIFIED BUSINESS INVESTMENTS TAX CREDIT.

On motion of Representative McComas, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (99-9), and the bill is ordered enrolled and presented to the Governor by Special Message.

**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.

On motion of Representative Coates, the House concurs in the Senate amendment, which changes the title, by electronic vote (100-0), and the resolution is ordered enrolled.

Senate Committee Substitute for **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 SPECIALTIES, AND TO PROVIDE THAT STATEMENTS CONTAINED IN MEDICAL OR SCIENTIFIC LITERATURE SHALL BE COMPETENT EVIDENCE IN PROCEEDINGS HELD BEFORE THE BOARD.

On motion of Representative Wright and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 18.

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**H.J.R. 1338**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ALAN PRESTON NEELY, MINISTER AND COMMUNITY LEADER, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

**S.B. 317** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A TWO-YEAR MORATORIUM ON ANNEXATIONS INTO THE COUNTY OF CABARRUS BY MUNICIPALITIES LOCATED PRIMARILY OUTSIDE THE COUNTY AND TO ADD TERRITORY TO THE ECONOMIC DEVELOPMENT ZONE WHERE THERE IS A MORATORIUM ON ANNEXATION AND AFFECTING ELECTRONIC SIGNATURES AND ELECTRONIC RECORDS FILED WITH THE RANDOLPH COUNTY REGISTER OF DEEDS.

Representative Miller offers Amendment No. 2 which is adopted by electronic vote (105-0). This amendment changes the title.

Without objection, the bill, as amended, passes its third reading, by electronic vote (108-0), and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

**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, 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 Black, Speaker Morgan, Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bowie, Brubaker, Capps, Carney, Clary, Coates, Cole, Crawford, Creech, 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, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Tolson, Wainwright, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

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Voting in the negative: None.

Excused absences: Representatives Bordsen, Church, Culp, Cunningham, Starnes, Stiller, and Walend - 7.

**H.B. 1323** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN INCREASE IN FEES FOR CAMA PERMITS, 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, Alexander, B. Allen, G. Allen, L. Allen, Allred, Barnhart, Bell, Blackwood, Bonner, Bowie, Brubaker, Carney, Clary, Coates, Cole, Crawford, Culpepper, Daughtride, Daughtry, Dickson, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, 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, McLawhorn, McMahan, Michaux, Miller, Munford, Nye, Owens, Parmon, Pate, Rapp, Ray, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Sutton, Tolson, Wainwright, Walker, Warren, Weiss, A. Williams, K. Williams, G. Wilson, Womble, Wright, and Yongue - 89.

Voting in the negative: Representatives Baker, Barbee, Blust, Capps, Creech, Decker, Dockham, Frye, Gillespie, Hilton, McHenry, Mitchell, Moore, Preston, Rayfield, Rhodes, Warner, West, and Wood - 19.

Excused absences: Representatives Bordsen, Church, Culp, Cunningham, Starnes, Stiller, and Walend - 7.

Representative Allred requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (88-20).

SPEAKER MORGAN PRESIDING.

**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, 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, Bowie, Brubaker, Capps, Carney, Clary, Coates, Cole, Crawford, Creech, Culpepper, Daughtride, Daughtry,

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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, 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, Sutton, Tolson, Wainwright, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Bordsen, Church, Culp, Cunningham, Starnes, Stiller, and Walend - 7.

**S.B. 965** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT THE GENERAL ASSEMBLY MAY PLACE THE CLEAR PROCEEDS OF CIVIL PENALTIES, CIVIL FORFEITURES, AND CIVIL FINES COLLECTED BY A STATE AGENCY IN A STATE FUND TO BE USED EXCLUSIVELY FOR MAINTAINING FREE PUBLIC SCHOOLS.

Representative Nesbitt offers Amendment No. 4 which is adopted by electronic vote (110-1).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bowie, Brubaker, Capps, Carney, Clary, Coates, Cole, Crawford, Creech, Culpepper, 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, 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, Sutton, Tolson, Wainwright, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

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Voting in the negative: None.

Excused absences: Representatives Bordsen, Church, Culp, Cunningham, Starnes, Stiller, and Walend - 7.

**H.B. 918** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR SERVICE OF PROCESS IN CIVIL CASES AND TO EARMARK THE INCREASE TO ENSURE TIMELY SERVICE OF PROCESS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bowie, Brubaker, Capps, Carney, Clary, Coates, Cole, Crawford, Creech, 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, McGee, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Sauls, Saunders, Sexton, Sherrill, Sutton, Tolson, Wainwright, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, and Yongue - 103.

Voting in the negative: Representatives Hilton, McCombs, McHenry, Moore, Setzer, and Wood - 6.

Excused absences: Representatives Bordsen, Church, Culp, Cunningham, Starnes, Stiller, and Walend - 7.

Representative Hilton requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (104-5).

### CONFERENCE REPORT

Representative Miner sends forth the Conference Report on **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. Without objection, the Conference Report is placed on today's Calendar.

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**CALENDAR (continued)**

**S.B. 168** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF ECONOMIC DEVELOPMENT AND TRAINING DISTRICTS.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted by electronic vote (106-0).

Representative Rayfield requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (107-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Brubaker, Capps, Carney, Clary, Crawford, Creech, Culpepper, Daughtridg, 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, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Sutton, Tolson, Wainwright, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 100.

Voting in the negative: Representatives Cole, Fox, Haire, Luebke, Miller, Owens, and Womble - 7.

Excused absences: Representatives Bordsen, Church, Culp, Cunningham, Starnes, Stiller, and Walend - 7.

**S.B. 324**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE HOMEOWNERS RECOVERY FUND PERMIT FEE, 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, Bowie, Brubaker, Capps, Carney, Clary, Coates, Cole, Crawford, Culpepper, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire,

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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, McLawhorn, McMahan, Miller, Miner, Mitchell, Munford, Nesbitt, Nye, Owens, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Sutton, Tolson, Wainwright, Walker, Warner, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 104.

Voting in the negative: Representatives Daughtridge, McHenry, Moore, and Wood - 4.

Excused absences: Representatives Bordsen, Church, Culp, Cunningham, Starnes, Stiller, and Walend - 7.

**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, 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, Bowie, Brubaker, Capps, Carney, 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, Gully, 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, Miller, Miner, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Sutton, Tolson, Wainwright, 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 Bordsen, Church, Culp, Cunningham, Starnes, Stiller, and Walend - 7.

**S.B. 359** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE FORSYTH BOARD OF

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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.

Representative Haire offers Amendment No. 1.

SPEAKER BLACK PRESIDING.

Amendment No. 1 fails of adoption by electronic vote (47-63).

The bill passes its second reading, by electronic vote (77-34), and there being no objection is read a third time.

On motion of Representative Hilton and without objection, the bill is temporarily displaced.

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

On motion of Representative Culpepper and without objection, **S.B. 35** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CLOVER GARDEN CHARTER SCHOOL TO ELECT TO PARTICIPATE IN THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, TO AUTHORIZE THE STATE BOARD OF EDUCATION TO GRANT OR RENEW CHARTERS FOR CHARTER SCHOOLS FOR PERIODS UP TO TEN YEARS, TO REQUIRE THE STATE BOARD OF EDUCATION TO REVIEW THE OPERATIONS OF CHARTER SCHOOLS AT LEAST EVERY FIVE YEARS, AND TO MODIFY THE AUTHORITY OF THE DUPLIN BOARD OF COUNTY COMMISSIONERS 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, is withdrawn from the Calendar of July 18 and placed on today's Calendar.

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

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

**S.B. 561** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT THAT NOTICE OF LEGISLATIVE MEETINGS BE POSTED ON THE PRESS ROOM DOOR;

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TO SUBSTITUTE A REQUIREMENT OF MAILING AND ELECTRONIC POSTING OF THE MEETING NOTICE, AND TO REQUIRE APPOINTING AUTHORITIES TO PROVIDE ADDITIONAL INFORMATION REGARDING APPOINTEES TO CERTAIN STATE COMMISSIONS, COUNCILS, COMMITTEES, AND BOARDS, 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).

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

**S.B. 633**, A BILL TO BE ENTITLED AN ACT TO REVISE THE UNIVERSITY OF NORTH CAROLINA SPECIAL OBLIGATION BOND LAW.

On motion of Representative Miner and without objection, the bill is temporarily displaced.

**S.B. 701** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL EMPLOYEES, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

**S.B. 359** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE FORSYTH BOARD 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, which was temporarily displaced, is before the Body.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2 by Special Message.

**S.B. 750** (House 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.

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Representative Bowie offers Amendment No. 1.

Representative Daughtry requests that he be excused from voting on this bill, because of a business conflict, under Rule 24.1A and this request is granted.

Amendment No. 1 is adopted by electronic vote (79-25).

The bill, as amended, passes its second reading, by electronic vote (75-30), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

#### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **S.B. 725** (House 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 placed on today's Calendar for immediate consideration.

The bill passes its second reading, by the following three-fifths vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bowie, Brubaker, Carney, Clary, Coates, Cole, Crawford, Creech, Culpepper, Daughtride, Daughtry, Decker, Dickson, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Gulley, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, 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, Sutton, Tolson, Wainwright, Walker, Warren, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 100.

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Voting in the negative: Speaker Morgan; Representatives Capps, Dockham, Ellis, Grady, Holmes, Howard, Justice, McComas, Nesbitt, Stam, Warner, and West - 13.

Excused absences: Representatives Bordsen, Church, Culp, Cunningham, Starnes, Stiller, and Walend - 7.

### CONFEREES APPOINTED

Speaker Black appoints the following conferees on Senate Committee Substitute for **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: Representative Sexton, Chair; Representatives Cole and Lewis.

The Senate is so notified by Special Message.

### SPECIAL MESSAGE FROM THE SENATE

#### 2003 GENERAL ASSEMBLY FIRST SESSION

Senate Chamber  
July 17, 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. 819**, A BILL TO BE ENTITLED AN ACT REGARDING THE USE OF STATE-OWNED PROPERTY IN THE BLOUNT STREET HISTORIC DISTRICT, and requests conferees. The President *Pro Tempore* appoints:

Senator Rand, Chair  
Senator Apodaca  
Senator Metcalf  
Senator Reeves  
Senator Malone

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.

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

Speaker Black appoints Representative Miner, Chair; Representatives Ross, Munford, Owens, and Culpepper as conferees on the part of the House and the Senate is so notified by Special Message.

**SPECIAL MESSAGE FROM THE SENATE**

**2003 GENERAL ASSEMBLY  
FIRST SESSION**

Senate Chamber  
July 17, 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. 926** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE THE PENALTY FOR AN ASSAULT IN THE PRESENCE OF A MINOR.

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 by Special Message.

**CALENDAR (continued)**

**S.B. 633**, A BILL TO BE ENTITLED AN ACT TO REVISE THE UNIVERSITY OF NORTH CAROLINA SPECIAL OBLIGATION BOND LAW, 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 Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Baker, Barbee, Barnhart, Bell,

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Blackwood, Blust, Bonner, Bowie, Brubaker, Carney, Clary, Coates, Crawford, Creech, Culpepper, Daughtride, Daughtry, 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, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Sutton, Tolson, Wainwright, Walker, Warren, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: Representatives Allred, Capps, Cole, Decker, Nye, Warner, and West - 7.

Excused absences: Representatives Bordsen, Church, Culp, Cunningham, Starnes, Stiller, and Walend - 7.

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

On motion of Representative Culpepper and without objection, Senate Committee Substitute for **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 SPECIALTIES, AND TO PROVIDE THAT STATEMENTS CONTAINED

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IN MEDICAL OR SCIENTIFIC LITERATURE SHALL BE COMPETENT EVIDENCE IN PROCEEDINGS HELD BEFORE THE BOARD, is withdrawn from the Calendar of July 18 and placed on today's Calendar for immediate consideration.

On motion of Representative Wright, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (111-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

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

#### **2003 GENERAL ASSEMBLY FIRST SESSION**

Senate Chamber  
July 17, 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. 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, 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*

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

**S.B. 35** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CLOVER GARDEN CHARTER SCHOOL TO ELECT TO PARTICIPATE IN THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, TO AUTHORIZE THE STATE BOARD OF EDUCATION TO GRANT OR RENEW CHARTERS FOR CHARTER SCHOOLS FOR PERIODS UP TO TEN YEARS, TO REQUIRE THE STATE BOARD OF EDUCATION TO REVIEW THE OPERATIONS OF CHARTER SCHOOLS AT LEAST EVERY

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FIVE YEARS, AND TO MODIFY THE AUTHORITY OF THE DUPLIN BOARD OF COUNTY COMMISSIONERS 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, 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 by Special Message.

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

**S.B. 751** (House 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, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

**S.B. 867** (House Committee Substitute No. 2), 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 AND TO INCREASE THE CRIMINAL PENALTY FOR DAMAGING A PUBLIC BUILDING WITH AN EXPLOSIVE OR INCENDIARY DEVICE OR MATERIAL AND TO ESTABLISH THE HONORARY LISTON B. RAMSEY MOUNTED HORSE/CAISSON PATROL UNIT.

Representative Rhodes 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 (99-5).

Speaker Black, Speaker Morgan, and Representative Sherrill request and are granted permission to be recorded as voting "no". The adjusted vote total is (99-8).

On motion of Representative Culpepper and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

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**CONFERENCE REPORT**

Representative Miner moves the adoption of the following Conference Report.

**House Committee Substitute for S.B. 934**

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 934, 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, House Committee Substitute Favorable 6/18/03 Third Edition Engrossed 6/29/03, submit the following report:

The Senate and House agree to the following amendments and the Senate concurs in House Committee Substitute Favorable 6/18/03, Third Edition Engrossed 6/29/03, as amended:

On page 1, lines 3 and 4, by rewriting the lines to read:  
"OF A PRIVATE FACILITY TO SERVE DWI OFFENDERS AND TO REQUIRE THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO STUDY THE SUBSTANCE ABUSE SERVICES OFFERED BY AN ASSESSING AGENCY AND THE ADEQUACY OF THE FEE IMPOSED FOR A SUBSTANCE ABUSE ASSESSMENT CONDUCTED BY AN";

and on page 1, line 19 through page 2, line 6, by rewriting the lines to read:

**"SECTION 2.** The Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services shall study the programs offered by assessing agencies to clients who must obtain a substance abuse assessment and a certification of completion of a substance abuse program. The study should include information on the type of testing provided by an agency, the treatment offered by an agency, the average duration of a program, the average cost of treatment, the rates of recidivism, and the adequacy of the fee paid to the assessing agency by a client for a required substance abuse assessment. The Committee must report its findings and any recommended legislation to the 2004 Regular Session of the 2003 General Assembly.";

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and on page 2, line 43, by deleting "July 1, 2003." and substituting "October 1, 2003."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 17, 2003.

*Conferees for the  
Senate*

S/ John Kerr  
S/ Walter Dalton  
S/ Steve Metcalf  
S/ Fletcher L. Hartsell, Jr.

*Conferees for the  
House of Representatives*

S/ David Miner  
S/ Daniel F. McComas, Jr.  
S/ Ronnie Sutton  
S/ Gordon P. Allen

The Conference Report, which changes the title, is adopted, by electronic vote (106-3), and the Senate is so notified by Special Message.

**CALENDAR (continued)**

**H.R. 1340**, A HOUSE RESOLUTION HONORING THE GREATER WILMINGTON CHAMBER OF COMMERCE ON THE OCCASION OF ITS 150TH ANNIVERSARY.

The resolution is adopted, by electronic vote (98-0), and ordered printed.

**S.J.R. 1022**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SAMUEL KOONCE, FORMER CIVIC LEADER, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

**RE-REFERRALS**

On motion of Representative Culpepper, pursuant to Rule 39.2, and without objection, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance:

**H.B. 204**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF UNION.

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**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.

**H.B. 1241**, A BILL TO BE ENTITLED AN ACT TO REFORM THE BILL LEE ACT AND RELATED ECONOMIC DEVELOPMENT INCENTIVES.

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 Appropriations and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Culpepper moves, seconded by Representative Miller, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate, to reconvene July 18 at 12:00 Noon.

The motion carries.

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

The following Special Messages are received from the Senate:

Senate Committee Substitute for **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 returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 18.

Upon concurrence, the Senate committee substitute bill changes the title.

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Senate Committee Substitute for **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 returned for concurrence in the Senate committee substitute bill and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute bill changes the title.

Senate Committee Substitute for **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, 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 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. 760** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT GRANTS FROM UNIFORM PROGRAMS FOR PUBLIC CAMPAIGN FINANCING DO NOT CONSTITUTE "CONTRIBUTIONS" AND ARE NOT SUBJECT TO RESTRICTIONS ON CONTRIBUTIONS; TO CLARIFY THAT GOVERNMENTS IN CITIES AND COUNTIES OF A CERTAIN SIZE ARE AUTHORIZED TO CONDUCT

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THOSE PROGRAMS; AND TO REQUIRE A REVIEW OF LOCAL PUBLIC CAMPAIGN FINANCING PROGRAMS, is read the first time and referred to the Committee on Election Law and Campaign Finance Reform.

Senate Committee Substitute No. 2 for **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, is returned for concurrence in Senate Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 18.

Upon concurrence, the Senate committee substitute bill changes the title.

**H.B. 972** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW AN INTERNET-BASED ALTERNATIVE TO PROPERTY TAX CERTIFICATION PROCEDURES, 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. 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, is returned for concurrence in the Senate committee substitute bill and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.J.R. 1335**, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 2003 GENERAL ASSEMBLY TO MEET IN 2004 AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, is returned for concurrence in the Senate committee substitute resolution.

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

Upon concurrence, the Senate committee substitute resolution changes the title.

### **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. 1241**, A BILL TO BE ENTITLED AN ACT TO REFORM THE BILL LEE ACT AND RELATED ECONOMIC DEVELOPMENT INCENTIVES, 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 July 18. The original bill is placed on the Unfavorable Calendar.

The House stands adjourned at 8:43 p.m.

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## **ONE HUNDREDTH DAY**

HOUSE OF REPRESENTATIVES  
Friday, July 18, 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 Alpha, God Omega, God of beginnings, God of ending things:

"As we gather today work is feverish on ending things. As final legislation comes before this House, give to these Representatives calm minds, rational thoughts and sane decisions. May compromises, amendments, added bill provisions be wisely made and in the best interest of all the people of our State. May each of these leaders in the end, return home with a sense that they have served

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the people of North Carolina fairly, justly and with the interests of all the people in mind. Bless our Speakers as they guide things to conclusion.

"In Your all-encompassing name we pray. Amen."

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

Leaves of absence are granted Representatives Bordsen, Cunningham, Gulley, Starnes, Walend, and Warner for today.

### ENROLLED BILLS

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

**S.B. 100**, 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 AND TO ALLOW A SALES AND USE TAX REFUND TO SCHOOL BOARD COOPERATIVES.

**S.B. 301**, 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.

**S.B. 563**, AN ACT TO REPEAL THE LAWS REGULATING ATHLETE AGENTS AND TO ADOPT THE UNIFORM ATHLETE AGENTS ACT.

**S.B. 705**, AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

**S.B. 753**, 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.

**S.B. 831**, 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

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MEMBERS OF THE BOARD, AND TO MAKE APPOINTMENTS TO THE BOARD.

**H.B. 79**, 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 CLARIFY CONFIDENTIALITY.

**H.B. 150**, AN ACT TO PROVIDE CRITERIA FOR AWARDING STATE GRANTS TO STUDENTS ATTENDING CERTAIN ACCREDITED INSTITUTIONS OF HIGHER EDUCATION.

**H.B. 751**, 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.

**H.B. 797**, 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.

**H.B. 886**, AN ACT TO AMEND CERTAIN PROVISIONS OF ARTICLE 1, CHAPTER 90 OF THE GENERAL STATUTES RELATING TO THE NORTH CAROLINA MEDICAL BOARD AND THE PRACTICE OF MEDICINE.

**H.B. 1030**, AN ACT TO REDUCE THE CONCEALED HANDGUN PERMIT APPLICATION AND RENEWAL FEES FOR QUALIFIED RETIRED SWORN LAW ENFORCEMENT OFFICERS.

**H.B. 1066**, 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.

**H.B. 1114**, AN ACT TO MAKE VOLUNTEER FILES MAINTAINED BY LOCAL BOARDS OF EDUCATION PRIVATE.

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**H.B. 1294**, AN ACT TO EXPAND THE QUALIFIED BUSINESS INVESTMENTS TAX CREDIT AND TO EXTEND THE SUNSET ON THE STATE PORTS TAX CREDIT.

**H.B. 926**, AN ACT TO ENHANCE THE PENALTY FOR AN ASSAULT IN THE PRESENCE OF A MINOR.

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

**H.B. 313**, AN ACT TO CONSOLIDATE AND REVISE THE CHARTER OF THE CITY OF ROCKY MOUNT.

**H.B. 697**, AN ACT TO ALLOW THE CITY OF TROY AND ITS REDEVELOPMENT COMMISSION TO ACQUIRE PROPERTY WITHIN A REDEVELOPMENT AREA USING THE "QUICK TAKE" PROCEDURE, TO REVISE AND CONSOLIDATE THE CHARTERS OF THE TOWNS OF PEACHLAND AND POLKTON, AND TO ALLOW THE CITY OF HICKORY TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES.

**H.B. 736**, 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 AND TO AUTHORIZE THE CITY OF DURHAM TO ENTER INTO A JOINT AGREEMENT WITH A PRIVATE UNIVERSITY TO EXTEND THE JURISDICTION OF THE CAMPUS LAW ENFORCEMENT AGENCY OF THE PRIVATE UNIVERSITY INTO THE JURISDICTION OF THE CITY OF DURHAM.

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

**S.J.R. 1022**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SAMUEL KOONCE, FORMER CIVIC LEADER. (RESOLUTION 2003-26)

**H.J.R. 1328**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF REVERENDS ADOLPHEUS NUSSMAN AND JOHANN GOTTFRIED ARENDS ON THE 200TH ANNIVERSARY OF THE NORTH CAROLINA SYNOD OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA. (RESOLUTION 2003-27)

July 18, 2003

**CHAPTERED BILLS**

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

**H.B. 733**, 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. (S.L. 2003-325)

**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. 860** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REGISTRATION REQUIREMENTS AND FEES TO ENGAGE IN CERTAIN ACTIVITIES WITH CONTROLLED SUBSTANCES, 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.

**SPECIAL MESSAGES FROM THE SENATE**

The following Special Messages are received from the Senate:

**H.B. 694** (Senate 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 returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 19.

July 18, 2003

**S.B. 852** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE INTERNET ACCESS BY ORGAN PROCUREMENT ORGANIZATIONS AND EYE BANKS TO INFORMATION IN DIVISION OF MOTOR VEHICLE RECORDS PERTAINING TO ORGAN DONATION; TO ESTABLISH THE "LICENSE TO GIVE TRUST FUND" TO FUND INITIATIVES THAT EDUCATE AND PROMOTE ORGAN AND TISSUE DONATION; AND TO INCREASE THE FEE FOR ISSUANCE, RENEWAL, AND DUPLICATION OF A DRIVERS LICENSE OR SPECIAL IDENTIFICATION CARD AND PROVIDE THAT THE PROCEEDS OF THE INCREASE SHALL BE USED TO IMPLEMENT THIS ACT, is read the first time and referred to the Committee on Finance.

### CONFERENCE REPORT

Representative Culpepper moves the adoption of the following Conference Report.

#### Senate Committee Substitute for H.B. 786

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 786, A BILL TO BE ENTITLED AN ACT TO AMEND LIABILITY RULES THAT APPLY TO CIVIL PARKING AND RED LIGHT CAMERA ENFORCEMENT ACTIONS, Senate Judiciary I Committee Substitute Adopted 6/4/03, submit the following report:

The House and Senate agree to the following amendment to the Senate Judiciary I Committee Substitute Adopted 6/4/03, 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 H786-PCCS60392-RW-31.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 17, 2003.

*Conferees for the  
Senate*

S/ Daniel G. Clodfelter, Chair

*Conferees for the  
House of Representatives*

S/ Bill Culpepper, Chair

July 18, 2003

S/ Eric Reeves  
S/ Fletcher L. Hartsell, Jr.

S/ Wayne Goodwin  
S/ Don Munford  
S/ Connie Wilson

The Conference Report, which changes the title, is adopted, by electronic vote (90-16), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

### CONFERENCE REPORT

Representative Lucas moves the adoption of the following Conference Report.

#### Senate Committee Substitute for H.B. 986

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 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, Senate Commerce Committee Substitute Adopted 6/9/03, submit the following report:

The House and the Senate agree to the following amendment to the Senate Commerce Committee Substitute Adopted 6/9/03, and the House concurs in the Senate Commerce Committee Substitute as amended:

Delete the entire Senate Commerce Committee Substitute Adopted 6/9/03 and substitute the attached proposed Conference Committee Substitute H986-CCSLK-172 [v.8].

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 16, 2003.

*Conferees for the  
Senate*

S/ R. C. Soles, Jr., Chair  
S/ Tony Rand  
S/ Robert C. Carpenter

*Conferees for the  
House of Representatives*

S/ Marvin W. Lucas, Chair  
S/ Ronnie N. Suttton  
S/ Stephen A. LaRoque  
S/ Keith P. Williams  
S/ Karen B. Ray

July 18, 2003

The Conference Report, which changes the title, is adopted, by electronic vote (70-40), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

The Senate having previously adopted the Conference Report, Speaker Morgan orders the bill enrolled and presented to the Governor by Special Message.

### CONFERENCE REPORT

Representative Tolson moves the adoption of the following Conference Report.

#### Senate Committee Substitute for H.B. 1194

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 1194, A BILL TO BE ENTITLED AN ACT TO CREATE THE "E-NC" AUTHORITY TO CONTINUE THE WORK OF THE RURAL INTERNET ACCESS AUTHORITY, Senate Information Technology Committee Substitute Adopted 6/26/03, Fifth Edition Engrossed 7/8/03, submit the following report:

The House and Senate agree to the following amendments to the Senate Information Technology Committee Substitute Adopted 6/26/03, Fifth Edition Engrossed 7/8/03, and the House concurs in the Senate Committee Substitute as amended:

On page 2, lines 37 and 38, by rewriting that line to read:

"Commission shall consist of nine voting members and six non-voting ex officio members, as follows:";

and on page 3, line 4, by rewriting that line to read:

"(4) Six ex officio, non-voting members to include the Secretary of Commerce."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 17, 2003.

*Conferees for the  
Senate*

*Conferees for the  
House of Representatives*

July 18, 2003

S/ Eric Reeves  
S/ Tony Rand

S/ Joe P. Tolson  
S/ Harold J. Brubaker  
S/ William T. Culpepper, III

The Conference Report is adopted, by electronic vote (109-0), and the Senate is so notified by Special Message.

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

The following report from standing committee is presented:

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations 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 as to the House committee substitute joint resolution, unfavorable as to the Senate committee substitute joint resolution.

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

### **CALENDAR**

Action is taken on the following:

Senate Committee Substitute for **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.

On motion of Representative Alexander, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (110-0), and the bill is ordered enrolled and presented to the Governor.

July 18, 2003

**WITHDRAWAL OF BILLS FROM CALENDAR**

On motion of Representative Howard and without objection, the following bills are withdrawn from the Calendar and placed on the Calendar of July 19.

**S.B. 75** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A LIFE SCIENCES REVENUE BOND AUTHORITY.

**S.B. 676** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE BANKING LAWS OF NORTH CAROLINA.

**CALENDAR (continued)**

Senate Committee Substitute No. 2 for **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 Tolson, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (103-5), and the bill is ordered enrolled and presented to the Governor by Special Message.

**H.B. 224** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CITY OF KANNAPOLIS, 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, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtride, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, Ellis, England, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McHenry, McLawhorn,

July 18, 2003

Michaux, Miller, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stiller, Sutton, Tolson, Wainwright, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Bordsen, Cunningham, Gulley, Starnes, Walend, and Warner - 6.

**H.B. 918** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR SERVICE OF PROCESS IN CIVIL CASES AND TO EARMARK THE INCREASE TO ENSURE TIMELY SERVICE OF PROCESS, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtridge, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Goforth, Goodwin, Gorman, Grady, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Luebke, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Ross, Sauls, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 98.

Voting in the negative: Representatives Allred, Creech, McHenry, Mitchell, Moore, Rhodes, Setzer, and Wood - 8.

Excused absences: Representatives Bordsen, Cunningham, Gulley, Starnes, Walend, and Warner - 6.

Representative Glazier requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (99-8).

**S.B. 168** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION OF ECONOMIC DEVELOPMENT AND TRAINING DISTRICTS, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House amendment by Special Message.

July 18, 2003

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, 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, Hackney, Hall, Harrell, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, LaRoque, Lewis, Lucas, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, Michaux, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Stiller, Tolson, Wainwright, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives B. Allen, Haire, Kiser, Luebke, Miller, and Sutton - 6.

Excused absences: Representatives Bordsen, Cunningham, Gulley, Starnes, Walend, and Warner - 6.

**S.B. 324**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE HOMEOWNERS RECOVERY FUND PERMIT FEE, 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 Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtride, Daughtry, Dickson, Dockham, Earle, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, 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, Michaux, Miller, Mitchell, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 105.

Voting in the negative: Representatives Allred, Creech, Decker, McHenry, Moore, Setzer, and Wood - 7.

July 18, 2003

Excused absences: Representatives Bordsen, Cunningham, Gulley, Starnes, Walend, and Warner - 6.

**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, 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 Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, 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, Gorman, Grady, 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, Michaux, Miller, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Bordsen, Cunningham, Gulley, Starnes, Walend, and Warner - 6.

**S.B. 633**, A BILL TO BE ENTITLED AN ACT TO REVISE THE UNIVERSITY OF NORTH CAROLINA SPECIAL OBLIGATION BOND LAW, 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 Alexander, B. Allen, G. Allen, L. Allen, Baker, Barbee, Barnhart, Blackwood, Blust, Bonner, 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, 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, Michaux, Miller, Mitchell, Moore, Munford, Nye, Owens,

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Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walker, Warren, Weiss, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 104.

Voting in the negative: Representatives Allred, West, and Wood - 3.

Excused absences: Representatives Bordsen, Cunningham, Gulley, Starnes, Walend, and Warner - 6.

**S.B. 725** (House 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.

Representative Capps offers Amendment No. 1 which fails of adoption by electronic vote (29-82).

Representatives Bowie and Harrell request and are granted permission to change their votes from "aye" to "no". The adjusted vote total is (27-84).

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 by Special Message.

Those voting in the affirmative are: Speaker Black; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bowie, Brubaker, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Daughtridge, Daughtry, Decker, Dickson, Earle, England, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Hackney, Haire, Hall, Harrell, Hill, Hilton, Holliman, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justus, LaRoque, Lucas, Luebke, McAllister, McCombs, McHenry, McLawhorn, McMahan, Michaux, Miller, Mitchell, Munford, Nye, Owens, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sherrill, Stiller, Sutton, Tolson, Wainwright, Walker, Warren, Weiss, K. Williams, C. Wilson, Wright, and Yongue - 85.

Voting in the negative: Speaker Morgan; Representatives Allred, Capps, Creech, Dockham, Eddins, Ellis, Grady, Holmes, Howard, Justice, Kiser, Lewis, McComas, McGee, Moore, Nesbitt, Pate, Sexton, Stam, West, G. Wilson, and Wood - 23.

Excused absences: Representatives Bordsen, Cunningham, Gulley, Starnes, Walend, and Warner - 6.

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Representative Parmon requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (86-23).

**H.B. 831** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COASTAL RECREATIONAL FISHING LICENSE.

Representative Stam offers Amendment No. 1 which is adopted by electronic vote (105-4).

Representative Baker offers Amendment No. 2 which is adopted by electronic vote (58-54).

Representative Gibson offers Amendment No. 3 which is adopted by electronic vote (110-0).

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, Barbee, Bell, Blust, Bonner, Bowie, Brubaker, Carney, Church, Clary, Coates, Cole, Culp, Culpepper, Daughtridge, Daughtry, Dickson, Earle, Ellis, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth, Goodwin, Hackney, Haire, Hall, Harrell, Holliman, Holmes, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Lewis, Lucas, Luebke, McAllister, McComas, McGee, McLawhorn, McMahan, Michaux, Miller, Parmon, Rapp, Ross, Sauls, Saunders, Setzer, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walker, Warren, Weiss, A. Williams, C. Wilson, G. Wilson, Womble, and Yongue - 75.

Voting in the negative: Representatives Allred, Baker, Barnhart, Blackwood, Capps, Crawford, Creech, Decker, Dockham, Eddins, Frye, Gillespie, Gorman, Grady, Hill, Hilton, Howard, Justus, Kiser, LaRoque, McCombs, McHenry, Mitchell, Moore, Nesbitt, Nye, Owens, Pate, Preston, Ray, Rayfield, Rhodes, Sexton, West, K. Williams, Wood, and Wright - 37.

Excused absences: Representatives Bordsen, Cunningham, Gulley, Starnes, Walend, and Warner - 6.

Representative A. Williams requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (74-38).

**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

July 18, 2003

FINANCING FOR PROJECTS WITHIN MUNICIPAL SERVICE DISTRICTS, 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, Bowie, Brubaker, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtride, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Gorman, Grady, 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, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stiller, Sutton, Tolson, Wainwright, Walker, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Womble, Wood, Wright, and Yongue - 107.

Voting in the negative: Representatives Capps, Ellis, Nesbitt, and Stam - 4.

Excused absences: Representatives Bordsen, Cunningham, Gulley, Starnes, Walend, and Warner - 6.

**H.B. 1241** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELAY THE REINSTATEMENT OF THE TWENTY PERCENT UNEMPLOYMENT INSURANCE SURTAX, passes its second reading, by electronic vote (112-0).

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

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

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

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

#### **2003 GENERAL ASSEMBLY FIRST SESSION**

July 18, 2003

Senate Chamber  
July 18, 2003

Mr. Speaker:

Pursuant to your message received on July 17, 2003, that the House of Representatives fails to concur in the Senate Committee Substitute to **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, and requests conferees, the President *Pro Tempore* appoints:

Senator Berger, Chair  
Senator Smith  
Senator Kerr  
Senator Hoyle

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  
July 18, 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. 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, and requests conferees. The President *Pro Tempore* appoints:

Senator Hagan, Chair  
Senator Soles  
Senator Hartsell

July 18, 2003

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  
July 18, 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. 51**, A BILL TO BE ENTITLED AN ACT TO CLOSE A LOOPHOLE THAT ALLOWS CORPORATIONS TO CONTINUE AVOIDING FRANCHISE TAXES, and requests conferees. The President *Pro Tempore* appoints:

Senator Clodfelter, Chair  
Senator Hoyle  
Senator Kerr  
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 Munford, Sherrill, Luebke, McComas, and G. Allen as conferees on the part of the House and the Senate is so notified by Special Message.

On motion of Speaker Morgan, the House recesses at 1:24 p.m.

July 18, 2003

**RECESS**

The House reconvenes pursuant to recess and is called to order by Speaker Morgan.

**CONFEREES APPOINTED**

Speaker Morgan appoints the following conferees on **S.B. 750** (House 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: Representative Hackney, Chair; Representatives Harrell, Sherrill, Hill, Adams, Howard, Gibson, Bowie, and McCombs.

The Senate is so notified by Special Message.

**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. 164**, 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.

Senate Committee Substitute for **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 recommendation that the House concur.

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

July 18, 2003

Senate Committee Substitute for **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, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 19.

**S.B. 61**, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE PROCEDURE FOR CALCULATING TUITION FOR MILITARY PERSONNEL AND THEIR DEPENDENTS, 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.J.R. 416** (House 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 as to House Committee Substitute Resolution No. 2, unfavorable as to House Committee Substitute Resolution No. 1.

Pursuant to Rule 36(b), House Committee Substitute Resolution No. 2 is placed on the Calendar. House Committee Substitute Resolution No. 1 is placed on the Unfavorable Calendar.

**S.B. 867** (House Committee Substitute No. 2), 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 AND TO INCREASE THE CRIMINAL PENALTY FOR DAMAGING A PUBLIC BUILDING WITH AN EXPLOSIVE OR INCENDIARY DEVICE OR MATERIAL AND TO ESTABLISH THE HONORARY LISTON B. RAMSEY MOUNTED HORSE/CAISSON PATROL UNIT, with a favorable report as to House Committee Substitute Bill No. 3, unfavorable as to House Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 3 is placed on the Calendar of July 19. House Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

July 18, 2003

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

Senate Chamber  
July 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. 786** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND LIABILITY RULES THAT APPLY TO CIVIL PARKING, RED LIGHT CAMERA, AND PHOTOGRAPHIC SPEED-MEASURING SYSTEM ENFORCEMENT ACTIONS.

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 Morgan orders the bill enrolled and sent to the Governor by Special Message.

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

Senate Chamber  
July 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. 1194** (Conference Report), A BILL TO BE ENTITLED AN ACT TO CREATE THE "E-NC" AUTHORITY TO CONTINUE THE WORK OF THE RURAL INTERNET ACCESS AUTHORITY.

July 18, 2003

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 Morgan orders the bill enrolled and sent to the Governor by Special Message.

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

The following Special Messages are received from the Senate:

**H.B. 819** (Senate Committee Substitute), 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 returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 19.

**H.B. 1126** (Senate 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, 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.

#### **WITHDRAWAL OF OBJECTION TO THIRD READING**

Representative Brubaker removes his objection to the third reading of **H.B. 1241** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELAY THE REINSTATEMENT OF THE TWENTY PERCENT UNEMPLOYMENT INSURANCE SURTAX.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

July 18, 2003

**BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **S.J.R. 416** (House Committee Substitute No. 2), 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 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 for concurrence in House Committee Substitute Resolution No. 2 by Special Message.

**BILLS PLACED ON CALENDAR**

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

**H.B. 860** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE REGISTRATION REQUIREMENTS AND FEES TO ENGAGE IN CERTAIN ACTIVITIES WITH CONTROLLED SUBSTANCES.

**H.B. 1126** (Senate 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.

**S.B. 61** (House 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, AND TO AUTHORIZE A STUDY OF THE NEED FOR A MOPED IDENTIFICATION TAG PROGRAM.

July 18, 2003

**WITHDRAWAL OF BILL FROM COMMITTEE**

On motion of Speaker Morgan and without objection, **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 withdrawn from the Committee on Rules, Calendar, and Operations of the House and placed on today's Calendar for immediate consideration.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Barbee, Barnhart, Bell, Blust, Bonner, Brubaker, 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, 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, McMahan, Michaux, Mitchell, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 100.

Voting in the negative: Representatives Allred, Baker, Blackwood, McHenry, Moore, and Wood - 6.

Excused absences: Representatives Bordsen, Cunningham, Miner, Starnes, Walend, and Warner - 6.

**CALENDAR (continued)**

**S.B. 61** (House 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, AND TO AUTHORIZE A STUDY OF THE NEED FOR A MOPED IDENTIFICATION TAG PROGRAM, passes its second reading, by the following vote, and there being no objection is read a third time.

July 18, 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, Bonner, 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, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walker, 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 Bordsen, Cunningham, Miner, Starnes, Walend, and Warner - 6.

The bill 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 Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, 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, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Bordsen, Cunningham, Miner, Starnes, Walend, and Warner - 6.

July 18, 2003

**H.B. 860** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE REGISTRATION REQUIREMENTS AND FEES TO ENGAGE IN CERTAIN ACTIVITIES WITH CONTROLLED SUBSTANCES, 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 Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bowie, Brubaker, Capps, Carney, Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, 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, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walker, Warren, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives Creech, Ellis, Luebke, and Weiss - 4.

Excused absences: Representatives Bordsen, Cunningham, Miner, Starnes, Walend, and Warner - 6.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bowie, Brubaker, Capps, Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtridg, Daughtry, Decker, Dickson, Dockham, Earle, Eddins, England, Fox, Frye, Gibson, 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, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Saunders, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walker, Warren, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

July 18, 2003

Voting in the negative: Representatives Creech, Ellis, Luebke, and Weiss - 4.

Excused absences: Representatives Bordsen, Cunningham, Miner, Starnes, Walend, and Warner - 6.

### ENROLLED BILLS

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

**S.B. 226**, 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.

**S.B. 324**, AN ACT TO INCREASE THE HOMEOWNERS RECOVERY FUND PERMIT FEE.

**S.B. 550**, AN ACT TO IMPROVE AND STRENGTHEN CREMATION LAW IN NORTH CAROLINA AND TO IMPROVE AND MAKE TECHNICAL CORRECTIONS TO THE FUNERAL LAW.

**S.B. 561**, AN ACT TO ELIMINATE THE REQUIREMENT THAT NOTICE OF LEGISLATIVE MEETINGS BE POSTED ON THE PRESS ROOM DOOR; TO SUBSTITUTE A REQUIREMENT OF MAILING AND ELECTRONIC POSTING OF THE MEETING NOTICE, AND TO REQUIRE APPOINTING AUTHORITIES TO PROVIDE ADDITIONAL INFORMATION REGARDING APPOINTEES TO CERTAIN STATE COMMISSIONS, COUNCILS, COMMITTEES, AND BOARDS.

**S.B. 633**, AN ACT TO REVISE THE UNIVERSITY OF NORTH CAROLINA SPECIAL OBLIGATION BOND LAW.

**S.B. 659**, 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, TO PROVIDE FOR WIDER DISSEMINATION OF THE ANNUAL REPORT TO THE PUBLIC AND TO EXEMPT CERTAIN NONPROFIT FIRE OR EMERGENCY MEDICAL SERVICE ORGANIZATIONS FROM REPORTING AND OTHER REQUIREMENTS.

July 18, 2003

**S.B. 751**, AN ACT TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE NORTH CAROLINA FOOD, DRUG AND COSMETIC ACT.

**S.B. 934**, AN ACT TO ESTABLISH A REGISTRATION FEE FOR THE AUTHORIZATION OF A PRIVATE FACILITY TO SERVE DWI OFFENDERS AND TO REQUIRE THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO STUDY THE SUBSTANCE ABUSE SERVICES OFFERED BY AN ASSESSING AGENCY AND THE ADEQUACY OF THE FEE IMPOSED FOR A SUBSTANCE ABUSE ASSESSMENT CONDUCTED BY AN ASSESSING AGENCY.

**S.B. 965**, AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT THE GENERAL ASSEMBLY MAY PLACE THE CLEAR PROCEEDS OF CIVIL PENALTIES, CIVIL FORFEITURES, AND CIVIL FINES COLLECTED BY A STATE AGENCY IN A STATE FUND TO BE USED EXCLUSIVELY FOR MAINTAINING FREE PUBLIC SCHOOLS.

**H.B. 815**, 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; AND TO PROVIDE THAT SOCIAL SETTING DETOXIFICATION FACILITIES AND MEDICAL DETOXIFICATION FACILITIES SHALL NOT DENY ADMISSION OR TREATMENT TO AN INDIVIDUAL ON THE BASIS OF THE INDIVIDUAL'S INABILITY TO PAY.

**H.B. 1026**, AN ACT TO MAKE THE PROGRAM FOR THE COLLECTION OF WORTHLESS CHECKS AVAILABLE STATEWIDE.

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

**S.B. 317**, AN ACT TO PROVIDE FOR A TWO-YEAR MORATORIUM ON ANNEXATIONS INTO THE COUNTY OF CABARRUS BY

July 18, 2003

MUNICIPALITIES LOCATED PRIMARILY OUTSIDE THE COUNTY AND TO ADD TERRITORY TO THE ECONOMIC DEVELOPMENT ZONE WHERE THERE IS A MORATORIUM ON ANNEXATION AND AFFECTING ELECTRONIC SIGNATURES AND ELECTRONIC RECORDS FILED WITH VARIOUS COUNTY REGISTERS OF DEEDS.

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

**H.J.R. 1338**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ALAN PRESTON NEELY, MINISTER AND COMMUNITY LEADER. (RESOLUTION 2003-28)

#### **CONFERENCE REPORT**

Representative Sexton sends forth the Conference Report on Senate Committee Substitute for **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. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 19.

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

**H.B. 1126** (Senate 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.

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

Representative Culpepper moves, seconded by Representative McCombs, that the House adjourn, subject to the receipt of Committee Reports, the receipt of Conference Reports, and the receipt of Messages from the Senate, to reconvene July 19 at 10:00 a.m.

The motion carries.

July 18, 2003

**CONFERENCE REPORT**

Representative Saunders sends forth the Conference Report on **S.B. 872** (House 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. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 19.

**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. 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, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 19. The Senate committee substitute bill is placed on the Unfavorable Calendar.

**SPECIAL MESSAGES FROM THE SENATE**

The following Special Messages are received from the Senate:

Senate Committee Substitute for **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, 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.

July 18, 2003

Speaker Morgan rules the Senate committee substitute bill to be material, thus constituting its first reading.

Senate Committee Substitute for **H.B. 674**, A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF THE DURHAM NORTHERN LOOP, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 19.

Upon concurrence, the Senate committee substitute bill changes the title.

The House stands adjourned at 8:41 p.m.

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## ONE HUNDRED FIRST DAY

HOUSE OF REPRESENTATIVES  
Saturday, July 19, 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 who gives strength and wisdom, it seems everyone here is ready for each day to be the last day, yet there is more important business that comes for consideration and vote. In this new day grant to the Speakers and these Representatives calmness of thought and the ability to make rational decisions for the good of the people and of our State. May the remaining decisions be made with forethought and with wisdom. And when their work is at last completed, give them time of rest, and rejuvenation of mind, body and spirit, before the work starts all over again."

"In Your almighty name we pray. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 18 has been examined and found correct. Upon his motion, the Journal is approved as written.

July 19, 2003

Leaves of absence are granted Representatives Bordsen, Cunningham, Miller, Miner, Starnes, Walend, and Warner for today. Representatives B. Allen, Decker, Earle, Grady, Hackney, Parmon, Walker, G. Wilson, and Womble are excused for a portion of the session.

### ENROLLED BILLS

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

**S.B. 35**, AN ACT TO AUTHORIZE CLOVER GARDEN CHARTER SCHOOL TO ELECT TO PARTICIPATE IN THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, TO AUTHORIZE THE STATE BOARD OF EDUCATION TO GRANT OR RENEW CHARTERS FOR CHARTER SCHOOLS FOR PERIODS UP TO TEN YEARS, TO REQUIRE THE STATE BOARD OF EDUCATION TO REVIEW THE OPERATIONS OF CHARTER SCHOOLS AT LEAST EVERY FIVE YEARS, AND TO MODIFY THE AUTHORITY OF THE DUPLIN BOARD OF COUNTY COMMISSIONERS 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.B. 701**, AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL EMPLOYEES.

**H.B. 786**, AN ACT TO AMEND LIABILITY RULES THAT APPLY TO CIVIL PARKING, RED LIGHT CAMERA, AND PHOTOGRAPHIC SPEED-MEASURING SYSTEM ENFORCEMENT ACTIONS.

**H.B. 986**, AN ACT TO REQUIRE A MOTOR VEHICLE INSURER TO DISCLOSE ANY FINANCIAL INTEREST IN A RECOMMENDED REPAIR FACILITY OR SERVICE AND REQUIRING AN INSURER TO DISCLOSE THE USE OF NONORIGINAL CRASH REPAIR PARTS OR NONORIGINAL AUTO GLASS FOR MOTOR VEHICLE REPAIRS.

**H.B. 1126**, 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.

**H.B. 1194**, AN ACT TO CREATE THE "E-NC" AUTHORITY TO CONTINUE THE WORK OF THE RURAL INTERNET ACCESS AUTHORITY.

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**H.B. 1257**, AN ACT AMENDING VARIOUS PROVISIONS OF THE RESPIRATORY CARE PRACTICE ACT.

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

**S.J.R. 416**, A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND THE HOUSE OF REPRESENTATIVES TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES. (RESOLUTION 2003-29)

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

Pursuant to Rule 36(b)(2), **H.B. 759** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REVENUE LAWS STUDY COMMITTEE TO STUDY A PREFERENTIAL SALES AND USE TAX RATE FOR LIGHT CONSTRUCTION EQUIPMENT, 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**

Representative Ross sends forth the Conference Report on **S.B. 819** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REGARDING THE SALE OF STATE-OWNED PROPERTY IN THE BLOUNT STREET HISTORIC DISTRICT. Without objection, the Conference Report is placed on today's Calendar.

#### **CALENDAR**

Action is taken on the following:

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

**H.R. 1332** (Committee Substitute), A HOUSE RESOLUTION URGING STATE AND LOCAL AGENCIES TO ADDRESS ISSUES RELATING TO THE HEPATITIS C VIRUS.

The resolution is adopted, by electronic vote (106-0), and ordered printed.

Representative Allred requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (107-0).

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**CONFERENCE REPORT**

Representative Sexton moves the adoption of the following Conference Report.

**Senate Committee Substitute for H.B. 440**

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 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 AND TO PROVIDE FOR THE CREATION OF ECONOMIC DEVELOPMENT AND TRAINING DISTRICTS, Senate Finance Committee Substitute Adopted 6/5/03 Third Edition Engrossed 6/11/03, submit the following report:

The Senate and House agree to the following amendment to the Senate Committee Substitute, Third Edition Engrossed 6/11/03, and the Senate concurs in the House Committee Substitute, as amended:

Delete the entire Senate Committee Substitute, Third Edition Engrossed 6/11/03, and substitute the attached Proposed Conference Committee Substitute H440-PCCS30422-SV-3.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 18, 2003.

*Conferees for the  
Senate*

S/ Philip E. Berger, Chair  
S/ Fred Smith  
S/ John H. Kerr, III  
S/ David Hoyle

*Conferees for the  
House of Representatives*

S/ Wayne Sexton, Chair  
S/ E. Nelson Cole  
S/ David R. Lewis

The Conference Report, which changes the title, is adopted, by electronic vote (105-0), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

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Representative Sherrill requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (106-0).

### CONFERENCE REPORT

Representative Brubaker moves the adoption of the following Conference Report.

#### House Committee Substitute for S.B. 872

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 872, 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, House Committee Substitute Favorable 7/9/03, submit the following report:

The House and Senate agree to the following amendment to the House Committee Substitute, Third Edition Engrossed 7/9/03, 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 S872-PCCS55203-RC-6.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 18, 2003.

*Conferees for the  
Senate*

S/ Scott Thomas, Chair  
S/ A. B. Swindell  
S/ Tom Apodaca

*Conferees for the  
House of Representatives*

S/ Drew P. Saunders, Chair  
S/ Harold Brubaker  
S/ Julia C. Howard  
S/ Lorene T. Coates  
S/ Stephen A. LaRoque

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Pursuant to Rule 24.1A(c), the request that Representative Gibson be excused from voting on July 14 is continued.

The Conference Report is adopted, by electronic vote (106-0), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

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

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

Senate Committee Substitute for **H.B. 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, 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 Crawford moves that the House do concur in the Senate committee substitute bill.

On motion of Speaker Black and without objection, the bill is temporarily displaced.

#### **STATE BOARD OF COMMUNITY COLLEGES ELECTION**

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

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**H.R. 1336** (Committee Substitute), A HOUSE RESOLUTION ELECTING ESTELLE LEE AND JAMES DANIELS TO THE STATE BOARD OF COMMUNITY COLLEGES.

The resolution is adopted, by electronic vote (104-3), and ordered printed.

Pursuant to Article VI, Section 5 of the North Carolina Constitution, the elections of Estelle Lee and James Daniels to the State Board of Community Colleges for terms beginning July 1, 2003, and ending June 30, 2009, are confirmed by *viva voce* vote.

The Senate is so notified of the actions taken by Special Message.

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

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

**H.B. 694** (Senate 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.

On motion of Representative Brubaker, the House concurs in the Senate committee substitute bill, by electronic vote (104-1), and the bill is ordered enrolled and presented to the Governor by Special Message.

#### **CONFEREES APPOINTED**

Speaker Black appoints the following conferees on **S.B. 750** (House 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: Representatives Cole and Wright.

The Senate is so notified by Special Message.

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

**H.B. 819** (Senate Committee Substitute), 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.

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Representative Ellis moves that the House do concur in the Senate committee substitute bill.

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.

**H.B. 972** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW AN INTERNET-BASED ALTERNATIVE TO PROPERTY TAX CERTIFICATION PROCEDURES.

On motion of Representative Culpepper, the House concurs in the Senate committee substitute bill, by electronic vote (105-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

Senate Committee Substitute for **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.

On motion of Representative Goodwin, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (105-1), and the bill is ordered enrolled and presented to the Governor by Special Message.

**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, 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, Alexander, B. Allen, G. Allen, L. Allen, Barbee, Barnhart, Bell, Blust, Bonner, Brubaker, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Dickson, Dockham, Earle, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Hill, Hilton, Holliman, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McLawhorn, McMahan, Mitchell, Nesbitt, Nye, Owens, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson,

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Wainwright, Walker, Warren, Weiss, West, A. Williams, K. Williams, G. Wilson, Wright, and Yongue - 91.

Voting in the negative: Representatives Allred, Baker, Blackwood, McHenry, Moore, and Wood - 6.

Excused absences: Representatives Bordsen, Cunningham, Decker, Miller, Miner, Parmon, Starnes, Walend, Warner, and Womble - 10.

Representatives Bowie and Gorman request and are granted permission to be recorded as voting "aye". The adjusted vote total is (93-6).

**H.B. 224** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CITY OF KANNAPOLIS.

Representative L. Johnson offers Amendment No. 1.

On motion of Speaker Black and without objection, the bill with Amendment No. 1 pending, is temporarily displaced.

#### **WITHDRAWAL OF BILLS FROM CALENDAR**

On motion of Representative Culpepper and without objection, the following bills are withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 75** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A LIFE SCIENCES REVENUE BOND AUTHORITY.

**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.

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

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

**S.J.R. 327**, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF JOSEPH A. SMITH, JR. AS COMMISSIONER

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

The resolution passes its third reading and is ordered enrolled.

**S.B. 661** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A LOCAL CONFINEMENT FACILITY TRANSFERS A PRISONER TO ANOTHER LOCAL CONFINEMENT FACILITY THE TRANSFERRING FACILITY PROVIDES TO THE RECEIVING FACILITY HEALTH INFORMATION ABOUT THE TRANSFERRED PRISONER; AND TO MAKE CHANGES TO THE EMERGENCY MEDICAL SERVICES ACT, AND TO CREATE THE OFFENSE OF ARSON OR OTHER UNLAWFUL BURNINGS THAT RESULT IN SERIOUS INJURY TO A FIREFIGHTER OR EMERGENCY MEDICAL TECHNICIAN, 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 by Special Message.

**S.B. 867** (House Committee Substitute No. 3), 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 AND TO INCREASE THE CRIMINAL PENALTY FOR DAMAGING A PUBLIC BUILDING WITH AN EXPLOSIVE OR INCENDIARY DEVICE OR MATERIAL AND TO ESTABLISH THE HONORARY LISTON B. RAMSEY MOUNTED HORSE/CAISSON PATROL UNIT, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 3 by Special Message.

**H.B. 224** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CITY OF KANNAPOLIS, which was temporarily displaced with Amendment No. 1 pending, is before the Body.

Representative L. Johnson offers perfecting Amendment No. 2 which is adopted by electronic vote (106-0).

Amendment No. 1 is adopted by electronic vote (106-0).

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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, Alexander, B. Allen, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bowie, Brubaker, Capps, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, 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, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walker, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Bordsen, Cunningham, Decker, Miller, Miner, Parmon, Starnes, Walend, Warner, and Womble - 10.

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

The following Special Message is received from the Senate:

**S.B. 944** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SALES TAX REFUNDS FOR CONSTRUCTION MATERIALS FOR AIRCRAFT AND MOTOR VEHICLE MANUFACTURING FACILITIES, PHARMACEUTICAL AND BIOPROCESSING FACILITIES, AND SEMICONDUCTOR MANUFACTURING FACILITIES, AND TO EXPAND THE MEMBERSHIP OF THE REVENUE LAWS STUDY COMMITTEE, is read the first time and referred to the Committee on Finance.

#### **CONFERENCE REPORT**

Representative Alexander sends forth the Conference Report on Senate Committee Substitute for **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

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ENFORCEMENT OFFICERS, ALTERNATIVE FUEL VEHICLES, ZETA PHI BETA SORORITY, BREAST CANCER AWARENESS, AND MOTHERS AGAINST DRUNK DRIVING. Without objection, the Conference Report is placed on today's Calendar.

The Conference Report is ruled to be material, thus constituting its first reading.

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

On motion of Representative Culpepper and without objection, **S.B. 676** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE BANKING LAWS OF NORTH CAROLINA, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Speaker Black, the House recesses at 12:27 p.m. subject to the receipt of Messages from the Senate and the ratification of bills.

#### **RECESS**

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

#### **2003 GENERAL ASSEMBLY FIRST SESSION**

Senate Chamber  
July 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 **H.B. 440** (Conference Committee Substitute), 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.

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 by Special Message.

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The House reconvenes pursuant to recess and is called to order by Speaker Black.

**SPECIAL MESSAGE FROM THE SENATE**

**2003 GENERAL ASSEMBLY  
FIRST SESSION**

Senate Chamber  
July 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. 872** (Conference 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.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered the bill enrolled.

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

**SPECIAL MESSAGE FROM THE SENATE**

**2003 GENERAL ASSEMBLY  
FIRST SESSION**

Senate Chamber  
July 19, 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. 416** (House Committee Substitute), A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE

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AND THE HOUSE OF REPRESENTATIVES TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, the Senate has elected Anne-Marie Knighton and Dr. Linwood Warren Powell to serve on the State Board of Community Colleges for a term of six years beginning July 1, 2003, and ending June 30, 2009.

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

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

The following Special Message is received from the Senate:

Senate Committee Substitute for **H.B. 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 TARPAMLICO 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 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 (continued)**

**H.B. 831** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COASTAL RECREATIONAL FISHING LICENSE.

Representative Wainwright offers Amendment No. 4 which is adopted by electronic vote (101-1).

Representative LaRoque offers Amendment No. 5.

Speaker Black stops debate and attends to the following business.

#### **ENROLLED BILLS**

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

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**S.B. 61**, 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 AUTHORIZE A STUDY OF THE NEED FOR A MOPED IDENTIFICATION TAG PROGRAM.

**S.B. 168**, AN ACT TO PROVIDE FOR THE CREATION OF ECONOMIC DEVELOPMENT AND TRAINING DISTRICTS.

**S.B. 725**, 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.

**H.B. 328**, 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.

**H.B. 694**, 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.

**H.B. 932**, 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.

**H.B. 972**, AN ACT TO ALLOW AN INTERNET-BASED ALTERNATIVE TO PROPERTY TAX CERTIFICATION PROCEDURES.

**H.B. 1182**, AN ACT TO EXPAND THE USURY EXEMPTION.

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. 327**, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENT OF JOSEPH A. SMITH, JR. AS COMMISSIONER OF BANKS. (RESOLUTION 2003-30)

**CALENDAR (continued)**

**H.B. 831** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COASTAL RECREATIONAL FISHING LICENSE, with Amendment No. 5 pending, is before the Body.

Amendment No. 5 is adopted by electronic vote (52-50).

Representative Rayfield offers Amendment No. 6 which is adopted by electronic vote (51-49).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Speaker Black; Representatives Adams, Alexander, G. Allen, L. Allen, Barbee, Bell, Blust, Bonner, Brubaker, Carney, Church, Clary, Coates, Cole, Crawford, Culp, Culpepper, Daughtridge, Daughtry, Dickson, Ellis, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth, Goodwin, Gulley, Hackney, Hall, Harrell, Holliman, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, LaRoque, Lucas, Luebke, McAllister, McComas, McGee, McLawhorn, McMahan, Michaux, Munford, Pate, Rapp, Ross, Sauls, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Walker, Warren, Weiss, C. Wilson, and Yongue - 66.

Voting in the negative: Representatives Allred, Baker, Barnhart, Blackwood, Bowie, Capps, Creech, Dockham, Eddins, Frye, Gillespie, Gorman, Grady, Hill, Hilton, Howard, Kiser, Lewis, McCombs, McHenry, Mitchell, Moore, Nesbitt, Nye, Owens, Preston, Ray, Rayfield, Rhodes, Setzer, Sexton, West, A. Williams, K. Williams, G. Wilson, Wood, and Wright - 37.

Excused absences: Representatives B. Allen, Bordsen, Cunningham, Decker, Earle, Miller, Miner, Parmon, Starnes, Walend, Warner, and Womble - 12.

**H.B. 819** (Senate Committee Substitute), 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, which was temporarily displaced, is before the Body.

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The House concurs in the Senate committee substitute bill, by electronic vote (99-5), and the bill is ordered enrolled and presented to the Governor by Special Message.

### CONFERENCE REPORT

Representative Ross moves the adoption of the following Conference Report.

#### House Committee Substitute for S.B. 819

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 819, A BILL TO BE ENTITLED AN ACT REGARDING THE SALE OF STATE-OWNED PROPERTY IN THE BLOUNT STREET HISTORIC DISTRICT, House Committee Substitute Favorable 7/10/03, submit the following report:

The Senate concurs in the House Committee Substitute with the following amendment:

On page 2, line 29, lines 30-31, by rewriting those lines to read:

- "(3) The next five million dollars (\$5,000,000) of the funds shall be placed in a special trust fund in the Department of State Treasurer, hereinafter to be held in trust and used solely for the upkeep, repair, and maintenance of the Executive Mansion. The State Treasurer, as custodian of the special trust fund, shall authorize the use of interest earned by the special trust fund only for such purposes as approved by the Executive Mansion Fine Arts Committee. The duties of the Committee under this section are in addition to those provided by G.S. 143B-79. The Executive Mansion Fine Arts Committee shall report to the Joint Legislative Commission on Governmental Operations any expenditures within 30 days of approving them. The principal may not be used for any purpose.
- (4) The remainder not needed under subdivisions (1) through (3) of this section shall be placed in the General Fund."

And the House agrees to the same.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 19, 2003.

July 19, 2003

*Conferees for the  
Senate*

S/ Tony Rand, Chair  
S/ Apodaca  
S/ Steve Metcalf  
S/ Eric Reeves  
S/ Vernon Malone

*Conferees for the  
House of Representatives*

S/ Deborah Ross  
S/ Don Munford  
S/ W. C. Owens, Jr.  
S/ William T. Culpepper, III

The Conference Report is adopted, by electronic vote (102-1), and the Senate is so notified by Special Message.

**BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and Senate Committee Substitute No. 2 for **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, is placed on today's Calendar for immediate consideration.

On motion of Representative K. Williams, the House concurs in Senate Committee Substitute Bill No. 2, which changes the title, by electronic vote (104-0), and the bill is ordered enrolled and presented to the Governor by Special Message.

**BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and Senate Committee Substitute for **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 TARPAMLICO 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 placed on today's Calendar for immediate consideration.

On motion of Representative Tolson, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (87-13), and the bill is ordered enrolled and presented to the Governor.

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Representative Rapp requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (88-13).

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

Senate Committee Substitute for **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 Culpepper, the House does not concur in the Senate committee substitute bill, by electronic vote (101-2).

Representatives Ellis and Pate request and are granted permission to change their vote from "no" to "aye". The adjusted vote total is (103-0).

The Senate is so notified of the action taken by Special Message.

#### **CONFERENCE REPORT**

Representative Alexander moves the adoption of the following Conference Report.

#### **Senate Committee Substitute for H.B. 855**

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 855, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR A SPECIAL REGISTRATION PLATE AND TO CREDIT THE INCREASED FEE REVENUE TO THE NATURAL HERITAGE TRUST FUND AND THE PARKS AND RECREATION TRUST FUND, TO REQUIRE THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY THE NUMBER OF SPECIAL REGISTRATION PLATES THAT HAVE NOT RECEIVED THE MINIMUM NUMBER OF APPLICATIONS WITHIN THREE YEARS OF THEIR AUTHORIZATION AND ALTERNATIVE METHODS OF IDENTIFYING NORTH CAROLINA REGISTRATION PLATES, TO ALLOW THE NC COASTAL FEDERATION SPECIAL PLATE TO HAVE A DIFFERENT PLATE BACKGROUND, AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE THE FOLLOWING NEW SPECIAL REGISTRATION PLATES: ALTERNATIVE FUEL VEHICLES, BE ACTIVE NC, BLUE RIDGE PARKWAY FOUNDATION, BREAST CANCER AWARENESS, BUFFALO SOLDIERS, CELEBRATE ADOPTION, CRYSTAL COAST ARTIFICIAL REEF

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ASSOCIATION, DELTA SIGMA THETA SORORITY, FRATERNAL ORDER OF POLICE, FRIENDS OF THE APPALACHIAN TRAIL, MOTHERS AGAINST DRUNK DRIVING, POW/MIA, RED HAT SOCIETY, RETIRED LAW ENFORCEMENT OFFICERS, SURVEYORS, AND ZETA PHI BETA SORORITY, Senate Finance Committee Substitute Adopted 6/26/03 Fifth Edition Engrossed 7/8/03, submit the following report:

The House and Senate agree to the following amendment to the Senate Finance Committee Substitute Adopted 6/26/03, Fifth Edition Engrossed 7/8/03, 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 H855-PCCS30421-RB-10.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 19, 2003.

*Conferees for the  
Senate*

S/ John Kerr  
S/ David Hoyle  
S/ Joe Sam Queen

*Conferees for the  
House of Representatives*

S/ Martha Alexander  
S/ Julia Howard  
S/ Carolyn Justice  
S/ Paul Luebke  
S/ John Rayfield  
S/ William Wainwright  
S/ Wilma M. Sherrill  
S/ R. Phillip Haire

Without objection, 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, G. Allen, L. Allen, Allred, Baker, Barnhart, Bell, Bonner, Bowie, Brubaker, Carney, Church, Clary, Coates, Crawford, Culpepper, Dickson, Eddins, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Hill, Holliman, Howard, Insko, C. Johnson, L. Johnson, Jones, Justice, Justus, LaRoque,

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Lucas, Luebke, McAllister, McComas, McLawhorn, Michaux, Nesbitt, Nye, Owens, Rapp, Ross, Sexton, Sherrill, Stam, Stiller, Wainwright, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Wright, and Yongue - 67.

Voting in the negative: Representatives Barbee, Blackwood, Blust, Capps, Cole, Creech, Culp, Daughtridg, Daughtry, Dockham, Ellis, Frye, Gillespie, Hall, Harrell, Hilton, Kiser, Lewis, McCombs, McGee, McHenry, McMahan, Mitchell, Moore, Munford, Pate, Preston, Ray, Rayfield, Rhodes, Sauls, Setzer, Sutton, Tolson, Walker, and Wood - 36.

Excused absences: Representatives B. Allen, Bordsen, Cunningham, Decker, Earle, Miller, Miner, Parmon, Starnes, Walend, Warner, and Womble - 12.

Representatives Parmon and Womble request and are granted permission to be recorded as voting "aye". The adjusted vote total is (69-36).

Without objection, the material Conference Report, which changes the title, is adopted on its third roll call reading, by the following vote, and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

Those voting in the affirmative are: Representatives Adams, Alexander, G. Allen, L. Allen, Baker, Barnhart, Bell, Bonner, Brubaker, Carney, Church, Clary, Coates, Crawford, Culpepper, Dickson, England, Farmer-Butterfield, Fox, Gibson, Glazier, Goforth, Goodwin, Gorman, Grady, Gulley, Hackney, Haire, Harrell, Hill, Holliman, Howard, Insko, C. Johnson, L. Johnson, Jones, Justice, Justus, LaRoque, Lucas, Luebke, McAllister, McComas, McLawhorn, McMahan, Michaux, Nesbitt, Nye, Owens, Parmon, Preston, Rapp, Ross, Sexton, Sherrill, Stam, Stiller, Tolson, Wainwright, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 69.

Voting in the negative: Representatives Allred, Barbee, Blackwood, Blust, Bowie, Capps, Cole, Creech, Culp, Daughtridg, Daughtry, Dockham, Eddins, Ellis, Frye, Gillespie, Hall, Hilton, Kiser, Lewis, McCombs, McGee, McHenry, Mitchell, Moore, Munford, Pate, Ray, Rayfield, Rhodes, Sauls, Setzer, Sutton, Walker, and Wood - 35.

Excused absences: Representatives B. Allen, Bordsen, Cunningham, Decker, Earle, Miller, Miner, Starnes, Walend, and Warner - 10.

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**POINT OF PERSONAL PRIVILEGE**

Representative Gorman rises on a point of personal privilege and proposes marriage to Ms. Debbie Pons, who is seated in the gallery. She answers in the affirmative.

On motion of Representative Culpepper, the actions of Representative Gorman are spread upon the Journal.

**CALENDAR (continued)**

Senate Committee Substitute for **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, 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, is before the Body.

On motion of Speaker Black, the House recesses at 5:00 p.m.

**RECESS**

The House reconvenes pursuant to recess and is called to order by Speaker Black.

**CALENDAR (continued)**

Senate Committee Substitute for **H.B. 48** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE NORTH

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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, 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 before the Body.

On motion of Representative Crawford, the House concurs in Senate Amendment No. 1 by electronic vote (104-0).

On motion of Representative Crawford, the House concurs in Senate Amendment No. 2 by electronic vote (104-0).

Representative Crawford moves that the House concur in the Senate committee substitute bill.

The motion fails by electronic vote (43-59).

#### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and Senate Committee Substitute for **H.J.R. 1335**, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 2003 GENERAL ASSEMBLY TO MEET IN 2004 AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, is placed on today's Calendar for immediate consideration.

On motion of Representative Culpepper, the House concurs in the Senate committee substitute resolution, which changes the title, by electronic vote (102-0), and the resolution is ordered enrolled.

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**CONFEREES REQUESTED**

Representative Crawford requests that Speaker Black appoint conferees on Senate Committee Substitute for **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, 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.

Speaker Black appoints Representatives Crawford, Brubaker, Cole, Stiller, Gillespie, McComas, Clary, Owens, Culpepper, Barnhart, Coates, Allred, Wright, and Wainwright as conferees on the part of the House and the Senate is so notified by Special Message.

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

Senate Chamber  
July 19, 2003

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the conferees appointed to resolve the differences arising between the two Bodies on the House Committee Substitute for **S.B. 750** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CEILING THAT A SMALL BREWERY MAY PRODUCE

July 19, 2003

WITHOUT BEING REQUIRED TO GO THROUGH A MALT BEVERAGE DISTRIBUTOR, have been dismissed.

The Senate concurs in the House Committee Substitute and the bill has been ordered enrolled.

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

Speaker Black dismisses the House conferees.

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

The following Special Messages are received from the Senate:

**H.B. 1303** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT ATHLETIC CONTESTS SPONSORED BY INCOME TAX EXEMPT PERSONS FROM THE AMUSEMENTS PRIVILEGE TAX, is returned for concurrence in two Senate amendments.

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

Upon concurrence, the Senate amendments change the title.

**S.B. 63** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND TO MAKE CHANGES TO THE ADVISORY COMMISSION ON MILITARY AFFAIRS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

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

##### **2003 GENERAL ASSEMBLY FIRST SESSION**

Senate Chamber  
July 19, 2003

July 19, 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 No. 3 to **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.

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

**SPECIAL MESSAGE FROM THE SENATE**

**2003 GENERAL ASSEMBLY  
FIRST SESSION**

Senate Chamber  
July 19, 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. 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, and requests conferees. The President Pro Tempore appoints:

Senator Reeves, Chair  
Senator Hartsell  
Senator Clodfelter

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 Black appoints Representative Wright, Chair; Representatives Michaux, Goodwin, Kiser, Stam, and Munford as conferees on the part of the House and the Senate is so notified by Special Message.

On motion of Speaker Black, the House recesses at 7:06 p.m., subject to the receipt of Messages from the Senate and the ratification of bills.

### **RECESS**

No messages having been received, no bills having been ratified, and without objection, the House reconvenes pursuant to recess and is called to order by Speaker Black.

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

#### **2003 GENERAL ASSEMBLY FIRST SESSION**

Senate Chamber  
July 19, 2003

Mr. Speaker:

Pursuant to your message received today, July 19, 2003, that the House of Representatives fails to concur in the Senate Committee Substitute for HB 48, 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, TO ESTABLISH A BLUE RIBBON COMMISSION TO STUDY SOLUTIONS TO NORTH CAROLINA'S URBAN TRANSPORTATION NEEDS, TO REQUIRE FUNDS TRANSFERRED FROM THE HIGHWAY TRUST FUND TO THE GENERAL FUND TO BE REPAYED, TO DELAY IMPLEMENTATION OF AGRICULTURAL VEHICLE

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ESCORT TRAINING AND CERTIFICATION, TO ALLOW FARMERS TO MOVE EQUIPMENT BETWEEN FARMS WITHOUT A FLAGMAN, AND TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO IMPLEMENT CURRITUCK SOUND FERRY SERVICE, and requests conferees, the President *Pro Tempore* appoints:

Senator Gulley, Chair  
Senator Hoyle  
Senator Jenkins  
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*

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

#### **2003 GENERAL ASSEMBLY FIRST SESSION**

Senate Chamber  
July 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 **H.B. 855** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR A PERSONALIZED REGISTRATION PLATE BY TEN DOLLARS AND TO CREDIT THE INCREASED FEE REVENUE TO THE NATURAL HERITAGE TRUST FUND AND THE PARKS AND RECREATION TRUST FUND, TO REQUIRE THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY VARIOUS ISSUES RELATED TO SPECIAL REGISTRATION PLATES, TO ALLOW THE NC COASTAL FEDERATION SPECIAL PLATE TO HAVE A DIFFERENT PLATE BACKGROUND, AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE THE FOLLOWING NEW SPECIAL REGISTRATION PLATES: ALTERNATIVE FUEL VEHICLES, BE ACTIVE NC, BLUE RIDGE PARKWAY FOUNDATION, BREAST CANCER AWARENESS, BUFFALO SOLDIERS,

July 19, 2003

CELEBRATE ADOPTION, CRYSTAL COAST ARTIFICIAL REEF ASSOCIATION, DELTA SIGMA THETA SORORITY, FRATERNAL ORDER OF POLICE, FRIENDS OF THE APPALACHIAN TRAIL, MOTHERS AGAINST DRUNK DRIVING, POW/MIA, RED HAT SOCIETY, RETIRED LAW ENFORCEMENT OFFICERS, SURVEYORS, AND ZETA PHI BETA SORORITY.

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 by Special Message.

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

#### **2003 GENERAL ASSEMBLY FIRST SESSION**

Senate Chamber  
July 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. 819** (Conference Report), A BILL TO BE ENTITLED AN ACT REGARDING THE SALE OF STATE-OWNED PROPERTY IN THE BLOUNT STREET HISTORIC DISTRICT.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President will order the bill enrolled.

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

July 19, 2003

**SPECIAL MESSAGE FROM THE SENATE**

The following Special Message is received from the Senate:

Senate Committee Substitute for **H.B. 754** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PERSONS NOMINATED AS MAGISTRATES, 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.

**CONFERENCE REPORT**

Representative Wright sends forth the Conference Report on **S.B. 661** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A LOCAL CONFINEMENT FACILITY TRANSFERS A PRISONER TO ANOTHER LOCAL CONFINEMENT FACILITY THE TRANSFERRING FACILITY PROVIDES TO THE RECEIVING FACILITY HEALTH INFORMATION ABOUT THE TRANSFERRED PRISONER; AND TO MAKE CHANGES TO THE EMERGENCY MEDICAL SERVICES ACT, AND TO CREATE THE OFFENSE OF ARSON OR OTHER UNLAWFUL BURNINGS THAT RESULT IN SERIOUS INJURY TO A FIREFIGHTER OR EMERGENCY MEDICAL TECHNICIAN. Without objection, the Conference Report is placed on today's Calendar.

**ENROLLED BILLS**

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

**S.B. 750**, AN ACT TO INCREASE THE CEILING THAT A SMALL BREWERY MAY PRODUCE WITHOUT BEING REQUIRED TO GO THROUGH A MALT BEVERAGE DISTRIBUTOR.

**S.B. 872**, AN ACT TO INCREASE PROTECTIONS FOR TELEPHONE SUBSCRIBERS WHO WISH TO STOP UNWANTED TELEPHONE SOLICITATIONS AND FOR CONSUMERS WHO ENTER INTO TELEMARKETING TRANSACTIONS.

July 19, 2003

**H.B. 566**, AN ACT TO APPROVE IN PART AND TO DEFER ACTION ON PART OF THE ADMINISTRATIVE RULE RECLASSIFICATION BY THE ENVIRONMENTAL MANAGEMENT COMMISSION OF PORTIONS OF SWIFT CREEK AND SANDY CREEK IN THE TARPAMLICO RIVER BASIN AND TO AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO EVALUATE HOW BEST TO PROTECT WATER QUALITY AND ENDANGERED SPECIES IN THE EASTERN PORTION OF SWIFT CREEK AND ITS WATERSHED.

**H.B. 819**, 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.

**H.B. 860**, AN ACT TO AMEND THE REGISTRATION REQUIREMENTS AND FEES TO ENGAGE IN CERTAIN ACTIVITIES WITH CONTROLLED SUBSTANCES.

**H.B. 1028**, 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, TO PROHIBIT THE CONSTRUCTION OF PERMANENT EROSION CONTROL STRUCTURES IN OCEAN SHORELINES, AND TO PROVIDE THAT TEMPORARY EROSION CONTROL STRUCTURES IN OCEAN SHORELINES SHALL BE LIMITED TO SANDBAGS.

**H.B. 1241**, AN ACT TO DELAY THE REINSTATEMENT OF THE TWENTY PERCENT UNEMPLOYMENT INSURANCE SURTAX.

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

**H.B. 440**, AN ACT AMENDING THE CHARTER OF THE TOWN OF WENTWORTH TO EXEMPT AGRICULTURAL LAND USES WITHIN THAT JURISDICTION FROM ZONING.

#### **CHAPTERED BILLS**

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

July 19, 2003

**S.B. 317**, AN ACT TO PROVIDE FOR A TWO-YEAR MORATORIUM ON ANNEXATIONS INTO THE COUNTY OF CABARRUS BY MUNICIPALITIES LOCATED PRIMARILY OUTSIDE THE COUNTY AND TO ADD TERRITORY TO THE ECONOMIC DEVELOPMENT ZONE WHERE THERE IS A MORATORIUM ON ANNEXATION AND AFFECTING ELECTRONIC SIGNATURES AND ELECTRONIC RECORDS FILED WITH VARIOUS COUNTY REGISTERS OF DEEDS. (S.L. 2003-326)

**H.B. 313**, AN ACT TO CONSOLIDATE AND REVISE THE CHARTER OF THE CITY OF ROCKY MOUNT. (S.L. 2003-327)

**H.B. 697**, AN ACT TO ALLOW THE CITY OF TROY AND ITS REDEVELOPMENT COMMISSION TO ACQUIRE PROPERTY WITHIN A REDEVELOPMENT AREA USING THE "QUICK TAKE" PROCEDURE, TO REVISE AND CONSOLIDATE THE CHARTERS OF THE TOWNS OF PEACHLAND AND POLKTON, AND TO ALLOW THE CITY OF HICKORY TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES. (S.L. 2003-328)

**H.B. 736**, 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 AND TO AUTHORIZE THE CITY OF DURHAM TO ENTER INTO A JOINT AGREEMENT WITH A PRIVATE UNIVERSITY TO EXTEND THE JURISDICTION OF THE CAMPUS LAW ENFORCEMENT AGENCY OF THE PRIVATE UNIVERSITY INTO THE JURISDICTION OF THE CITY OF DURHAM. (S.L. 2003-329)

#### **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. 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, with a favorable report, as amended.

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

July 19, 2003

**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, 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 today's Calendar for immediate consideration. The Senate committee substitute bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

Speaker Black votes "aye". The adjusted vote total is (103-0).

The bill passes its third reading and is ordered sent to the Senate for concurrence in the House committee substitute bill by Special Message.

#### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and Senate Committee Substitute for **H.B. 754** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PERSONS NOMINATED AS MAGISTRATES, is placed on today's Calendar for immediate consideration.

On motion of Representative Culpepper, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (95-6), and the bill is ordered enrolled and presented to the Governor by Special Message.

#### **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. 34**, A BILL TO BE ENTITLED AN ACT TO REESTABLISH THE HIGHWAY TRUST FUND STUDY COMMITTEE, 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.

**S.B. 676** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE BANKING LAWS OF NORTH CAROLINA, with a favorable report, as amended.

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

#### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **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 placed on today's Calendar for immediate consideration.

Representative Culpepper moves the adoption of Committee Amendment No. 1.

Representative Luebke offers perfecting Amendment No. 2 which is adopted by electronic vote (100-0).

On motion of Representative Culpepper, Committee Amendment No. 1 is temporarily displaced.

On motion of Representative Luebke, Committee Amendment No. 3 is adopted by electronic vote (101-0).

On motion of Representative Culpepper, Committee Amendment No. 1, which was temporarily displaced, is adopted by electronic vote (100-2). This amendment changes the title.

Representative Wright offers Amendment No. 4, which is adopted by electronic vote (102-0).

Without objection, the bill, as amended, 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 Adams, Alexander, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Bell, Blackwood, Bonner, Bowie, Brubaker, Carney, Church, Clary,

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Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Daughtry, Dickson, Dockham, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Glazier, Goforth, Goodwin, Gorman, Gulley, Hackney, Haire, Harrell, Hill, Hilton, Holliman, Howard, Hunter, Insko, Jeffus, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McLawhorn, McMahan, Michaux, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Ross, Sauls, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, Womble, Wright, and Yongue - 98.

Voting in the negative: Representatives Blust, Gillespie, McHenry, Rhodes, and Wood - 5.

Excused absences: Representatives B. Allen, Bordsen, Capps, Cunningham, Decker, Earle, Grady, Miller, Miner, Starnes, Walend, Walker, Warner, and G. Wilson - 14.

### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **S.B. 676** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE BANKING LAWS OF NORTH CAROLINA, is placed on today's Calendar for immediate consideration.

On motion of Representative Luebke, Committee Amendment No. 1 is adopted by electronic vote (95-3). This amendment changes the title.

On motion of Representative Brubaker, Committee Amendment No. 2 is adopted by electronic vote (70-30). This amendment changes the title.

Without objection, the bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Alexander, G. Allen, L. Allen, Allred, Baker, Barbee, Barnhart, Blackwood, Blust, Bonner, Bowie, Brubaker, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridg, Daughtry, Dickson, Dockham, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Goforth, Goodwin, Gorman, Gulley, Hackney, Haire, Harrell, Hill, Hilton, Holliman, Howard, Insko, Jeffus, C. Johnson, L. Johnson, Jones,

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Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Rhodes, Ross, Sauls, Setzer, Sexton, Sherrill, Stiller, Sutton, Tolson, Wainwright, Warren, West, A. Williams, K. Williams, C. Wilson, Womble, Wood, Wright, and Yongue - 96.

Voting in the negative: Representatives Bell, Glazier, Hunter, Michaux, Stam, and Weiss - 6.

Excused absences: Representatives B. Allen, Bordsen, Capps, Cunningham, Decker, Earle, Grady, Miller, Miner, Starnes, Walend, Walker, Warner, and G. Wilson - 14.

### CONFERENCE REPORT

Representative Wright moves the adoption of the following Conference Report.

#### House Committee Substitute for S.B. 661

To: The President of the Senate  
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 661, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A LOCAL CONFINEMENT FACILITY TRANSFERS A PRISONER TO ANOTHER LOCAL CONFINEMENT FACILITY THE TRANSFERRING FACILITY PROVIDES TO THE RECEIVING FACILITY HEALTH INFORMATION ABOUT THE TRANSFERRED PRISONER; AND TO MAKE CHANGES TO THE EMERGENCY MEDICAL SERVICES ACT, AND TO CREATE THE OFFENSE OF ARSON OR OTHER UNLAWFUL BURNINGS THAT RESULT IN SERIOUS INJURY TO A FIREFIGHTER OR EMERGENCY MEDICAL TECHNICIAN, House Committee Substitute Favorable 7/18/03, submit the following report:

The Senate and House agree to the following amendment and the Senate concurs in the House Committee Substitute Favorable 7/18/03, as amended:

On page 1, line 7, by adding the following after the word "ACT,":

"TO INCREASE THE CRIMINAL PENALTY FOR DAMAGING A PUBLIC BUILDING WITH AN EXPLOSIVE OR INCENDIARY DEVICE OR MATERIAL,"; and

On page 7, line 21, delete "an offense" and substitute "a felony"; and

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On page 7, lines 32-33, by inserting the following between those lines:

"**SECTION 3.(c)** G.S. 14-49 is amended by adding a new subsection to read:

'(b2) Any person who willfully and maliciously damages, aids, counsels, or procures the damaging of the State Capitol, the Legislative Building, the Justice Building, or any building owned or occupied by the State or any of its agencies, institutions, or subdivisions or by any county, incorporated city or town, or other governmental entity by the use of any explosive or incendiary device or material is guilty of a Class E felony.'"

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 19, 2003.

*Conferees for the  
Senate*

S/ Daniel G. Clodfelter  
S/ Fletcher L. Hartsell, Jr.  
S/ Eric Reeves

*Conferees for the  
House of Representatives*

S/ Wayne Goodwin  
S/ Joe L. Kiser  
S/ H. M. Michaux, Jr.  
S/ Don Munford  
S/ Paul Stam  
S/ Thomas E. Wright

The Conference Report, which changes the title, is adopted, by electronic vote (100-0), and the Senate is so notified by Special Message.

#### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **S.B. 34** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING STUDIES, is placed on today's Calendar for immediate consideration.

Representative Haire offers Amendment No. 1 which is adopted by electronic vote (89-11).

Representative Ellis offers Amendment No. 2 which is adopted by electronic vote (100-0).

Representative Wright offers Amendment No. 3 which is adopted by electronic vote (100-0).

July 19, 2003

The bill, as amended, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

On motion of Representative Culpepper, seconded by Representative Wright, the House adjourns to reconvene July 20 at 12:45 a.m.

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## ONE HUNDRED SECOND DAY

HOUSE OF REPRESENTATIVES  
Sunday, July 20, 2003

The House meets at 12:45 a.m. pursuant to adjournment and is called to order by Speaker Morgan.

The following prayer is offered by Representative Wainwright.

"Eternal God of our Father:

"We are grateful that You have blessed us to be a part of a new day. Thank You Lord for loving us. Touch each heart and mind. Provide us with individual and collective guidance as we deliberate on the remaining issues of the day. Cause us to continue to focus on our likenesses rather than our differences. As we go about our work, open the eyes of our faith to Your will, for it is only with You as our focus that we truly see clearly. Give us strength and patience as we draw near to the close of this Legislative Session. For it is in Your matchless name that 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 July 19 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives B. Allen, Bordsen, Cunningham, Decker, Earle, Grady, Jeffus, Miller, Miner, Walend, Walker, Warner, and G. Wilson for today. Representatives Alexander, Barbee, Capps, Church, Eddins, Goodwin, Hill, Holliman, Insko, Lucas, McMahan, McCombs, Ray, Starnes, Wainwright, West, and Womble are excused for a portion of the session.

July 20, 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:

**S.B. 75** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A LIFE SCIENCES REVENUE BOND AUTHORITY, with a favorable report, as amended.

Pursuant to Rule 36(b), the bill is placed on today's Calendar for immediate consideration.

Representative Culpepper offers Committee Amendment No. 1.

Representative Michaux offers perfecting Amendment No. 2 which is adopted by electronic vote (96-0).

Committee Amendment No. 1 is adopted by electronic vote (92-6). This amendment changes the title.

Without objection, the bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in the House amendment by Special Message.

Those voting in the affirmative are: Speaker Black, Speaker Morgan; Representatives Adams, Alexander, L. Allen, Baker, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bowie, Brubaker, Carney, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Daughtry, Dickson, Dockham, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Glazier, Goforth, Gorman, Gulley, Hackney, Haire, Harrell, Hilton, Holliman, Howard, Hunter, Insko, C. Johnson, L. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lewis, Lucas, Luebke, McAllister, McComas, McCombs, McGee, McHenry, McLawhorn, McMahan, Michaux, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Ray, Rayfield, Ross, Sauls, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Wainwright, Warren, Weiss, West, A. Williams, K. Williams, C. Wilson, Womble, Wright, and Yongue - 95.

July 20, 2003

Voting in the negative: Representatives Allred, Rhodes, and Wood - 3.

Excused absences: Representatives B. Allen, Bordsen, Capps, Cunningham, Decker, Earle, Goodwin, Grady, Jeffus, Miller, Miner, Starnes, Walend, Walker, Warner, and G. Wilson - 16.

**S.B. 63** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND TO MAKE CHANGES TO THE ADVISORY COMMISSION ON MILITARY AFFAIRS, with a favorable report as to the House committee substitute bill, which changes the title, unfavorable as to the Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on today's Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

### ENROLLED BILLS

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

**S.B. 819**, AN ACT REGARDING THE SALE OF STATE-OWNED PROPERTY IN THE BLOUNT STREET HISTORIC DISTRICT.

**H.B. 754**, AN ACT TO PLACE A MORATORIUM UNTIL DECEMBER 31, 2004, ON THE ENACTMENT OF NEW OR EXPANDED ORDINANCES AMORTIZING OFF PREMISES OUTDOOR ADVERTISING BY LOCAL GOVERNMENTS, AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE ISSUE.

**H.B. 855**, AN ACT TO INCREASE THE FEE FOR A PERSONALIZED REGISTRATION PLATE BY TEN DOLLARS AND TO CREDIT THE INCREASED FEE REVENUE TO THE NATURAL HERITAGE TRUST FUND AND THE PARKS AND RECREATION TRUST FUND, TO REQUIRE THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY VARIOUS ISSUES RELATED TO SPECIAL REGISTRATION PLATES, TO ALLOW THE NC COASTAL FEDERATION SPECIAL PLATE TO HAVE A DIFFERENT PLATE BACKGROUND, AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE THE FOLLOWING NEW SPECIAL REGISTRATION PLATES: ALTERNATIVE FUEL VEHICLES, BE ACTIVE NC, BLUE RIDGE PARKWAY FOUNDATION, BREAST

July 20, 2003

CANCER AWARENESS, BUFFALO SOLDIERS, CELEBRATE ADOPTION, CRYSTAL COAST ARTIFICIAL REEF ASSOCIATION, DELTA SIGMA THETA SORORITY, FRATERNAL ORDER OF POLICE, FRIENDS OF THE APPALACHIAN TRAIL, MOTHERS AGAINST DRUNK DRIVING, POW/MIA, RED HAT SOCIETY, RETIRED LAW ENFORCEMENT OFFICERS, SURVEYORS, AND ZETA PHI BETA SORORITY.

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

**H.J.R. 1335**, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 2003 GENERAL ASSEMBLY TO MEET IN 2003 AND 2004 AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THOSE SESSIONS. (RESOLUTION 2003-31)

### CALENDAR

Action is taken on the following:

**S.B. 63** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Representative Sherrill offers Amendment No. 1 which is adopted by electronic vote (98-0).

The bill, as amended, passes its second reading, by electronic vote (94-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in the House committee substitute bill by Special Message.

On motion of Speaker Morgan, the House recesses at 2:25 a.m.

### RECESS

The House reconvenes pursuant to recess and is called to order by Speaker Morgan.

July 20, 2003

**CONFEREES APPOINTED**

Speaker Morgan appoints the following conferees on Senate Committee Substitute for **H.B. 674**, A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF THE DURHAM NORTHERN LOOP: Representative Culpepper, Chair; Representatives Hackney, Kiser, Sherrill, Crawford, McComas, Bonner, Yongue, Baker, and Clary.

The Senate is so notified by Special Message.

On motion of Speaker Morgan, the House recesses at 1:08 p.m.

**RECESS**

The House reconvenes pursuant to recess and is called to order by Speaker Morgan.

**BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and Senate Committee Substitute for **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, is placed on today's Calendar for immediate consideration.

On motion of Representative Culpepper, 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 Black, Speaker Morgan; Representatives Adams, Alexander, G. Allen, L. Allen, Barbee, Barnhart, Bell, Blackwood, Blust, Bonner, Bowie, Brubaker, Carney, Church, Clary, Coates, Cole, Crawford, Creech, Culp, Culpepper, Daughtridge, Dickson, Eddins, Ellis, England, Farmer-Butterfield, Fox, Frye, Gibson, Gillespie, Goforth, Goodwin, Gorman, Gulley, Haire, Harrell, Hill, Hilton, Holliman, Howard, Hunter, C. Johnson, Jones, Justice, Justus, Kiser, LaRoque, Lucas, Luebke, McComas, McCombs, McGee, McHenry, McLawhorn, Michaux, Mitchell, Moore, Munford, Nesbitt, Nye, Owens, Parmon, Pate, Preston, Rapp, Rayfield, Rhodes, Ross, Sauls, Setzer, Sexton, Sherrill, Stam, Stiller, Sutton, Tolson, Warren, Weiss, A. Williams, K. Williams, C. Wilson, Womble, Wright, and Yongue - 87.

July 20, 2003

Voting in the negative: Representative Baker.

Excused absences: Representatives B. Allen, Bordsen, Capps, Cunningham, Decker, Earle, Grady, Jeffus, McMahan, Miller, Miner, Ray, Starnes, Wainwright, Walend, Walker, Warner, West, and G. Wilson - 19.

The Senate is so notified by Special Message.

**SPECIAL MESSAGE FROM THE SENATE**

**2003 GENERAL ASSEMBLY  
FIRST SESSION**

Senate Chamber  
July 20, 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. 661** (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A LOCAL CONFINEMENT FACILITY TRANSFERS A PRISONER TO ANOTHER LOCAL CONFINEMENT FACILITY THE TRANSFERRING FACILITY PROVIDES TO THE RECEIVING FACILITY HEALTH INFORMATION ABOUT THE TRANSFERRED PRISONER; AND TO MAKE CHANGES TO THE EMERGENCY MEDICAL SERVICES ACT, TO INCREASE THE CRIMINAL PENALTY FOR DAMAGING A PUBLIC BUILDING WITH AN EXPLOSIVE OR INCENDIARY DEVICE OR MATERIAL, AND TO CREATE THE OFFENSE OF ARSON OR OTHER UNLAWFUL BURNINGS THAT RESULT IN SERIOUS INJURY TO A FIREFIGHTER OR EMERGENCY MEDICAL TECHNICIAN.

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*

**ENROLLED BILLS**

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

July 20, 2003

**S.B. 661**, AN ACT TO PROVIDE THAT WHEN A LOCAL CONFINEMENT FACILITY TRANSFERS A PRISONER TO ANOTHER LOCAL CONFINEMENT FACILITY THE TRANSFERRING FACILITY PROVIDES TO THE RECEIVING FACILITY HEALTH INFORMATION ABOUT THE TRANSFERRED PRISONER; AND TO MAKE CHANGES TO THE EMERGENCY MEDICAL SERVICES ACT, TO INCREASE THE CRIMINAL PENALTY FOR DAMAGING A PUBLIC BUILDING WITH AN EXPLOSIVE OR INCENDIARY DEVICE OR MATERIAL, AND TO CREATE THE OFFENSE OF ARSON OR OTHER UNLAWFUL BURNINGS THAT RESULT IN SERIOUS INJURY TO A FIREFIGHTER OR EMERGENCY MEDICAL TECHNICIAN.

**S.B. 996**, AN ACT TO PREVENT THE NEGATIVE SECONDARY EFFECTS CAUSED BY SEXUALLY EXPLICIT CONDUCT ON PREMISES LICENSED BY THE ALCOHOLIC BEVERAGE CONTROL COMMISSION.

### CHAPTERED BILLS

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

**H.B. 440**, AN ACT AMENDING THE CHARTER OF THE TOWN OF WENTWORTH TO EXEMPT AGRICULTURAL LAND USES WITHIN THAT JURISDICTION FROM ZONING. (S.L. 2003-330)

### CONFEREES APPOINTED

Speaker Morgan appoints Representative Lucas as an additional conferee on Senate Committee Substitute for **H.B. 674**, A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF THE DURHAM NORTHERN LOOP, and the Senate is so notified by Special Message.

Speaker Morgan appoints the following conferees on Senate Committee Substitute for **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: Representative Culpepper, Chair; Representatives Brubaker, Crawford, Sherrill, Wainwright, Howard, and McComas.

The Senate is so notified by Special Message.

On motion of Speaker Morgan, the House recesses at 2:55 p.m.

July 20, 2003

**RECESS**

The House reconvenes pursuant to recess and is called to order by Speaker Morgan.

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

Senate Chamber  
July 20, 2003

Mr. Speaker:

Pursuant to your message received today, July 20, 2003, that the House of Representatives fails to concur in the Senate Committee Substitute to **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, and requests conferees, the President *Pro Tempore* appoints:

Senator Clodfelter, Co-Chair  
Senator Rand, Co-Chair

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 Wright as an additional conferee on the part of the House and the Senate is so notified by Special Message.

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

Senate Chamber  
July 20, 2003

July 20, 2003

Mr. Speaker:

Pursuant to your message received today, July 20, 2003, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 674**, A BILL TO BE ENTITLED AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF THE DURHAM NORTHERN LOOP, and requests conferees, the President *Pro Tempore* appoints:

Senator Hoyle, Chair  
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*

**SPECIAL MESSAGE FROM THE SENATE**

**2003 GENERAL ASSEMBLY  
FIRST SESSION**

Senate Chamber  
July 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. 34**, A BILL TO BE ENTITLED AN ACT TO REESTABLISH THE HIGHWAY TRUST FUND STUDY COMMITTEE, and requests conferees. The President *Pro Tempore* appoints:

Senator Hoyle, Chair  
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*

July 20, 2003

Speaker Morgan appoints Representative Culpepper, Chair; Representatives Hackney, Kiser, Sherrill, Crawford, McComas, Bonner, Baker, Yongue, Clary, and Lucas as conferees on the part of the House and the Senate is so notified by Special Message.

**SPECIAL MESSAGE FROM THE SENATE**

**2003 GENERAL ASSEMBLY  
FIRST SESSION**

Senate Chamber  
July 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 House Amendments No. 1 and No. 2 to **S.B. 75** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A LIFE SCIENCES REVENUE BOND AUTHORITY, and requests conferees. The President *Pro Tempore* appoints:

Senator Clodfelter, Co-Chair  
Senator Rand, Co-Chair

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 Culpepper, Chair; Representatives Brubaker, Crawford, Sherrill, Wainwright, Howard, McComas, and Wright as conferees on the part of the House and the Senate is so notified by Special Message.

**SPECIAL MESSAGE FROM THE SENATE**

**2003 GENERAL ASSEMBLY  
FIRST SESSION**

Senate Chamber  
July 20, 2003

July 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 House Amendments No. 1, No. 2, No. 3, and No. 4 to **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, and requests conferees. The President *Pro Tempore* appoints:

Senator Clodfelter, Co-Chair  
Senator Rand, Co-Chair

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 Culpepper, Chair; Representatives Brubaker, Crawford, Sherrill, Wainwright, Howard, McComas, and Wright as conferees on the part of the House and the Senate is so notified by Special Message.

On motion of Speaker Morgan, the House recesses at 3:54 p.m.

### RECESS

The House reconvenes pursuant to recess and is called to order by Speaker Morgan.

### SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

Senate Committee Substitute for **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, is returned for concurrence in the Senate committee substitute bill.

Pursuant to Rule 36(b), the bill is placed on today's Calendar for immediate consideration.

July 20, 2003

Upon concurrence, the Senate committee substitute bill changes the title.

Representative McGee requests that his excuse from voting on this bill, dated April 28, 2003, be withdrawn. This request is granted.

On motion of Representative Brubaker, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (68-20), and the bill is ordered enrolled and sent to the Governor by Special Message.

Representative McGee requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (69-20).

### CONFERENCE REPORT

Representative Crawford sends forth the Conference Report on Senate Committee Substitute for **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, 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. Without objection, the Conference Report is placed on the Calendar for immediate consideration.

Representative Crawford moves the adoption of the following Conference Report.

#### **Senate Committee Substitute for H.B. 48**

To: The President of the Senate  
The Speaker of the House of Representatives

July 20, 2003

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 48, 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, TO ESTABLISH A BLUE RIBBON COMMISSION TO STUDY SOLUTIONS TO NORTH CAROLINA'S URBAN TRANSPORTATION NEEDS, TO REQUIRE FUNDS TRANSFERRED FROM THE HIGHWAY TRUST FUND TO THE GENERAL FUND TO BE REPAYED, TO DELAY IMPLEMENTATION OF AGRICULTURAL VEHICLE ESCORT TRAINING AND CERTIFICATION, TO ALLOW FARMERS TO MOVE EQUIPMENT BETWEEN FARMS WITHOUT A FLAGMAN, AND TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO IMPLEMENT CURRITUCK SOUND FERRY SERVICE, Senate Appropriations/Base Budget Committee Substitute Adopted 7/16/03, with unengrossed Senate amendments #1 and #2, submit the following report:

The House and Senate agree to the following amendments to the Senate Appropriations/Base Budget Committee Substitute Adopted 7/16/03, with unengrossed Senate amendments #1 and #2, and the House concurs in the Senate Committee Substitute as amended:

on line 2 of unengrossed Senate Amendment #1, by underlining the deleted and inserted words; and

on page 1, line 19, by adding the word "AND" after the comma; and

on page 1, lines 21-22, by rewriting those lines to read: "FLAGMAN."; and

on page 5, line 37, by adding after the word "field" and before the period the following:

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" for no more than ten miles and if visible from both directions for 300 feet at any point along the proposed route"; and

on page 6, lines 3-14, by deleting those lines; and

on page 6, line 15, by rewriting the phrase "SECTION 10." to read: "SECTION 9."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 20, 2003.

*Conferees for the  
Senate*

S/ Wib Gulley, Chair  
S/ David Hoyle  
S/ S. Clark Jenkins

*Conferees for the  
House of Representatives*

S/ James W. Crawford, Jr., Chair  
S/ Jeffrey Barnhart  
S/ Harold Brubaker  
S/ Debbie Clary  
S/ Lorene Coates  
S/ Nelson Cole  
S/ William Culpepper  
S/ Mitchell Gillespie  
S/ Daniel McComas  
S/ W. C. Owens, Jr.  
S/ Bonner Stiller  
S/ William Wainwright  
S/ Thomas E. Wright

The Conference Report, which changes the title, is adopted, by electronic vote (84-4), and the Senate is so notified by Special Message.

Representative Carney requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (85-4).

On motion of Speaker Morgan, the House recesses at 6:15 p.m., subject to the receipt of Messages from the Senate.

**RECESS**

**SPECIAL MESSAGE FROM THE SENATE**

**2003 GENERAL ASSEMBLY  
FIRST SESSION**

July 20, 2003

Senate Chamber  
July 20, 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. 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, 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, 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*

Speaker Morgan orders the bill enrolled and sent to the Governor by Special Message.

The House reconvenes pursuant to recess and is called to order by Speaker Morgan.

Speaker Morgan calls for the reading of Messages from the Senate.

No messages having been received, Speaker Morgan recognizes Representative Culpepper.

July 20, 2003

Representative Culpepper moves, seconded by Representative Barnhart, that the House adjourn, subject to the ratification of bills and pursuant to **H.J.R. 1335**, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 2003 GENERAL ASSEMBLY TO MEET IN 2003 AND 2004 AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THOSE SESSIONS, to reconvene Monday, May 10, 2004, at 12:00 Noon.

The motion carries.

#### ENROLLED BILLS

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

**H.B. 48**, 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, TO ESTABLISH A BLUE RIBBON COMMISSION TO STUDY SOLUTIONS TO NORTH CAROLINA'S URBAN TRANSPORTATION NEEDS, TO REQUIRE FUNDS TRANSFERRED FROM THE HIGHWAY TRUST FUND TO THE GENERAL FUND TO BE REPAID, TO DELAY IMPLEMENTATION OF AGRICULTURAL VEHICLE ESCORT TRAINING AND CERTIFICATION, AND TO ALLOW FARMERS TO MOVE EQUIPMENT BETWEEN FARMS WITHOUT A FLAGMAN.

**H.B. 917**, AN ACT TO CONFORM THE LAWS RELATED TO PERMISSIBLE INTEREST RATES FOR HOME LOANS SECURED BY FIRST MORTGAGES, AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATED TO BANKING AND LENDING LAWS.

The House stands adjourned at 8:28 p.m.

Denise G. Weeks  
*Principal Clerk*

July 20, 2003

**ADDENDUM**

Pursuant to Article II, Section 22 of the North Carolina Constitution, the following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State. The dates included in this section represent the date the Acts were signed by the Governor or where indicated became law without the approval of the Governor.

July 20, 2003

**S.B. 293**, AN ACT TO AMEND THE LAW GOVERNING SALES REPRESENTATIVE COMMISSIONS. (S.L. 2003-331)

**S.B. 89**, AN ACT TO ESTABLISH THE LAKE LURE MARINE COMMISSION. (S.L. 2003-332)

**S.B. 529**, AN ACT TO AUTHORIZE WATER AND SEWER AUTHORITIES TO USE THE SETOFF DEBT COLLECTION ACT. (S.L. 2003-333)

**S.B. 774**, 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. (S.L. 2003-334)

**S.B. 876**, 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. (S.L. 2003-335)

**H.B. 944**, AN ACT TO REQUIRE CERTAIN NOTIFICATIONS BEFORE A TOWER MAY COLLECT CERTAIN CHARGES. (S.L. 2003-336)

**H.B. 394**, AN ACT CLARIFYING THE LAW PERTAINING TO LEGAL DEADLINES FALLING ON A HOLIDAY. (S.L. 2003-337)

**H.B. 425**, AN ACT TO AMEND THE REQUIREMENT THAT SMALL HORSE TRAILERS DESIGNED TO CARRY FOUR OR

FEWER HORSES MUST STOP AT PERMANENT WEIGH STATIONS.  
(S.L. 2003-338)

**H.B. 1118**, AN ACT TO REQUIRE SIGNS TO BE POSTED WARNING OF THE POSSIBLE DANGERS OF CONSUMPTION OF ALCOHOL DURING PREGNANCY. (S.L. 2003-339)

July 27, 2003

**S.B. 824**, AN ACT TO AMEND VARIOUS LAWS RELATED TO THE ENVIRONMENT, ENVIRONMENTAL HEALTH, AND NATURAL RESOURCES TO: (1) MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS; (2) AMEND THE REPORTING REQUIREMENT SET OUT IN S.L. 2001-442; (3) CLARIFY WHAT CONSTITUTES A BASE OF OPERATIONS FOR MOBILE FOOD UNITS AND PUSHCARTS; (4) INCREASE THE MEMBERSHIP OF THE ENVIRONMENTAL REVIEW COMMISSION BY TWO; (5) EXTEND BY ONE YEAR THE TIME THAT TEMPORARY RULES TO PROTECT WATER QUALITY AND RIPARIAN BUFFERS IN CERTAIN RIVER BASINS WILL REMAIN IN EFFECT; (6) EXTEND BY TWO YEARS THE PILOT PROGRAM FOR INSPECTION OF ANIMAL WASTE MANAGEMENT SYSTEMS INITIALLY ESTABLISHED BY SECTION 15.4 OF S.L. 1997-443; AND (7) 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. (S.L. 2003-340)

**S.B. 939**, AN ACT TO EXTEND THE SURCHARGE FOR THE TELECOMMUNICATIONS RELAY SERVICE TO INCLUDE WIRELESS COMMUNICATIONS. (S.L. 2003-341)

**H.B. 743**, AN ACT TO ESTABLISH A NURSE TESTIMONIAL PRIVILEGE. (S.L. 2003-342)

**H.B. 907**, 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. (S.L. 2003-343)

**H.B. 948**, 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. (S.L. 2003-344)

**S.B. 716**, AN ACT TO REPEAL THE UNIFORM ARBITRATION ACT AND TO ENACT THE REVISED UNIFORM ARBITRATION ACT. (S.L. 2003-345)

**H.B. 1074**, 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; TO AMEND THE LEGISLATION IN OTHER NEEDED WAYS; AND TO CORRECT THE BOUNDARY BETWEEN THE NASH-ROCKY MOUNT SCHOOL ADMINISTRATIVE UNIT AND THE EDGEcombe COUNTY PUBLIC SCHOOL SYSTEM. (S.L. 2003-346)

**S.B. 592**, 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. (S.L. 2003-347)

**S.B. 800**, 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. (S.L. 2003-348)

**S.B. 236**, 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. (S.L. 2003-349)

**S.B. 655**, 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. (S.L. 2003-350)

**H.B. 497**, 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. (S.L. 2003-351)

**H.B. 897**, AN ACT TO IMPROVE THE SOLVENCY OF THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND AND THE NONCOMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND BY TEMPORARILY REQUIRING THAT CLEANUPS PROCEED ONLY AFTER PREAPPROVAL BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES PURSUANT TO A SCHEDULE BASED ON THE DEGREE OF RISK TO HUMAN HEALTH AND THE ENVIRONMENT AND OTHER FACTORS; TO PROVIDE THAT PAYMENT OR REIMBURSEMENT FROM THE COMMERCIAL FUND AND NONCOMMERCIAL FUND BE LIMITED TO THAT NECESSARY TO ACHIEVE THE MOST COST-EFFECTIVE CLEANUP; TO PROVIDE FOR THE IMPLEMENTATION OF PERFORMANCE-BASED CLEANUPS; TO MINIMIZE FUTURE DISCHARGES AND RELEASES BY AUTHORIZING THE ADOPTION OF RULES TO REQUIRE THE USE OF SECONDARY CONTAINMENT FOR PETROLEUM UNDERGROUND STORAGE TANK SYSTEMS; 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 TO REDUCE COSTS; TO PROVIDE THAT A MIXED PLUME OF CONTAMINATION THAT RESULTS FROM RELEASES OF PETROLEUM FROM

BOTH AN UNDERGROUND STORAGE TANK AND AN ABOVE-GROUND STORAGE TANK OR OTHER SOURCE MAY BE CLEANED UP UNDER THE RISK-BASED CLEANUP RULES APPLICABLE TO RELEASES FROM PETROLEUM UNDERGROUND STORAGE TANKS; AND TO AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY ISSUES RELATED TO THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP PROGRAM IN ORDER TO PROTECT PROPERTY VALUES, ENSURE TIMELY REIMBURSEMENT OF PERSONS WHO ENGAGE IN CLEANUPS, AND PROTECT GROUNDWATER. (S.L. 2003-352)

August 1, 2003

**H.B. 1114**, AN ACT TO MAKE VOLUNTEER FILES MAINTAINED BY LOCAL BOARDS OF EDUCATION PRIVATE. (S.L. 2003-353)

**S.B. 35**, AN ACT TO AUTHORIZE CLOVER GARDEN CHARTER SCHOOL TO ELECT TO PARTICIPATE IN THE NORTH CAROLINA TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, TO AUTHORIZE THE STATE BOARD OF EDUCATION TO GRANT OR RENEW CHARTERS FOR CHARTER SCHOOLS FOR PERIODS UP TO TEN YEARS, TO REQUIRE THE STATE BOARD OF EDUCATION TO REVIEW THE OPERATIONS OF CHARTER SCHOOLS AT LEAST EVERY FIVE YEARS, AND TO MODIFY THE AUTHORITY OF THE DUPLIN BOARD OF COUNTY COMMISSIONERS 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. 2003-354)

**S.B. 301**, 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. (S.L. 2003-355)

**H.B. 1000**, AN ACT TO MODIFY THE UNIVERSITY OF NORTH CAROLINA'S OPTIONAL RETIREMENT PLAN. (S.L. 2003-356)

**S.B. 633**, AN ACT TO REVISE THE UNIVERSITY OF NORTH CAROLINA SPECIAL OBLIGATION BOND LAW. (S.L. 2003-357)

**S.B. 701**, AN ACT TO FACILITATE JOB SHARING BY PUBLIC SCHOOL EMPLOYEES. (S.L. 2003-358)

**H.B. 331**, 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. (S.L. 2003-359)

**S.B. 705**, AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA. (S.L. 2003-360)

**H.B. 328**, 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. (S.L. 2003-361)

**H.B. 543**, 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. (S.L. 2003-362)

**H.B. 694**, 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. (S.L. 2003-363)

**H.B. 751**, 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. (S.L. 2003-364)

**H.B. 819**, 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. (S.L. 2003-365)

**H.B. 886**, AN ACT TO AMEND CERTAIN PROVISIONS OF ARTICLE 1, CHAPTER 90 OF THE GENERAL STATUTES RELATING TO THE NORTH CAROLINA MEDICAL BOARD AND THE PRACTICE OF MEDICINE. (S.L. 2003-366)

**H.B. 974**, AN ACT TO PROHIBIT THE PURCHASE OF RECONSTITUTED OR RECOMBINED FLUID MILK BY ANY DEPARTMENT, INSTITUTION, OR AGENCY OF THE STATE. (S.L. 2003-367)

**H.B. 1049**, 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. (S.L. 2003-368)

**H.B. 1066**, 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. (S.L. 2003-369)

**S.B. 847**, AN ACT TO CLARIFY LATE FEES CHARGED TO RESIDENTIAL TENANTS. (S.L. 2003-370)

**H.B. 1126**, 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. (S.L. 2003-371)

**S.B. 324**, AN ACT TO INCREASE THE HOMEOWNERS RECOVERY FUND PERMIT FEE. (S.L. 2003-372)

**S.B. 659**, 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, TO PROVIDE FOR WIDER DISSEMINATION OF THE ANNUAL REPORT TO THE PUBLIC AND TO EXEMPT CERTAIN NONPROFIT FIRE OR EMERGENCY MEDICAL SERVICE ORGANIZATIONS FROM REPORTING AND OTHER REQUIREMENTS. (S.L. 2003-373)

**S.B. 561**, AN ACT TO ELIMINATE THE REQUIREMENT THAT NOTICE OF LEGISLATIVE MEETINGS BE POSTED ON THE PRESS ROOM DOOR; TO SUBSTITUTE A REQUIREMENT OF MAILING AND ELECTRONIC POSTING OF THE MEETING NOTICE, AND TO REQUIRE APPOINTING AUTHORITIES TO PROVIDE ADDITIONAL INFORMATION REGARDING APPOINTEES TO CERTAIN STATE COMMISSIONS, COUNCILS, COMMITTEES, AND BOARDS. (S.L. 2003-374)

**S.B. 563**, AN ACT TO REPEAL THE LAWS REGULATING ATHLETE AGENTS AND TO ADOPT THE UNIFORM ATHLETE AGENTS ACT. (S.L. 2003-375)

**H.B. 79**, 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 CLARIFY CONFIDENTIALITY. (S.L. 2003-376)

**H.B. 1026**, AN ACT TO MAKE THE PROGRAM FOR THE COLLECTION OF WORTHLESS CHECKS AVAILABLE STATEWIDE. (S.L. 2003-377)

**S.B. 693**, AN ACT TO AMEND THE LAW REGARDING ENHANCED SENTENCES AS RECOMMENDED BY THE SENTENCING COMMISSION AND TO MAKE CONFORMING CHANGES. (S.L. 2003-378)

**H.B. 1030**, AN ACT TO REDUCE THE CONCEALED HANDGUN PERMIT APPLICATION AND RENEWAL FEES FOR QUALIFIED RETIRED SWORN LAW ENFORCEMENT OFFICERS. (S.L. 2003-379)

**H.B. 786**, AN ACT TO AMEND LIABILITY RULES THAT APPLY TO CIVIL PARKING, RED LIGHT CAMERA, AND PHOTOGRAPHIC SPEED-MEASURING SYSTEM ENFORCEMENT ACTIONS. (S.L. 2003-380)

**S.B. 753**, 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. (S.L. 2003-381)

**S.B. 996**, AN ACT TO PREVENT THE NEGATIVE SECONDARY EFFECTS CAUSED BY SEXUALLY EXPLICIT CONDUCT ON PREMISES LICENSED BY THE ALCOHOLIC BEVERAGE CONTROL COMMISSION. (S.L. 2003-382)

August 7, 2003

**H.B. 48**, 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, TO ESTABLISH A BLUE RIBBON COMMISSION TO STUDY SOLUTIONS TO NORTH CAROLINA'S URBAN TRANSPORTATION NEEDS, TO REQUIRE FUNDS TRANSFERRED FROM THE HIGHWAY TRUST FUND TO THE GENERAL FUND TO BE REPAYED, TO DELAY IMPLEMENTATION OF AGRICULTURAL VEHICLE ESCORT TRAINING AND CERTIFICATION, AND TO ALLOW FARMERS TO MOVE EQUIPMENT BETWEEN FARMS WITHOUT A FLAGMAN. (S.L. 2003-383)

**H.B. 1257**, AN ACT AMENDING VARIOUS PROVISIONS OF THE RESPIRATORY CARE PRACTICE ACT. (S.L. 2003-384)

**H.B. 223**, AN ACT TO PERMIT THE STATE BOARD OF COMMUNITY COLLEGES TO USE CERTAIN FUNDS TO PROVIDE FINANCIAL ASSISTANCE TO STUDENTS WITH DISABILITIES. (S.L. 2003-385)

**H.B. 999**, 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. (S.L. 2003-386)

**H.B. 1062**, 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, TO PROVIDE THAT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SHALL ESTABLISH A DROUGHT MANAGEMENT ADVISORY COUNCIL, AND TO AUTHORIZE THE COUNCIL TO ISSUE DROUGHT ADVISORIES. (S.L. 2003-387)

**S.B. 679**, AN ACT TO MODIFY THE PUBLIC FINANCING LAWS OF THE STATE. (S.L. 2003-388)

**S.B. 751**, AN ACT TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE NORTH CAROLINA FOOD, DRUG AND COSMETIC ACT. (S.L. 2003-389)

**H.B. 815**, 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; AND TO PROVIDE THAT SOCIAL SETTING DETOXIFICATION FACILITIES AND MEDICAL DETOXIFICATION FACILITIES SHALL NOT DENY ADMISSION OR TREATMENT TO AN INDIVIDUAL ON THE BASIS OF THE INDIVIDUAL'S INABILITY TO PAY. (S.L. 2003-390)

**H.B. 932**, 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. (S.L. 2003-391)

**S.B. 661**, AN ACT TO PROVIDE THAT WHEN A LOCAL CONFINEMENT FACILITY TRANSFERS A PRISONER TO ANOTHER LOCAL CONFINEMENT FACILITY THE TRANSFERRING FACILITY PROVIDES TO THE RECEIVING FACILITY HEALTH INFORMATION ABOUT THE TRANSFERRED PRISONER; AND TO MAKE CHANGES TO THE EMERGENCY MEDICAL SERVICES ACT, TO INCREASE THE CRIMINAL PENALTY FOR DAMAGING A PUBLIC BUILDING WITH AN EXPLOSIVE OR INCENDIARY DEVICE OR MATERIAL, AND TO CREATE THE OFFENSE OF ARSON OR OTHER UNLAWFUL BURNINGS THAT RESULT IN SERIOUS INJURY TO A FIREFIGHTER OR EMERGENCY MEDICAL TECHNICIAN. (S.L. 2003-392)

**S.B. 1016**, 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. (S.L. 2003-393)

**H.B. 963**, AN ACT TO PROVIDE THAT CERTAIN PERSONS CONVICTED OF LEAVING THE SCENE OF AN ACCIDENT INVOLVING PERSONAL INJURY OR DEATH MAY LOSE THEIR LICENSE FOR A PERIOD OF TWO YEARS. (S.L. 2003-394)

**H.B. 986**, AN ACT TO REQUIRE A MOTOR VEHICLE INSURER TO DISCLOSE ANY FINANCIAL INTEREST IN A RECOMMENDED REPAIR FACILITY OR SERVICE AND REQUIRING AN INSURER TO DISCLOSE THE USE OF NONORIGINAL CRASH REPAIR PARTS OR NONORIGINAL AUTO GLASS FOR MOTOR VEHICLE REPAIRS. (S.L. 2003-395)

**S.B. 934**, AN ACT TO ESTABLISH A REGISTRATION FEE FOR THE AUTHORIZATION OF A PRIVATE FACILITY TO SERVE DWI OFFENDERS AND TO REQUIRE THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO STUDY THE SUBSTANCE ABUSE SERVICES OFFERED BY AN ASSESSING AGENCY AND THE ADEQUACY OF THE FEE IMPOSED FOR A SUBSTANCE ABUSE ASSESSMENT CONDUCTED BY AN ASSESSING AGENCY. (S.L. 2003-396)

**S.B. 61**, 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 AUTHORIZE A STUDY OF THE NEED FOR A MOPED IDENTIFICATION TAG PROGRAM. (S.L. 2003-397)

**H.B. 860**, AN ACT TO AMEND THE REGISTRATION REQUIREMENTS AND FEES TO ENGAGE IN CERTAIN ACTIVITIES WITH CONTROLLED SUBSTANCES. (S.L. 2003-398)

**H.B. 972**, AN ACT TO ALLOW AN INTERNET-BASED ALTERNATIVE TO PROPERTY TAX CERTIFICATION PROCEDURES. (S.L. 2003-399)

**H.B. 1006**, AN ACT TO GRANT GREATER CONSUMER PROTECTION TO RESIDENTS OF MANUFACTURED HOUSING IN NORTH CAROLINA, TO CLARIFY THE SALES TAX ON MODULAR HOMES, AND TO ESTABLISH MINIMUM CONSTRUCTION AND DESIGN STANDARDS FOR SINGLE-FAMILY MODULAR HOMES. (S.L. 2003-400)

**H.B. 1182**, AN ACT TO EXPAND THE USURY EXEMPTION. (S.L. 2003-401)

**S.B. 668**, 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. (S.L. 2003-402)

**S.B. 725**, 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. (S.L. 2003-403)

**S.B. 819**, AN ACT REGARDING THE SALE OF STATE-OWNED PROPERTY IN THE BLOUNT STREET HISTORIC DISTRICT. (S.L. 2003-404)

August 12, 2003

**H.B. 1241**, AN ACT TO DELAY THE REINSTATEMENT OF THE TWENTY PERCENT UNEMPLOYMENT INSURANCE SURTAX. (S.L. 2003-405)

August 13, 2003

**S.B. 226**, AN ACT TO PROHIBIT THE ADMINISTRATION OF MEDICATION TO A CHILD IN A LICENSED OR UNLICENSED CHILD CARE FACILITY WITHOUT PROPER AUTHORIZATION

**H.B. 152**, AN ACT TO REQUIRE CHILD CARE FACILITIES TO DEVELOP AND MAINTAIN A SAFE SLEEP POLICY THAT INCLUDES REQUIRING CAREGIVERS TO PLACE CHILDREN ON THEIR BACK TO SLEEP TO REDUCE THE RISK OF SUDDEN INFANT DEATH SYNDROME (SIDS), AND TO REQUIRE CERTAIN AGENCIES AND THE MEDICAL COMMUNITY TO COOPERATE IN INVESTIGATING REPORTS OF CHILD ABUSE AND NEGLECT IN CHILD CARE FACILITIES. (S.L. 2003-407)

**S.B. 993**, 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. (S.L. 2003-408)

**H.B. 926**, AN ACT TO ENHANCE THE PENALTY FOR AN ASSAULT IN THE PRESENCE OF A MINOR. (S.L. 2003-409)

**S.B. 919**, AN ACT TO ENHANCE THE SAFETY OF VICTIMS IN SERIOUS DOMESTIC VIOLENCE CASES. (S.L. 2003-410)

August 14, 2003

**S.B. 872**, AN ACT TO INCREASE PROTECTIONS FOR TELEPHONE SUBSCRIBERS WHO WISH TO STOP UNWANTED TELEPHONE SOLICITATIONS AND FOR CONSUMERS WHO ENTER INTO TELEMARKETING TRANSACTIONS. (S.L. 2003-411)

**S.B. 963**, AN ACT TO PROHIBIT SELLERS FROM CHARGING EXCESSIVE PRICES ON THEIR MERCHANDISE AND SERVICES DURING DECLARED STATES OF DISASTER. (S.L. 2003-412)

**S.B. 925**, 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. (S.L. 2003-413)

**H.B. 1294**, AN ACT TO EXPAND THE QUALIFIED BUSINESS INVESTMENTS TAX CREDIT AND TO EXTEND THE SUNSET ON THE STATE PORTS TAX CREDIT. (S.L. 2003-414)

**S.B. 119**, 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. (S.L. 2003-415)

**S.B. 97**, AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES. (S.L. 2003-416)

**H.B. 1301**, AN ACT TO AUTHORIZE LOCAL GOVERNMENTS THAT ARE JOINTLY UNDERTAKING A DEVELOPMENT PROJECT TO ENTER INTO AGREEMENTS TO FINANCE THE PROJECT. (S.L. 2003-417)

**S.B. 168**, AN ACT TO PROVIDE FOR THE CREATION OF ECONOMIC DEVELOPMENT AND TRAINING DISTRICTS. (S.L. 2003-418)

**H.B. 797**, 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. (S.L. 2003-419)

**S.B. 550**, AN ACT TO IMPROVE AND STRENGTHEN CREMATION LAW IN NORTH CAROLINA AND TO IMPROVE AND MAKE TECHNICAL CORRECTIONS TO THE FUNERAL LAW. (S.L. 2003-420)

**S.B. 583**, 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. (S.L. 2003-421)

**S.B. 831**, 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. (S.L. 2003-422)

**S.B. 965**, AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT THE GENERAL ASSEMBLY MAY PLACE THE CLEAR PROCEEDS OF CIVIL PENALTIES, CIVIL FORFEITURES, AND CIVIL FINES COLLECTED BY A STATE AGENCY IN A STATE FUND TO BE USED EXCLUSIVELY FOR MAINTAINING FREE PUBLIC SCHOOLS. (S.L. 2003-423)

**H.B. 855**, AN ACT TO INCREASE THE FEE FOR A PERSONALIZED REGISTRATION PLATE BY TEN DOLLARS AND TO CREDIT THE INCREASED FEE REVENUE TO THE NATURAL HERITAGE TRUST FUND AND THE PARKS AND RECREATION TRUST FUND, TO REQUIRE THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY VARIOUS ISSUES RELATED TO SPECIAL REGISTRATION PLATES, TO ALLOW THE NC COASTAL FEDERATION SPECIAL PLATE TO HAVE A DIFFERENT PLATE BACKGROUND, AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE THE FOLLOWING NEW SPECIAL REGISTRATION PLATES: ALTERNATIVE FUEL VEHICLES, BE ACTIVE NC, BLUE RIDGE PARKWAY FOUNDATION, BREAST CANCER AWARENESS, BUFFALO SOLDIERS, CELEBRATE ADOPTION, CRYSTAL COAST ARTIFICIAL REEF ASSOCIATION, DELTA SIGMA THETA SORORITY, FRATERNAL ORDER OF POLICE, FRIENDS OF THE APPALACHIAN TRAIL, MOTHERS AGAINST DRUNK DRIVING, POW/MIA, RED HAT SOCIETY, RETIRED LAW ENFORCEMENT OFFICERS, SURVEYORS, AND ZETA PHI BETA SORORITY. (S.L. 2003-424)

**H.B. 1194**, AN ACT TO CREATE THE "E-NC" AUTHORITY TO CONTINUE THE WORK OF THE RURAL INTERNET ACCESS AUTHORITY. (S.L. 2003-425)

August 19, 2003

**H.B. 47**, AN ACT ADOPTING THE CAROLINA LILY AS THE OFFICIAL WILDFLOWER OF NORTH CAROLINA. (S.L. 2003-426)

**H.B. 1028**, 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, TO PROHIBIT THE CONSTRUCTION OF PERMANENT EROSION CONTROL STRUCTURES IN OCEAN SHORELINES, AND TO PROVIDE THAT TEMPORARY EROSION CONTROL STRUCTURES IN OCEAN SHORELINES SHALL BE LIMITED TO SANDBAGS. (S.L. 2003-427)

**S.B. 945**, 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 AND THE PUBLIC OF THE PERMITTEE'S INTENT TO APPLY FOR MODIFICATION OF THE PERMIT. (S.L. 2003-428)

**H.B. 150**, AN ACT TO PROVIDE CRITERIA FOR AWARDING STATE GRANTS TO STUDENTS ATTENDING CERTAIN ACCREDITED INSTITUTIONS OF HIGHER EDUCATION. (S.L. 2003-429)

**S.B. 750**, AN ACT TO INCREASE THE CEILING THAT A SMALL BREWERY MAY PRODUCE WITHOUT BEING REQUIRED TO GO THROUGH A MALT BEVERAGE DISTRIBUTOR. (S.L. 2003-430)

**S.B. 100**, 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 AND TO ALLOW A SALES AND USE TAX REFUND TO SCHOOL BOARD COOPERATIVES. (S.L. 2003-431)

**H.B. 754**, AN ACT TO PLACE A MORATORIUM UNTIL DECEMBER 31, 2004, ON THE ENACTMENT OF NEW OR EXPANDED ORDINANCES AMORTIZING OFF PREMISES OUTDOOR ADVERTISING BY LOCAL GOVERNMENTS, AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE ISSUE. (S.L. 2003-432)

**H.B. 566**, AN ACT TO APPROVE IN PART AND TO DEFER ACTION ON PART OF THE ADMINISTRATIVE RULE RECLASSIFICATION BY THE ENVIRONMENTAL MANAGEMENT COMMISSION OF PORTIONS OF SWIFT CREEK AND SANDY CREEK IN THE

TAR-PAMLICO RIVER BASIN AND TO AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO EVALUATE HOW BEST TO PROTECT WATER QUALITY AND ENDANGERED SPECIES IN THE EASTERN PORTION OF SWIFT CREEK AND ITS WATERSHED. (S.L. 2003-433)

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The following bills became law without the approval of the Governor:

**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 on June 25, 2003)

**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 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. (S.L. 2003-280 on June 30, 2003)

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It will be noted that a number of bills and resolutions passed second reading and then were read a third time on the same day.

Rule 41(b) states:

No bill shall be read more than once in the same day without the concurrence of two-thirds (2/3) of the members present and voting.

In order to comply with this Rule, no bill which has passed its second reading is read a third time except:

- (1) When a member moves that the Rule be suspended, and this motion carries by at least a two-thirds vote of the members present.

- (2) When the Chair determines that there is no objection from any member present. This constitutes unanimous consent of those members present that Rule 41(b) be suspended.

In these cases, the bill is read a third time.

Denise G. Weeks  
*Principal Clerk*

## ONE HUNDRED THIRD DAY

HOUSE OF REPRESENTATIVES  
Wednesday, August 27, 2003

Pursuant to a call of His Excellency, Governor Michael F. Easley, hereinafter recorded, the House of Representatives of the General Assembly of North Carolina convenes in its Hall in Reconvened Session, at the hour of one-thirty o'clock, Wednesday, August 27, 2003, and is called to order by the Speaker of the House, Richard T. Morgan.

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

"Creator God:

"We gather giving You thanks for the last of summer days, for sandy beaches and cool mountains, for rolling hills and leaves beginning to change. How blessed we are in this State and in our lives!

"God of wise choices, we gather today in this place of government, happy to greet friends not seen in a while and ready to deal with the issues before this House. We especially, today, welcome back Representative Cunningham in his front pew. We pray that You would impart to this Body a sense of responsibility, wisdom, knowledge, and service of the public good as they make today's choices. Continue to bless them in the hard work being done in these in between times, work of committees and study commissions and service in their home districts and bless Speakers Black and Morgan with leadership that is right and just.

"In Your all-knowing name we pray. Amen."

Speaker Morgan leads the Body in the Pledge of Allegiance.

The Reading Clerk reads the following proclamation by the Governor.

### PROCLAMATION OF RECONVENED SESSION

Pursuant to the authority vested in the Governor by Article III, Section 5 (11) of the Constitution of North Carolina, and as required by Article II, Section 22 (7) the General Assembly shall reconvene on **Wednesday, August 27, 2003** at 1:30 p.m. to reconsider House Bill 917 which was vetoed on August 19, 2003.

August 27, 2003

Done in Raleigh, North Carolina, on August 22, 2003.

S/ Michael F. Easley  
*Governor*

Speaker Morgan orders a Special Message sent to the Senate notifying them that the House has reconvened pursuant to the Call of the Governor.

**SPECIAL MESSAGE FROM THE SENATE**

**2003 GENERAL ASSEMBLY  
FIRST SESSION  
Reconvened**

Senate Chamber  
August 27, 2003

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that pursuant to the Proclamation issued by Governor Michael F. Easley on August 22, 2003, reconvening the 2003 Session of the General Assembly to reconsider House Bill 917, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAWS RELATED TO PERMISSIBLE INTEREST RATES FOR HOME LOANS SECURED BY FIRST MORTGAGES, AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATED TO BANKING AND LENDING LAWS, which was vetoed on August 19, 2003, the Senate is organized and ready to proceed with the public business.

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

Leaves of absence are granted Representatives L. Allen, Justus, and Luebke for today.

**MESSAGE FROM THE GOVERNOR**

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

Michael F. Easley  
*Governor*

August 27, 2003

August 19, 2003

### GOVERNOR'S OBJECTIONS AND VETO MESSAGE

House Bill 917 would raise the fees that consumer finance companies may charge mortgage borrowers by two percentage points (from one percent to three percent). It would allow new deferral fees and new modification fees of \$150 each per year. All of these fee increases are in addition to the statutorily allowed interest of up to 15 percent.

Consumer finance companies primarily make high rate, personal unsecured consumer loans to borrowers who may not qualify for bank loans. However, if consumer finance companies move these borrowers into first mortgage loans, they can charge up to 15 percent interest and an origination fee, while taking the borrower's home as security. To allow additional charges under these circumstances is unnecessary and harmful.

North Carolina is known for having one of the toughest predatory lending laws in the country. During a national recession, many families are struggling to make ends meet. However, the five large national and international conglomerates that make the vast majority of consumer finance loans are thriving. This legislation has no economic benefit to North Carolina or our working families. It would simply increase the cost of loans for North Carolina citizens at a time that they can afford it least.

Therefore, I veto the bill.

S/ Michael F. Easley

Speaker Morgan refers the bill to the Committee on Rules, Calendar, and Operations of the House.

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.J.R. 1341**, A JOINT RESOLUTION ADJOURNING THE RECONVENED SESSION, before the Body.

Without objection, the resolution passes its second reading and there being no objection is read a third time.

August 27, 2003

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

**SPECIAL MESSAGE FROM THE SENATE**

The following Special Message is received from the Senate:

**S.J.R. 1030**, A JOINT RESOLUTION ADJOURNING THE RECONVENED SESSION.

The resolution is placed on the Calendar for immediate consideration.

Without objection, the resolution passes its second reading and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

**SPECIAL MESSAGE FROM THE SENATE**

**2003 GENERAL ASSEMBLY  
FIRST SESSION  
Reconvened**

Senate Chamber  
August 27, 2003

Mr. Speaker:

It is ordered that a message be sent your Honorable Body respectfully advising that the Senate has concluded the business of the 2003 Session of the 2003 General Assembly and pursuant to **S.J.R. 1030**, A JOINT RESOLUTION ADJOURNING THE RECONVENED SESSION, the Senate stands ready to adjourn subject to the ratification of bills and the receipt of House messages.

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

Speaker Morgan orders that a message be sent to the Senate informing that Honorable Body that the House has concluded the public business for which it was reconvened and stands ready to adjourn.

August 27, 2003

Representative Culpepper moves, seconded by Representative Brubaker, that the House adjourn, subject to the receipt of Messages from the Senate and the ratification of resolutions, to reconvene Monday, May 10, 2004, at 12:00 Noon.

The motion carries.

#### **ENROLLED BILLS**

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

**S.J.R. 1030**, A JOINT RESOLUTION ADJOURNING THE RECONVENED SESSION. (RESOLUTION 2003-32)

No messages having been received from the Senate, the House stands adjourned at 2:15 p.m.

Denise G. Weeks  
*Principal Clerk*

August 27, 2003



**A P P E N D I X**  
**FIRST SESSION 2003**



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**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.**

Be it resolved by the House of Representatives:

**SECTION 1.** James B. Black is elected Democratic Speaker of the House of Representatives, and Richard T. Morgan is elected Republican Speaker of the House of Representatives. Both persons elected shall be administered the oath of office. The Democratic Speaker shall serve as Speaker on the calendar day elected, and the Republican Speaker shall serve on the next calendar day, and they shall alternate days of service through December 31, 2004, such that on any one day there is only one Speaker.

**SECTION 2.** Each committee shall consist of an equal number of members of each party. The Democratic members shall be appointed by the Democratic Speaker, and the Republican members shall be appointed by the Republican Speaker. Chairs and cochairs of each committee shall be named jointly by the Democratic Speaker and the Republican Speaker.

**SECTION 3.** This resolution is effective upon adoption.

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**H.R. 3, A HOUSE RESOLUTION TO ESTABLISH THE OFFICE OF PRINCIPAL CLERK OF THE HOUSE OF REPRESENTATIVES.**

Be it resolved by the House of Representatives:

**SECTION 1.** The office of Principal Clerk of the House of Representatives is established.

**SECTION 2.** The House of Representatives shall proceed to the election of its Principal Clerk.

**SECTION 3.** This resolution is effective upon adoption.

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**H.R. 19, 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

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.

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**H.R. 272, A HOUSE RESOLUTION URGING CONGRESS NOT TO CUT IMPACT AID TO SCHOOLS.**

Whereas, the federal Impact Aid Program provides funding to local school districts for the education of federally connected students, including those living on military bases and Indian lands and those living in federal public housing; and

Whereas, impact aid may be used for a variety of expenses, including teacher salaries, textbooks, computers, after-school programs, remedial tutors, and advanced placement classes; and

Whereas, to be eligible for impact aid, a school district must either have at least 400 federally connected students or at least three percent of all students in the school district's average daily attendance must be federally connected; and

Whereas, 40 cents of every dollar appropriated for impact aid is allocated to school districts educating military children; and

Whereas, the Bush administration has proposed eliminating military children who live offpost from the formula for calculating impact aid; and

Whereas, this proposal, if enacted, would result in a drastic reduction of millions of dollars in impact aid to school districts that encompass military installations and thus would place a heavy economic burden on those school districts, especially those in North Carolina; Now, therefore,

Be it resolved by the House of Representatives:

**SECTION 1.** The House of Representatives urges Congress, at a minimum, to retain the current formula for calculating impact aid to ensure that all students receive the education they deserve.

**SECTION 2.** The Principal Clerk shall transmit a certified copy of this resolution to each member of North Carolina's congressional delegation.

**SECTION 3.** This resolution is effective upon adoption.

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**H.R. 275, A HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO FULLY FUND SPECIAL EDUCATION.**

Whereas, full federal funding of the Individuals with Disabilities Education Act (IDEA) would have an immediate impact on students with disabilities across the entire State of North Carolina; and

Whereas, prior to enactment of the Education for All Handicapped Children Act of 1975, only one in five children with disabilities was educated in public schools in the United States; and

Whereas, despite significant strides in increasing and enhancing public education of children with disabilities, many of these children still do not receive the services and assistance they need to succeed in public schools; and

Whereas, North Carolina has had in place for a number of years an assessment and accountability system that includes students with disabilities, including students requiring an alternate assessment system; and

Whereas, considering the new federal No Child Left Behind requirements for raising the percentage of students with disabilities proficient in state standards to 100% by the end of the 2013-2014 school year and that a primary evaluation of school success will be determined by increasing the proficiency rate, local school districts have been working to provide North Carolina's 190,823 students with disabilities increased access to and progress in the general curriculum; and

Whereas, full funding will translate into providing more teachers and paraprofessionals emphasizing instruction in curriculum to assist in implementing the Individual Education Programs (IEPs) for all North Carolina students with disabilities, which would support student achievement and student proficiency; and

Whereas, teacher preparation programs would benefit from full funding of IDEA by attracting prospective persons interested in a career of teaching special education; and

Whereas, teacher professional development and technical assistance to increase student achievement and proficiency would benefit from full funding of IDEA; and

Whereas, the related services that the additional IDEA part B money resulting from full funding could buy would positively impact student achievement and academic success; and

Whereas, full funding would also assist in the provision of additional technology and assistive technology dedicated to increasing access to and progress in the general curriculum for students with disabilities; and

Whereas, the federal government currently funds only 18% of its initial promise to pay 40% of per pupil expenditures under IDEA for serving students with disabilities; and

Whereas, this lack of funding has forced states and local districts to make up the difference at the cost of other critical education programs; and

Whereas, passage of the full funding provision is especially critical now that most states are experiencing declining revenues and budget reductions due to the slow economy; and

Whereas, a recent congressional report showed that many states have already been forced to cut education funding over 11 billion dollars, with more cuts expected; Now, therefore,

Be it resolved by the House of Representatives:

**SECTION 1.** The House of Representatives urges Congress to fully fund the Individuals with Disabilities Education Act (IDEA) during Congress' consideration of IDEA reauthorization. It is absolutely critical that Congress fulfill its 27-year-old promise to help states and local school districts with the rising costs of special education and approve mandatory IDEA full funding.

**SECTION 2.** The Principal Clerk shall transmit a certified copy of this resolution to each member of the North Carolina congressional delegation and to the President of the United States.

**SECTION 3.** This resolution is effective upon adoption.

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**H.R. 280, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 2003 REGULAR SESSIONS.**

Be it resolved by the House of Representatives:

**SECTION 1.** The permanent rules of the Regular Sessions of the House of Representatives of the 2003 General Assembly are:

**PERMANENT RULES OF THE REGULAR SESSIONS OF THE HOUSE OF REPRESENTATIVES OF THE 2003 GENERAL ASSEMBLY OF NORTH CAROLINA**

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- II. Conduct of Debate, 6-12
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#### I. Order of Business

**RULE 1. Convening Hour, Limitation on Friday, Night, and Sunday Legislative Sessions.** – The House shall convene each legislative day at the hour fixed by the House. In the event the House adjourns on the preceding legislative day without having fixed an hour for reconvening, the House shall convene on the next legislative day at 2:00 P.M. During January and February of 2003, no sessions may be held on Friday. No session shall continue after 10:00 P.M. on Monday nor after 9:00 P.M. on any other days, and the Speaker shall adjourn the House without motion at that point, except that a motion may be made as to the time and day of next convening. No session shall be held on Sunday.

**RULE 2. Opening the Session.** – At the convening hour on each legislative day, the Speaker shall call the members to order and shall have the session opened with prayer. At the convening hour on the first day of each legislative week, the Speaker, or the Speaker's designee, shall lead the members in the Pledge of Allegiance to the American Flag.

**RULE 3. Quorum.** – (a) A quorum consists of a majority of the qualified members of the House.

(b) Should the point of a quorum be raised, the doors shall be closed, and the Clerk shall call the roll of the House, after which the names of those not responding shall again be called. In the absence of a quorum, 15 members are authorized to compel the attendance of absent members and may order that absentees for whom no sufficient excuses are made be taken into custody wherever they may be found by special messenger appointed for that purpose.

**RULE 4. Approval of Journal.** – (a) The Standing Committee on Rules, Calendar, and Operations of the House shall cause the Journal of the House to be examined daily before the hour of convening to determine if the proceedings of the previous day have been correctly recorded.

(b) Immediately following the opening prayer and upon appearance of a quorum, the Speaker shall call for the Journal report by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House, or by a Representative designated by the Chair, as to whether the proceedings of the previous day have been correctly recorded. Without objection, the Speaker shall cause the Journal to stand approved.

**RULE 5. Order of Business of the Day.** – After the approval of the Journal of the preceding day, unless otherwise ordered by the Speaker, the House shall proceed to business in the following order:

- (1) The receiving of petitions, memorials, and papers addressed to the General Assembly or to the House;

- (1a) Messages from the Governor;
- (2) Ratification of bills;
- (3) Reports of standing committees and permanent subcommittees;
- (4) Reports of select committees;
- (5) Reports of referral by standing committee Chairs of bills to permanent subcommittees;
- (6) First reading and reference to committee of bills and resolutions;
- (7) Messages from the Senate;
- (8) Concurrence with Senate amendments or Senate committee substitutes;
- (9) The unfinished business of the preceding day;
- (10) Calendar (each category in accordance with Rule 40):
  - a. Local bills (roll call), third reading
  - b. Local bills (roll call), second reading
  - c. Local bills, third reading
  - d. Local bills, second reading
  - e. Public bills (roll call), third reading
  - f. Public bills (roll call), second reading
  - g. Public bills and resolutions, third reading
  - h. Public bills and resolutions, second reading;
- (11) Reading of notices and announcements.

## II. Conduct of Debate

**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 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.

**RULE 7. Obtaining Floor.** – (a) When any member desires recognition for any purpose, the member shall rise and respectfully address the Speaker. No member shall proceed until recognized by the Speaker for a purpose.

(b) When a member desires to interrupt a member having the floor, the member shall first obtain recognition by the Speaker and permission of the member occupying the floor, and when such recognition and permission have been obtained, he or she may propound a question to the member occupying the floor; but he or she shall not otherwise interrupt the member having the floor, except as provided in subsection (c) of this rule; and the Speaker shall, without the point of order being raised, enforce this rule.

(c) A member who has obtained the floor may be interrupted only for the following reasons:

- (1) A request that the member speaking yield for a question,
- (2) A point of order,
- (3) A parliamentary inquiry, or
- (4) A question of privilege.

**RULE 8. Questions of Privilege.** – Upon recognition by the Speaker for that purpose, any member may speak to a question of privilege for a time not to exceed three minutes. Questions of privilege shall be those affecting, first, the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members, individually, in their representative capacity only; and shall have precedence over all other questions, except motions to adjourn. Privilege may not be used to explain a vote or debate a bill. The Speaker shall determine if the question is one of privilege and shall, without the point of order being raised, enforce this rule.

**RULE 9. Points of Order.** – (a) The Speaker shall decide questions of order and may speak to points of order in preference to other members arising from their seats for that purpose. Any member may appeal from the ruling of the chair on questions of order; on such appeal no member may speak more than once, unless by leave of the House. A two-thirds vote of the members present shall be necessary to sustain any appeal from the ruling of the chair.

(b) When the Speaker calls a member to order, the member shall be seated, except that a member called to order may clear a matter of fact, or explain, but shall not proceed in debate so long as the decision stands. If the member appeals from the ruling of the chair and the decision by a two-thirds vote of the members present be in favor of the member called to order, the member may proceed; if otherwise, the member shall not; and if the case, in the judgment of the House, requires it, the member shall be liable to censure by the House.

**RULE 10. Limitations on Debate.** – (a) No member shall speak on, debate, or solicit cosponsors for a bill or resolution at its first reading.

(b) No member shall speak more than twice on the main question nor longer than 20 minutes for the first speech and 10 minutes for the second speech; nor shall the member speak more than twice upon an amendment or motion to reconsider, re-refer, appeal, or postpone or any motion on concurrence, and then not longer than 10 minutes for the first speech and five minutes for the second speech.

(c) A member may speak only once and for not more than 20 minutes on the question of the adoption of a minority report.

(d) The House, by consent of a majority of the members present, may suspend the operation of subsections (b) and (c) of this rule during any debate on any particular question before the House.

**RULE 11. Reading of Papers.** – When there is a call for the reading of the text of a paper which has been presented to the House and there is

objection to such reading, the question shall be determined by a majority vote of the members of the House present. Except for protests permitted by the Constitution, no member may have material printed in the Journal until said material has been presented to the House and the printing approved by the House, and said material shall not exceed 1,000 words.

**RULE 12. General Decorum.** – (a) The Speaker shall preserve order and decorum.

(b) Decency of speech shall be observed and disrespect to personalities carefully avoided.

(c) When the Speaker is putting any question, or addressing the House, no person shall speak, stand up, walk out of, or cross the House nor, when a member is speaking, engage in disruptive discourse or pass between the member and the chair.

(d) Food or beverages shall not be permitted on the floor of the House during the first two hours of the daily session.

(e) The reading of newspapers shall not be permitted on the floor of the House while the House is in session.

(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.

(g) Special recitals and performances by musicians or other groups shall not be permitted on the floor of the House; and special guests of members of the House shall not be permitted on the floor of the House.

(h) Members shall observe appropriate attire, coat and tie for male members and dignified dress for female members.

(i) The use of wireless telephones shall not be permitted in the House Chamber.

(j) Placards, stickers, or signs not approved by the Speaker are not permitted in the House Chamber.

### **III. Motions**

**RULE 13. Motions Generally.** – (a) Every motion shall be reduced to writing if the Speaker or any two members request it. No motion relating to a bill shall be in order which does not identify the bill by its number and short title.

(b) When a motion is made, it shall be stated by the Speaker, or, if written, it shall be handed to the chair and read aloud by the Speaker or Clerk before debate.

(c) After a motion has been stated by the Speaker or read by the Speaker or Clerk, it shall be in the possession of the House; but it may be withdrawn before a decision or amendment, except in case of a motion to reconsider, which motion, when made by a member, shall be in possession of the House and shall not be withdrawn without leave of the House.

**RULE 14. Motions, Order of Precedence.** – When there are motions before the House, the order of precedence is as follows:

- To adjourn.
- To lay on the table.
- Previous question.
- To recess.
- To postpone indefinitely.
- To reconsider.
- To postpone to a day certain.
- To re-refer.
- To amend an amendment.
- To amend.
- To pass the bill.

No motion to lay on the table, to postpone indefinitely, to postpone to a day certain, to re-refer, or to make a particular amendment, being decided, shall be again allowed at the same stage of the bill or proposition.

**RULE 15. Motion to Adjourn.** – (a) A motion to adjourn shall be seconded before the motion is put to the vote of the House.

(b) A motion to adjourn shall be decided without debate and shall always be in order, except when the House is voting or some member is speaking; but a motion to adjourn shall not follow a motion to adjourn until debate or some other business of the House has intervened.

**RULE 16. Motion to Table.** – (a) A motion to table shall be seconded before the motion is put to the vote of the House and is in order except when a motion to adjourn is before the House.

(b) A motion to table shall be decided without debate.

(c) A motion to table shall not be paired with a motion to reconsider.

(d) A motion to table a bill shall constitute a motion to table the bill and all amendments thereto.

(e) When the question before the House is the adoption of an amendment to a bill or resolution, a motion to table the bill is not in order; and a motion to table an amendment applies to the amendment only, and the motion may not expressly or by implication or construction be expanded to include a motion to table the bill also.

(f) When a question has been tabled, it shall not thereafter be considered except on motion to reconsider under Rule 18 or to remove from the table approved by a two-thirds vote.

**RULE 17. Motion to Postpone Indefinitely.** – A motion to postpone indefinitely is in order except when a motion to adjourn or to lay on the table or for the previous question is before the House. However, after one motion to postpone indefinitely has been decided, another motion to postpone indefinitely shall not be allowed at the same stage of the bill or proposition. When a question has been postponed indefinitely, it shall not

thereafter be considered except on motion to reconsider under Rule 18 or to place on the favorable calendar approved by a two-thirds vote.

**RULE 18. Motion to Reconsider.** – (a) When a question has been decided, it is in order for any member to move for the reconsideration thereof on the same or the succeeding legislative day; provided that if the vote by which the motion was originally decided was taken by a recorded vote, only a member of the prevailing side may move for reconsideration.

(b) A motion to reconsider shall be determined by a majority vote, except the following shall require a two-thirds vote: a second or subsequent motion to reconsider and a motion to reconsider:

- (1) A vote upon a motion to table,
- (2) A motion to postpone indefinitely,
- (3) A motion to remove a bill from the unfavorable calendar,
- (4) A motion that a bill be read twice on the same day, or
- (5) A motion to remove from the table.

(c) A motion to reconsider the vote by which a person has been elected as Speaker or Speaker Pro Tempore shall not be in order. This subsection of this rule cannot be suspended.

**RULE 19. Previous Question.** – (a) The previous question may be called only by:

- (1) The Chair of the Committee on Rules, Calendar, and Operations of the House;
- (2) The member submitting the report on the bill or other matter under consideration;
- (3) The member introducing the bill or other matter under consideration; or
- (4) The member in charge of the measure, who shall be designated by the chair of the standing committee or permanent subcommittee reporting the same to the House at the time the bill or other matter under consideration is reported to the House or taken up for consideration.

(b) The previous question shall be as follows: "Call for the previous question having been made, is the call sustained?" When the call for the previous question has been decided in the affirmative by a majority vote of the House, the question is on the passage of the bill, resolution, or other matter under consideration.

(c) The call for the previous question shall preclude all motions, amendments, and debate, except the motion to adjourn or motion to table.

(d) If the previous question is decided in the negative, the question remains under debate.

#### **IV. Voting**

**RULE 20. Use of Electronic Voting System.** – (a) Votes on the following questions shall be taken on the electronic voting system, and the ayes and noes shall be recorded on the Journal:

- (1) The passage as required by Article II, Section 23 of the North Carolina Constitution on second and third readings of any bill:
  - a. Raising money on the credit of the State,
  - b. Pledging the faith of the State for the payment of a debt,
  - c. Imposing a State tax, or
  - d. Authorizing a county, municipality, or other local governmental unit to
    1. Raise money on its credit,
    2. Pledge its faith for the payment of a debt, or
    3. Impose a local tax.
- (2) All measures affecting a fee imposed by the State or any subdivision thereof.
- (3) All questions on which a call for the ayes and noes under Rule 24(a) and Article II, Section 19 of the North Carolina Constitution has been sustained.
- (4) Both second and third readings of bills proposing amendment of the North Carolina Constitution or ratifying resolutions amending the United States Constitution.
- (5) The passage of a bill notwithstanding the Governor's veto thereof pursuant to Article II, Section 22 of the North Carolina Constitution.

(b) Votes on the following questions shall be taken on the electronic voting system:

- (1) Second reading of all public bills, all amendments to public bills offered after second reading, third reading if a public bill was amended after second reading or if the reading occurs on a day or days following the second reading, all conference reports on public bills, all motions to lay public bills on the table, and all motions to postpone public bills indefinitely.
- (2) Upon a call for division.
- (3) Any other question upon direction of the Speaker or upon motion of any member supported by one-fifth of the members present.

(c) When the electronic voting system is used, 15 seconds shall be allowed for voting on the question before the House, unless the Chair shall direct otherwise. The system shall be set to close automatically when that time has expired. Once the system is locked, the vote shall be recorded and printed.

(d) The voting station at each member's desk in the Chamber shall be used only by the member to which the station is assigned. Under no circumstances shall any other person vote at a member's station. It is a

breach of the ethical obligation of a member either to request that another person vote at the requesting member's station or to vote at another member's station. The Speaker shall enforce this rule without exception.

(e) When the electronic voting system is used, the Speaker shall state the question and shall then state substantially the following: "All in favor vote 'aye'; all opposed vote 'no'; the Clerk will open the vote." In order to have the vote recorded, the member must vote by the electronic voting system within the time allowed for that vote, unless the voting station assigned to a member is malfunctioning. The Speaker shall enforce this rule without exception. After the allotted time for voting has elapsed, the Speaker shall say: "The Clerk will now lock the machine and record the vote." After the machine is locked and the vote recorded, the Speaker shall announce the vote and declare the result.

(f) One copy of the machine printout of the vote record of all votes taken on the electronic voting system shall be filed in the office of the Principal Clerk, and two copies shall be filed in the Legislative Library where the copies shall be open to public inspection. A legible copy of the bill, amendment, or motion on which the vote was taken shall be filed with the printout of the vote in the Legislative Library.

(g) When the Speaker ascertains that the electronic voting system is inoperative before a vote is taken or while a vote is being taken on the electronic voting system, the Speaker shall announce that fact to the House, and any partial electronic voting system voting record shall be voided. In such a case, if the North Carolina Constitution or the Rules of the House require a call of the ayes and noes, the Clerk shall call the roll of the House, and the ayes and noes shall be taken manually and shall be recorded on the Journal. All roll call votes shall be taken alphabetically. If, after a vote is taken on the electronic voting system, it is discovered that a malfunction caused an error in the electronic voting system printout, the Speaker shall direct the Reading Clerk and the Principal Clerk to verify and correct the printout record and so advise the House.

(h) For the purpose of identifying motions on which the vote is taken on the electronic voting system, the motions are coded as follows:

- (1) To adjourn.
- (2) To lay on the table.
- (3) Previous question.
- (4) To recess.
- (5) To postpone indefinitely.
- (6) To reconsider.
- (7) To postpone to a day certain.
- (8) To re-refer.
- (9) To amend an amendment.

- (10) To amend.
- (11) To concur or not concur.
- (12) Miscellaneous.

**RULE 21. Voice Votes; Stating Questions.** – (a) All other votes except those required to be taken on the electronic voting system shall be taken by voice vote.

(b) When a voice vote is taken, the Speaker shall put the question substantially as follows: "Those in favor (as the question may be) will say 'Aye'", and after the affirmative voice has been expressed, "Those opposed will say 'No'".

(c) No statement, explanation, debate, motion, parliamentary inquiry, or point of order shall be allowed once the voice vote has begun. Any point of order or parliamentary inquiry may be raised, however, after the completion of the vote.

**RULE 22. Determining Questions.** – (a) Unless otherwise provided by the Constitution of North Carolina or by these rules, all questions shall be determined by a simple majority of the members present and voting.

(b) No member may vote unless the member is in the Chamber when the question is put. This subsection of this rule cannot be suspended.

**RULE 23. Voting by Division.** – Any member may call for a division of the members upon the question before the result of the vote has been announced. Upon a call for a division, the Speaker shall cause the number voting in the affirmative and in the negative to be determined. Upon a division and count of the House on any question, no member away from the member's seat shall be counted.

**RULE 24. Roll Call Vote.** – (a) Before a question is put, any member may call for the ayes and noes. If the call is sustained by one-fifth of the members present, the question shall be decided by the ayes and noes upon a roll call vote.

(b) Every member who is in the Hall of the House when the question is put shall vote upon a call of the ayes and noes, unless excused pursuant to Rule 24.1A.

**RULE 24.1A. Excuse From Deliberations and Voting on a Bill.** – (a) Any member shall, upon request, be excused from the deliberations and voting on a particular bill, but to do so must make that request after the second reading of the bill and before any motion or vote on the bill or any amendment thereto. If the reason for the request arises at some point later in the proceedings, the request may be made at that time.

(b) The member may make a brief oral statement of the reasons for making the request. The member may send forward to the Principal Clerk, on a form provided by the Clerk, a concise written statement of the reason for the request, and the Clerk shall include this statement in the Journal.

(c) The member so excused shall not debate the bill or any amendment to the bill, vote on the bill, offer or vote on any amendment to the bill,

or offer or vote on any motion concerning the bill at that reading, any subsequent reading, or any subsequent consideration of the bill.

(d) A member may request that his or her excuse from deliberations on a particular bill be withdrawn.

**RULE 24.1B. Division of Amendments.** – Any member may call for an amendment to be divided into two or more amendments to be voted on separately, and the Speaker shall determine whether the amendment admits of such a division.

**RULE 25. Voting by Speaker.** – In all elections the Speaker may vote. In all other instances the Speaker may vote or may reserve this right until there is a tie in which event the Speaker may vote; but in no instance may the Speaker vote twice on the same question.

#### **V. Committees**

**RULE 26. Standing Committees and Permanent Subcommittees Generally.** – (a) The Speaker shall appoint a chair, or cochair, of every standing committee, permanent subcommittee, and select committee, if any. In the construction of these rules, the word "chair" as applied to a committee extends to and includes a cochair of the committee. The Speaker shall have the exclusive right and authority to establish select committees, but this does not exclude the right of the House by resolution to establish select committees.

(b) All permanent subcommittees of each standing committee shall be appointed by the Speaker, and the members appointed, along with the chair of the standing committee, shall constitute the standing committee of which the permanent subcommittee is a part. The Speaker shall appoint all members of permanent subcommittees at the beginning of the first regular session in a manner to reflect the partisan membership of the House.

(c) The Speaker shall appoint the members of all standing committees having no permanent subcommittees at the beginning of the first regular session in a manner to reflect the partisan membership of the House, except that the standing committees on Congressional Redistricting and Legislative Redistricting shall have an equal number of members of the two parties having the largest membership in the House.

(d) Each chair of a permanent subcommittee shall be a vice-chair of the standing committee of which it is a permanent subcommittee. The Speaker may name other members as vice-chairs of the standing committee. The Speaker may name one or more vice-chairs for any standing committee not having permanent subcommittees.

(e) The chair of the standing committee shall be a voting member of each permanent subcommittee of the standing committee.

(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.

(g) In any joint meeting of the Senate and House committees or subcommittees, the House standing committee or permanent subcommittee reserves the right to vote separately.

(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.

**RULE 26.1. Mentions of Standing Committee Includes Select Committee.** – Any reference in these rules to standing committees shall extend to select committees unless the context requires otherwise.

**RULE 27. List of Standing Committees and Permanent Subcommittees.** – The standing committees and permanent subcommittees thereof are:

Committees	Subcommittees
Aging	(None)
Agriculture	(None)
Alcoholic Beverage Control	(None)
Appropriations	-Capital -Education -General Government -Health and Human Services -Information Technology -Justice and Public Safety -Natural and Economic Resources -Transportation
Children, Youth and Families	(None)
Commerce (formerly Economic Growth and Community Development)	(None)
Congressional Redistricting	(None)

Cultural Resources	(None)
Education	-Community Colleges -Pre-School, Elementary and Secondary Education -Universities
Election Law and Campaign Finance Reform	(None)
Environment and Natural Resources	(None)
Ethics	(None)
Finance	(None)
Financial Institutions	(None)
Health	(None)
Highway Safety	(None)
Insurance	(None)
Judiciary I	(None)
Judiciary II	(None)
Judiciary III	(None)
Judiciary IV	(None)
Law Enforcement	(None)
Legislative Redistricting	(None)
Local Government I	(None)
Local Government II	(None)
Marine Fisheries	(None)

Mental Health	(None)
Military, Veterans and Indian Affairs	(None)
Occupational Safety and Health	(None)
Pensions and Retirement	(None)
Public Health	(None)
Public Utilities	(None)
Rules, Calendar, and Operations of the House	(None)
Science and Technology	(None)
Small Business	(None)
State Government	(None)
State Personnel	(None)
Transportation	(None)
Travel and Tourism	(None)
University Board of Governors Nominating	(None)
Ways and Means	(None)
Welfare Reform	(None)
Wildlife Resources	(None)

**RULE 28. Standing Committee and Permanent Subcommittee Meetings.** – (a) Standing committees and permanent subcommittees of standing committees shall be furnished with suitable meeting places pursuant to a schedule adopted by the Standing Committee on Rules, Calendar, and Operations of the House. Select committees shall be furnished with suitable meeting places as their needs require by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House.

(b) Subject to the provisions of subsection (c) of this rule, standing committees and permanent subcommittees thereof shall permit other members of the General Assembly, the press, and the general public to attend all sessions of said standing committees or permanent subcommittees.

(c) The Chair or other presiding officer shall have general direction of the meeting place of the standing committee or permanent subcommittee, and, in case of any disturbance or disorderly conduct therein, or if the peace, good order, and proper conduct of the legislative business is hindered by any person or persons, the Chair or presiding officer shall have power to exclude from the session any individual or individuals so hindering the legislative business.

(d) Procedure in the standing committees and permanent subcommittees shall be governed by the rules of the House, so far as the same may be applicable to such procedure. Before a question is put, any member may call for the ayes and noes. If the call is sustained by one-fifth of the members present, the question shall be decided by the ayes and noes upon a roll call vote. All roll call votes shall be taken alphabetically and shall be subject to Rule 21(c).

(e) No standing committee or permanent subcommittee shall meet on any day when the House shall not convene except by permission of the Speaker or by approval of the House by resolution adopted by a majority vote of the House.

(f) No standing committee or permanent subcommittee shall meet during any session of the House. Standing committees and permanent subcommittees shall meet at their regularly scheduled hour. No permanent subcommittee shall meet at the same time that its standing committee is meeting. Standing committees and permanent subcommittees may meet at other times as authorized by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House in order to assure the availability of the meeting room and that no conflicts will exist with the meetings of other bodies. All standing committee and permanent subcommittee meetings shall adjourn no later than:

- (1) 15 minutes preceding a regular session of the House, and
- (2) 10 minutes preceding the hour of the next regularly scheduled standing committee or permanent subcommittee meeting.

(g) Any call or notice of a standing committee or permanent subcommittee meeting between legislative sessions shall be mailed to each member of the standing committee or permanent subcommittee at least five days prior to such meeting. If a member of the body so requests in writing to the chair of the standing committee or permanent subcommittee, the member shall be notified by certified mail of the meetings.

(h) During standing committee and permanent subcommittee meetings, the chair may exercise the right to vote, or may reserve this right

until there is a tie, in which event the chair may vote, but in no instance may the chair vote twice on the same question.

**RULE 28.1. Ethics Committee Investigations Into Violations of the Open Meetings Law.** – (a) On its own motion, or in response to signed and sworn complaint of any individual filed with the Standing Committee on Ethics, the Committee shall inquire into any alleged violation by members of the House of the Open Meetings Law (Article 33C of Chapter 143 of the General Statutes), as the same may be amended in the future.

(b) If, after such preliminary investigation as it may make, the Committee determines to proceed with an inquiry into the conduct of any individual, the Committee shall notify the individual as to the fact of the inquiry and the charges against the individual and shall schedule one or more hearings on the matter. The individual shall have the right to present evidence, cross-examine witnesses, and be represented by counsel at any hearings.

(c) After the Committee has concluded its inquiries into the alleged violations, the Committee shall dispose of the matter by taking one of the following actions:

- (1) Dismiss the complaint and take no further action.
- (2) Issue a private letter of reprimand to the legislator, if the legislator unintentionally violated the provisions of the Open Meetings Law.
- (3) Issue a public letter of reprimand if the violation of the Open Meetings Law was intentional or if the legislator has previously received a private letter of reprimand. The Chair of the Committee on Ethics shall have the public letter of reprimand spread on the pages of the House Journal.
- (4) Refer the matter to the House for appropriate action.

**RULE 29. Notice of Standing Committee and Permanent Subcommittee Meetings and Hearings.** – Public notice of all standing committee and permanent subcommittee meetings shall be given in the House. The chair of the standing committee or permanent subcommittee shall notify or cause to be notified the sponsor of each bill which is set for hearing or consideration before the standing committee or permanent subcommittee as to the date, time, and place of that meeting.

**RULE 29.1. Public Hearings.** – (a) Requests for a public hearing shall be made in writing to the chair of the standing committee and, if applicable, the chair of the permanent subcommittee to which the bill has been referred. The chair of the standing committee may schedule a public hearing by the standing committee as a whole after the adjournment of a regular daily House session. The chair of the permanent subcommittee may schedule a public hearing before the permanent subcommittee at its regularly scheduled hour. Denial of a request made by a House member may be appealed to the Speaker.

Notice shall be given not less than five calendar days prior to public hearings. These notices shall be issued as information for the press and shall be posted in the places designated by the Principal Clerk.

(b) Persons desiring to appear and be heard at a public hearing shall submit their requests to the chair of the standing committee or permanent subcommittee. The standing committee or permanent subcommittee chair may designate one or more members to arrange the order of appearance of interested parties. A brief written statement of testimony may be submitted without oral presentation and shall be incorporated into the minutes of the public hearing.

**RULE 29.2. Minutes to Legislative Library.** – The chair of a standing committee or a permanent subcommittee shall ensure that written minutes are compiled for each of the body's meetings. The minutes shall indicate the members present and the actions taken at the meeting. Not later than 20 days after the adjournment of each session of the General Assembly, the chair shall deliver the minutes to the Legislative Library. The Speaker of the House may grant a reasonable extension of time for filing said minutes upon written application of the chair.

**RULE 30. Standing Committee of the Whole House.** – (a) A Standing Committee of the Whole House shall not be formed, except by suspension of the rules, if there be objection by any member.

(b) After passage of a motion to form a Standing Committee of the Whole House, the Speaker shall appoint a chair to preside in the standing committee, and the Speaker shall leave the dais.

(c) The rules of procedure in the House shall be observed in the Standing Committee of the Whole House, so far as they may be applicable, except the rule limiting the time of speaking and the previous question.

(d) In the Standing Committee of the Whole House, a motion that the standing committee rise shall always be in order, except when a member is speaking, and shall be decided without debate.

(e) When a bill is submitted to the Standing Committee of the Whole House, it shall be read and debated by sections, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the Principal Clerk on a separate paper as the same shall be agreed to by the standing committee and be so reported to the House. After report, the bill shall again be subject to be debated and amended by sections before a question on its passage be taken.

#### **VI. Handling of Bills**

**RULE 31. Introduction of Bills and Resolutions.** – (a) All bills and resolutions shall be introduced by submitting same to the Principal Clerk's office on the legislative day prior to the first reading and reference thereof according to the following schedule: by 30 minutes after adjournment each

Monday; and by 3:00 P.M. each Tuesday, Wednesday, Thursday, and Friday.

(b) Bills shall not become resolutions provided the Senate has a similar rule. Resolutions shall not become bills. Resolutions are not law but may be used when a law is not necessary for the purpose contained therein. Resolutions shall not be used to appropriate funds for any purpose, but may be used to create study commissions or committees or establish investigative committees, to honor deceased persons, and to adopt House rules and internal affairs. Resolutions cannot amend, repeal, or modify a statute; nor do they have life beyond the term of the session during which they are adopted.

(c) Every bill or resolution shall be read in regular order of business, except upon permission of the Speaker or on the report of a standing committee.

(d) All bills and resolutions shall show in their captions a brief descriptive statement of the true substance of same, which captions may thereafter be amended. Captions of public bills may be amended only by amendment proposed by the standing committee to which the bill was referred. Third reading shall not be had on any bill or resolution on the same day that such caption is amended.

(e) A Substitute Bill shall be covered with the same color jacket as the original bill and shall be prefaced as follows: "House Committee Substitute for \_\_\_\_\_".

(f) House Resolutions need not be read more than twice.

(g) All memorializing, celebration, commendation, and commemoration resolutions, except those honoring the memory of deceased persons, shall be excluded from introduction and consideration in the House.

(h) Any reference in these rules to bills shall extend to resolutions unless the context requires otherwise.

**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.

(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 May 1; 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.

**RULE 32. Reference to Standing Committee and to Permanent Subcommittee; Serial Referrals.** – (a) Each bill not introduced on the report of a standing committee shall immediately upon its first reading be referred by the Speaker to such standing committee or permanent subcommittee as the Speaker deems appropriate. The Speaker at the same time may order that, if the bill is reported with any favorable recommendation or without prejudice, it be re-referred automatically upon the committee report to another committee or permanent subcommittee designated in the order. Each joint resolution or House resolution not introduced on the report of a standing committee shall immediately upon its first reading either be referred by the Speaker to a standing committee or permanent subcommittee or be calendared on the date designated by the Speaker, as the Speaker deems appropriate.

(b) The standing committee chair may refer each bill referred to the standing committee to the permanent subcommittee specifically charged with the subject matter of the bill. A report of that referral shall be made in writing and submitted to the body pursuant to Rule 5(5). Except as provided in Rule 36, the permanent subcommittee to which the bill is referred shall report the bill back to the full standing committee. That subcommittee report shall include one of the following recommendations:

- (1) Favorable, without prejudice, or unfavorable as to the original bill with the recommendation that the report be made to the standing committee;
- (2) Favorable, without prejudice, or unfavorable as to the original bill, as amended, with the recommendation that the report be made to the standing committee;
- (3) Favorable or without prejudice to the proposed committee substitute, and unfavorable to the original bill, with the recommendation that the report be made to the standing committee;
- (4) Favorable as to the original bill with the recommendation that the report be made directly to the floor of the House, if approved by the standing committee chair;
- (5) Favorable to the original bill, as amended, with the recommendation that the report be made directly to the floor of the House, if approved by the standing committee chair;  
or
- (6) Favorable to the proposed committee substitute with the recommendation that the report be made directly to the floor of the House, if approved by the standing committee chair, and unfavorable to the original bill.

Any recommendation of favorable or without prejudice may include a recommendation of re-referral to another standing committee. After a bill is reported to a standing committee by a permanent subcommittee of that

standing committee, the standing committee chair may re-refer the bill to another permanent subcommittee of that standing committee.

Upon recommendation to the standing committee, the bill shall be before that body for further action unless the permanent subcommittee chair reports the bill directly pursuant to Rule 36.

**RULE 33. Papers Addressed to the House.** – Petitions, memorials, and other papers addressed to the House shall be presented by the Speaker. A brief statement of the contents thereof may be made orally by the introducer before reference to a committee, but such papers shall not be debated or decided on the day of their first being read unless the House shall direct otherwise.

**RULE 34. Introduction of Resolutions and Bills, Copies Required.** – (a) Whenever any resolution or bill is introduced, a duplicate copy thereof shall be attached thereto, and the Principal Clerk shall cause said duplicate copy to be numbered as the original resolution or bill is numbered and shall cause the same to be available at all times to the member introducing the same.

(b) Numbering of House Bills shall be designated as "H.B. \_\_\_\_." (No. following). A Joint Resolution shall be designated as "H.J.R. \_\_\_\_." (No. following). A House Resolution shall be designated as "H.R. \_\_\_\_." (No. following).

(c) Whenever any resolution or bill is filed for introduction, it shall be in a House bill jacket containing 30 copies and in the form designated by the Speaker. Any resolution or bill not accompanied by the required number of copies shall be returned immediately to the introducer. The Clerk shall stamp the copies with the number stamped upon the original bill.

**RULE 35. Duplicating and Availability of Copies of Bills.** – (a) The Legislative Services Officer shall cause such bills as are introduced to be duplicated in such numbers as may be specified by the Speaker. The Legislative Services Officer shall cause one copy of each resolution and public bill for each member to be delivered to the member's committee assistant or legislative assistant who shall place it in the appropriate notebook on the member's desk. If a member so requests, a second copy shall be delivered to the member's committee assistant or legislative assistant who shall place it in the member's office. The remaining copies shall be placed in the Printed Bills Room and made available to the committees to which the bill is referred, to individual members on request, and to the general public.

(b) A public bill is a bill affecting 15 or more counties. A local bill is one affecting fewer than 15 counties. No public bill and, upon objection by a member, no local bill may be considered unless copies of the bill have been made available to the entire membership of the House.

**RULE 35.1. Assessment Reports.** – (a) Every bill or resolution proposing the establishment of an occupational or professional licensing board, as defined in Article 18A of Chapter 120 of the General Statutes, or a

study for the need to establish such a board shall have attached to the jacket of the original bill or resolution at the time of its consideration on second and third readings by the House or by any standing committee or permanent subcommittee of the House an assessment report from the Legislative Committee on New Licensing Boards pursuant to Article 18A of Chapter 120 of the General Statutes. The assessment report shall not constitute any part of the expression of legislative intent proposed by the formation of a licensing board. Upon receipt of the request, the Legislative Committee on New Licensing Boards shall prepare and return the assessment report as soon as possible but not later than 60 days, reserving the right to extend this time to 90 days.

(b) Every legislative proposal introduced in the House or received in the House from the Senate, proposing the incorporation of a municipality shall have attached to the jacket of the original bill at the time of its consideration on second or third readings by the House or by any committee of the House prior to a favorable report, a recommendation from the Joint Legislative Commission on Municipal Incorporations, established by Article 20 of Chapter 120 of the General Statutes. The recommendation of the Joint Legislative Commission on Municipal Incorporations shall be made in accordance with the provisions and criteria set forth in Article 20 of Chapter 120 of the General Statutes and shall include the findings required to be made by G.S. 120-166 through G.S. 120-170.

**RULE 36. Report by Standing Committee or Permanent Subcommittee.** – (a) **When Reports Required.** – All House bills and resolutions shall be reported from the standing committee or permanent subcommittee to which referred with such recommendations as the standing committee or permanent subcommittee may desire to make except in the case where the principal introducer requests in writing to the chair of the standing committee or permanent subcommittee that the bill not be considered.

With the written approval of the chair of the standing committee and with the recommendation of the subcommittee pursuant to Rule 32(b)(4) through (6), the chair of the permanent subcommittee may report the bill directly to the floor with that recommendation. If a permanent subcommittee recommends reporting a bill to the floor and the chair of the standing committee fails to give approval, the bill shall be deemed to have been reported to the standing committee with the same recommendation as the subcommittee would have made to the House.

(b) **Favorable Report.** – When a standing committee or permanent subcommittee reports a bill with the recommendation that it be passed, the bill shall be placed on the favorable calendar on the day and in the order designated by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House, but no later than the fourth legislative day after

submission of the report or Senate message under Rule 43.2 or Rule 43.3(a), unless:

- (1) The bill is re-referred to the Committee on Appropriations or Committee on Finance under Rule 38 or was serially referred under Rule 32; or
- (2) The bill has not yet been placed on the calendar, and the Speaker refers the bill to another committee.

In order to place a bill on the calendar for a legislative day, notice shall be given by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House orally in the House or in writing to the Principal Clerk. When a committee substitute is adopted and receives a favorable report by the committee or permanent subcommittee, the standing committee or permanent subcommittee chair shall submit to the standing committee or permanent subcommittee the question of an unfavorable report on the original bill. The standing committee's or permanent subcommittee's action, if any, on the original bill shall be reported at the same time the committee substitute is reported.

(c) **Report Without Prejudice.** – When a standing committee reports a bill without prejudice, the bill shall be placed on the favorable calendar in the same manner as provided in subsection (a) of this rule.

(d) **Postponed Indefinitely.** – When a standing committee reports a bill with the recommendation that it be postponed indefinitely and no minority report accompanies it, the bill shall be placed on the unfavorable calendar.

(e) **Unfavorable Report.** – When a standing committee reports a bill with the recommendation that it not be passed and no minority report accompanies it, the bill shall be placed on the unfavorable calendar.

(f) **Minority Report.** – When a bill is reported by a standing committee with a recommendation that it not be passed or that it be postponed indefinitely but it is accompanied by a minority report signed by at least one-fourth of the members of the standing committee who were present and voting when the bill was considered in standing committee, the question before the House shall be: "The adoption of the minority report." If the minority report is adopted by majority vote, the bill shall be placed on the favorable calendar for consideration. If the minority report fails of adoption by a majority vote, the bill shall be placed on the unfavorable calendar.

**RULE 36.1. Fiscal Notes.** – (a) The Chair or Cochair of the Appropriations Committee, of the Finance Committee, or of the Standing Committee on Rules, Calendar, and Operations of the House, upon the floor of the House, may request that a fiscal analysis be made of a bill, resolution, or an amendment to a bill or resolution which is in the possession of the House and that a fiscal note be attached to the measure, which request shall be allowed when, in the opinion of the Speaker, the fiscal effects of that measure are not apparent from the language of the measure.

(b) The fiscal note shall be filed and attached to the bill or amendment within two legislative days of the request. If it is impossible to prepare a fiscal note within two legislative days, the Director of Fiscal Research shall, in writing, so advise the Speaker, the Principal Clerk, and the member introducing or proposing the measure and shall indicate the time when the fiscal note will be ready.

(c) The fiscal note shall be prepared by the Fiscal Research Division on a form approved by the Standing Committee on Rules, Calendar, and Operations of the House as to content and form and signed by the staff member or members preparing it. If no estimate in dollars is possible, the fiscal note shall indicate the reasons that no estimate is provided. The fiscal note shall not comment on the merit but may identify technical problems. The Fiscal Research Division shall make the fiscal note available to the membership of the House.

(d) A sponsor of a bill or amendment may deliver a copy of the bill or amendment to the Fiscal Research Division for the preparation of a fiscal note. The sponsor shall attach the fiscal note to the bill when filed or to the amendment when its adoption is moved.

(e) The sponsor of a bill or amendment to which a fiscal note is attached who objects to the estimates and information provided may reduce to writing the objections. These objections shall be appended to the fiscal note attached to the bill or amendment and to the copies of the fiscal note available to the membership.

(f) Subsection (a) of this rule shall not apply to the Current Operations Appropriations Bill or the Capital Improvement Appropriations Bill. This rule shall not apply to a bill or amendment requiring an actuarial note under these rules.

**RULE 36.2. Actuarial Notes.** – (a) Every bill or resolution proposing any change in the law relative to any:

- (1) State, municipal, or other retirement system funded in whole or in part out of public funds; or
- (2) Program of hospital, medical, disability, or related benefits provided for teachers and State employees, funded in whole or in part by State funds shall have attached to it at the time of its consideration by any standing committee or permanent subcommittee a brief explanatory statement or note which shall include a reliable estimate of the financial and actuarial effect of the proposed change to that retirement or pension system. The actuarial note shall be attached to the jacket of each proposed bill or resolution which is reported favorably by any standing committee or any permanent subcommittee, shall be separate therefrom, and shall be clearly designated as an actuarial note. A bill described

in subdivision (a)(1) of this rule shall be referred to the Committee on Pensions and Retirement upon its introduction.

(b) The sponsor of the bill or resolution shall present a copy of the measure, with a request for an actuarial note, to the Fiscal Research Division, which shall prepare the actuarial note as promptly as possible but not later than two weeks after the request is made unless an extension of time is agreed to by the sponsor as being necessary in the preparation of the note. Actuarial notes shall be prepared in the order of receipt of request and shall be transmitted to the sponsor of the measure. The actuarial note of the Fiscal Research Division shall be prepared and signed by an actuary.

(c) The sponsor of the bill or resolution shall also present a copy of the measure to the actuary employed by the system or program affected by the measure. Actuarial notes shall be prepared and transmitted to the sponsor of the measure not later than two weeks after the request is received, unless an extension of time is agreed to by the sponsor as being necessary in the preparation of the note. The actuarial note shall be attached to the jacket of the measure. The provisions of this subsection may be waived by the measure's sponsor for a measure affecting local government retirement or pension plans not administered by the State or any local government program of hospital, medical, disability, or related benefits for local government employees not administered by the State.

(d) The note shall be factual and shall, if possible, provide a reliable estimate of both the immediate effect and, if determinable, the long-range fiscal and actuarial effect of the measure. If, after careful investigation, it is determined that no dollar estimate is possible, the note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given. No comment or opinion shall be included in the actuarial note with regard to the merits of the measure for which the note is prepared. Technical and mechanical defects in the measure may be noted.

(e) When any permanent subcommittee or standing committee reports a measure to which an actuarial note is attached at the time of permanent subcommittee or standing committee consideration, with any amendment of such nature as would substantially affect the cost to or the revenues of any retirement or pension system, or program of hospital, medical, disability, or related benefits for teachers or State employees, the chair of the permanent subcommittee or standing committee reporting the measure shall obtain from the Fiscal Research Division an actuarial note of the fiscal and actuarial effect of the proposed amendment. The actuarial note shall be attached to the jacket of the measure. An amendment to any bill or resolution shall not be in order if the amendment affects the costs to or the revenues of a State-administered retirement or pension system, or program of hospital, medical, disability, or related benefits for teachers or State employees, unless the amendment is accompanied by an actuarial note,

prepared by the Fiscal Research Division, as to the actuarial effect of the amendment.

(f) The Fiscal Research Division shall make all relevant actuarial notes available to the membership of the House.

**RULE 36.3. Local Legislation Affecting State Highway System.** – A local bill affecting the State Highway System shall be referred to the Committee on Transportation.

**RULE 37. Removing Bill From Unfavorable Calendar.** – A bill may be removed from the unfavorable calendar upon motion carried by a two-thirds vote. A motion to remove a bill from the unfavorable calendar is debatable.

**RULE 38. Reports on Appropriation and Revenue Bills.** – (a) All standing committees, other than the Standing Committee on Appropriations, when favorably reporting any bill or resolution which:

- (1) Carries an appropriation from the State; or
- (2) Requires or will require in the future substantial additional State monies from the General Fund or Highway Fund to implement its provisions shall indicate same in the report, and said bill or resolution shall be referred to the Standing Committee on Appropriations for a further report before being acted upon by the House.

(b) All standing committees, other than the Standing Committee on Finance, when favorably reporting any bill which in any way or manner raises revenue, reduces revenue, levies a tax, authorizes the levying of a tax, an assessment, or a fee, or authorizes the issue of bonds or notes, whether public, public-local, or private, shall indicate same in the report, and said bill shall be referred to the Standing Committee on Finance for a further report before being acted upon by the House.

(c) Action on Amendment Before Re-Referral. – If any standing committee recommends adoption of an amendment or committee substitute of a bill which, under the rules of the House, must be referred to the Standing Committees on Appropriations or the Standing Committee on Finance, the amendment or committee substitute shall be considered and, if adopted, the amendment or substitute engrossed before the bill is re-referred.

**RULE 39. Recall of Bill From Standing Committee.** – (a) When a House bill has been introduced and referred to a standing committee, or when a Senate bill has been referred to a standing committee, if after 10 legislative days the standing committee has failed to act thereon, then the introducer of the House bill or some member designated by the introducer, or some House member designated by the introducer of the Senate bill, may, after three legislative days' public notice given in the House and delivered in writing to the chair of the standing committee, on motion supported by a

vote of three-fifths of the members of the House, recall the same from the standing committee to the floor of the House for consideration and such action thereon as a majority of the members present may direct.

(b) This rule shall not be temporarily suspended without one day's notice on the motion given in the House and delivered in writing to the chair of the standing committee, and to sustain that motion two-thirds of the members of the House shall be required.

**RULE 39.1. Recall of Bill From Permanent Subcommittee.** – When a House bill has been referred to a permanent subcommittee, if after 10 legislative days the subcommittee has failed to act thereon, or at any time, with the agreement of the subcommittee chair, the standing committee chair may re-refer the bill from that permanent subcommittee to another permanent subcommittee of the same standing committee provided the report of the re-referral shall be made pursuant to Rule 32.

**RULE 39.2. Re-Referral of Bills From One Standing Committee to Another Standing Committee.** – Upon consent of the sponsor of the bill, the Speaker, the chair of the standing committee from whom the bill is to be re-referred, and the chair of the standing committee to whom the bill is to be re-referred, the chair of the standing committee from whom the bill is to be re-referred or the chair of the Standing Committee on Rules, Calendar, and Operations of the House may move for a re-referral to another standing committee, and the bill shall be re-referred upon vote of the majority present during a regular session of the House.

**RULE 40. Calendars and Schedules of Business.** – The Clerk of the House shall prepare a daily schedule of business, including the Calendar of Bills and Resolutions for consideration and debate that day, in accordance with the Order of Business of the Day (Rule 5). The Clerk shall number all bills and resolutions in the order in which they are introduced. All bills and resolutions shall be taken up as they appear in each category (Rule 5(10)) in the order they were placed on the Calendar under Rule 36(b).

**RULE 41. Reading of Bills.** – (a) Every bill shall receive three readings in the House prior to its passage. The first reading and reference to standing committee of a House bill shall occur on the next legislative day following its introduction. The first reading and reference to standing committee of a Senate bill shall occur on the next legislative day following its receipt on messages from the Senate. The Speaker shall give notice at each subsequent reading whether it is the second or third reading.

(b) No bill shall be read more than once on the same day without the concurrence of two-thirds of the members present and voting; provided, no bill governed by Article II, Section 23 of the North Carolina Constitution or described in Rule 20(a)(2) herein shall be read twice on one day under any circumstance.

**RULE 42. Effect of a Defeated Bill.** – (a) Subject to the provisions of subsection (b) of this rule, after a bill has:

- (1) Been tabled,
- (2) Been postponed indefinitely,
- (3) Failed to pass on any of its readings, or
- (4) Been placed on the unfavorable calendar,

the contents of that bill or the principal provisions of its subject matter shall not be considered in any other measure originating in the Senate or originating thereafter in the House. Upon the point of order being raised and sustained by the Chair, that measure shall be laid upon the table, and shall not be taken therefrom except by a two-thirds vote of the members present and voting.

(b) No local bill shall be held by the Chair to embody the contents of or the principal provisions of the subject matter of any statewide measure which has been laid on the table, has failed to pass on any of its readings, or has been placed on the unfavorable calendar.

**RULE 43. Amendments.** – No amendment to a measure before the House shall be in order unless the amendment is germane to the measure under consideration. A House amendment deleting a previously adopted House amendment shall not be in order, except that this sentence does not apply to amendments adopted under Rule 38(c).

If the Senate adopts an amendment or committee substitute to a House bill, the House may refuse to receive the bill on account of lack of germaneness if the Senate has a similar rule.

Only one principal (first degree) amendment shall be pending at any one time. If a subsequent or substitute principal amendment shall be offered, the Speaker shall rule it out of order. However, any member desiring to offer a subsequent or substitute principal amendment in opposition to the pending amendment may inform the House by way of argument against the pending amendment that if it is defeated the member proposes to offer another principal amendment, and the member may then read and explain such proposed amendment.

Perfecting (or second degree) amendments may be offered and considered without limitation as to number, and in the event of multiple perfecting amendments, they shall be voted upon in inverse order.

**RULE 43.1. Engrossment.** – Bills and resolutions, except those making appropriations, which originate in the House and which are amended, shall be engrossed before being sent to the Senate.

**RULE 43.2. House Concurrence in Senate Amendments to House Bills.** – When the House receives a Senate amendment to a bill originating in the House, it shall be placed on the calendar in accordance with Rule 36(b).

**RULE 43.3. Committee Substitutes Adopted by the Senate to Bills Originating in the House; Procedure for Treatment of Material Amendments Thereto.** – (a) Whenever the Senate has adopted a committee

substitute for a bill originating in the House and has returned the bill to the House for concurrence in that committee substitute, it shall be placed on the calendar in accordance with Rule 36(b).

(b) The Speaker shall rule whether the committee substitute is a material amendment under Article II, Section 23 of the North Carolina Constitution which reads:

**"Revenue bills.** – No law shall be enacted to raise money on the credit of the State, or to pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any tax upon the people of the State, or to allow the counties, cities, or towns to do so, unless the bill for the purpose shall have been read three several times in each House of the General Assembly and passed three several readings, which readings shall have been on three different days, and shall have been agreed to by each House respectively, and unless the yeas and nays on the second and third readings of the bill shall have been entered on the journal."

If the committee substitute was referred to standing committee, the standing committee shall:

- (1) Report the bill with the recommendation either that the House do concur or that the House do not concur; and
- (2) Advise the Speaker as to whether or not that committee substitute is a material amendment under Article II, Section 23 of the North Carolina Constitution.

(c) If the committee substitute for a bill is not a material amendment, the question before the House shall be concurrence.

(d) If the committee substitute for a bill is a material amendment, the receiving of that bill on messages shall constitute first reading, and the question before the House shall be concurrence on second reading. If the motion is passed, the question then shall be concurrence on third reading on the next legislative day.

(e) No committee substitute adopted by the Senate for a bill originating in the House may be amended by the House.

**RULE 44. Conference Standing Committees.** – (a) Whenever the House shall decline or refuse to concur in amendments put by the Senate to a bill originating in the House, or shall refuse to concur in a substitute adopted by the Senate for a bill originating in the House, or whenever the Senate shall decline or refuse to concur in amendments put by the House to a bill originating in the Senate, or shall refuse to concur in a substitute adopted by the House for a bill originating in the Senate, a conference committee may be appointed by the Speaker upon the Speaker's own motion and shall be appointed upon request by the principal sponsor of the original bill, the chair of the House standing committee which reported the bill, or the sponsor of the amendment in which the Senate refused to concur; and the bill under consideration shall thereupon go to and be considered by the joint conferees on the part of the House and Senate. In appointing members

to conference committees, the Speaker shall appoint no less than a majority of members who generally supported the House position as determined by the Speaker.

(b) Only such matters as are in difference between the two houses shall be considered by the conferees, and the conference report shall deal only with such matters. The conference report may be made by a majority of the House members of such conference committee and shall not be amended.

(c) If the conferees fail to agree or if either house fails to adopt the report of its conferees, new conferees may be appointed.

(d) No vote shall be taken on adoption of a conference report until the next legislative day following the report.

**RULE 44.1. Transmittal of Bills to Senate.** – Unless ordered by the Speaker or two-thirds vote of the members present and voting, no bill shall be sent from the House on the day of its passage, except on the last day of the session.

#### **VII. Legislative Officers and Employees**

**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.

**RULE 46. Assistants to Principal Clerk and Sergeant-at-Arms.** – The Principal Clerk and the Sergeant-at-Arms may appoint, with the approval of the Speaker, such assistants as may be necessary to the efficient discharge of the duties of their respective offices.

**RULE 47. Speaker's Staff; Chaplain; and Pages.** – (a) The Speaker may appoint one or more staff members to the Speaker, a Chaplain of the House, and pages to wait upon the sessions of the House.

(b) When the House is not in session, the pages shall be under the supervision of the Supervisor of Pages.

(c) The Speaker, at the request of a member, may appoint honorary pages.

**RULE 48. Member's Staff.** – (a) Each standing committee and permanent subcommittee shall have a committee assistant. The committee assistant to a standing committee or permanent subcommittee shall serve as staff to the chair of the standing committee or permanent subcommittee.

(b) Each member shall be assigned a legislative assistant, unless the member has a committee assistant to serve as legislative assistant.

(c) The selection and retention of committee assistants, legislative assistants, and office assistants shall be the sole prerogative of the individual member or members. Such staff shall file initial applications for employment with the Principal Clerk and shall receive compensation as prescribed by the Legislative Services Commission. The employment period of such staff shall commence not earlier than the convening date of the General Assembly and shall terminate not later than the final adjournment or recess of the General Assembly unless employment for an extended period is approved by the Speaker. The committee assistants, legislative assistants, and office assistants shall adhere to such uniform rules and regulations not inconsistent with these rules regarding hours and other conditions of employment as the Legislative Services Commission shall fix by appropriate regulations.

**RULE 49. Compensation of Legislative Assistants.** – No clerk, committee assistant, legislative assistant, office assistant, or other person employed or appointed under Rules 46, 47, and 48 hereof shall receive during such employment, appointment, or service any compensation from any department of the State government, and there shall not be voted, paid, or awarded any additional pay, bonus, or gratuity to any of them; but they shall receive only the pay now provided by law for such duties and services.

#### **VIII. Privileges of the Hall**

**RULE 50. Admittance to Floor.** – No person except members, officers, and employees of the General Assembly who have been issued identification tags as provided by this rule, and former members of the General Assembly who are not registered under the provisions of Article 9 of Chapter 120 of the General Statutes, shall be allowed on the floor of the House during its session, unless permitted by the Speaker or otherwise provided by law. Employees of the General Assembly shall wear identification tags, approved by the Legislative Services Officer, when on the floor of the House.

**RULE 51. Admittance of Press.** – Reporters wishing to take down debates may be admitted by the Speaker, who shall assign such places to them on the floor or elsewhere, to effect this object, as shall not interfere with the convenience of the House. Reporters admitted to the floor of the House shall observe the same requirements of attire for members contained in Rule 12(h).

**RULE 52. Extending Courtesies.** – Courtesies of the floor, galleries, or lobby shall be extended at the discretion of the Speaker and only by the

Speaker. Requests by members to extend these courtesies shall be type-written and delivered to the Speaker. No member shall orally ask the Speaker to extend these courtesies during the daily session.

**RULE 53. Order in House Chamber, Galleries, and Lobby.** – In case of any disturbance or disorderly conduct in the House Chamber, galleries, or lobby, the Speaker or other presiding officer is empowered to order the same to be cleared to the extent they deem necessary.

#### **IX. General Rules**

**RULE 54. Attendance of Members.** – No member or officer of the House shall be absent from the service of the House without leave, unless from sickness or disability.

**RULE 55. Documents to Be Signed by the Speaker.** – All acts, addresses, and resolutions and all warrants and subpoenas issued by order of the House shall be signed by the Speaker or other presiding officer.

**RULE 56. Printing or Reproducing Materials.** – There shall be no printing or reproducing of paper(s) that are not legislative in essence except upon approval of the Speaker.

**RULE 57. Placement or Circulation of Materials.** – Persons other than members of the House shall not place or cause to be placed any materials on members' desks in the House Chamber without obtaining approval of the Speaker. Any material placed on members' desks in the House Chamber, or circulated to House members anywhere in the Legislative Building or the Legislative Office Building, shall bear the name of the originator.

**RULE 58. Rules, Rescission, and Alteration.** – (a) These rules shall not be permanently rescinded or altered except by House simple resolution passed by a two-thirds vote of the members present and voting. The introducer of the resolution must on the floor of the House give notice of intent to introduce the resolution on the legislative day preceding its introduction.

(b) Except as otherwise provided herein, the House upon two-thirds vote of the members present and voting may temporarily suspend any rule.

**RULE 59. Cosponsorship of Bills and Resolutions.** – (a) Any member wishing to cosponsor a bill or resolution which has been introduced may do so by appearing in the office of the Principal Clerk for such purpose within one-half hour following the adjournment of the session during which such bill or resolution was first read and referred.

(b) Members wishing to jointly sponsor legislation should indicate such to the drafter at the time the bill is requested or upon filing the bill with the Principal Clerk's office. The names of the members who are the primary sponsors shall be listed in the order requested by them, followed by the words (Primary Sponsors); and the remaining names of members cosponsoring shall follow. No more than four members may be listed as primary sponsors.

(c) No member shall permit anyone, other than that member's committee assistant, legislative assistant, office assistant, or another member, to have possession of and solicit for bill or resolution cosponsorship, the jacket of a bill or resolution.

**RULE 60. Correcting of Typographical Errors.** – The Legislative Services Officer may correct typographical errors appearing in House bills or resolutions provided that such corrections are made before ratification and do not conflict with any actions or rules of the Senate and provided further that such correction be approved by the Chair of the Standing Committee on Rules, Calendar, and Operations of the House, the Speaker, or other presiding officer.

**RULE 61. Assignment of Seats.** – After initial assignment of seats, a member shall continue to occupy the seat to which initially assigned until assigned a permanent seat; once assigned a permanent seat, the member shall occupy it for the entire biennial session. In event of vacancy, that member's successor will occupy the seat of the member replaced for the remainder of the biennial session.

**RULE 61.1. Office Assignments.** – The Chair of the Standing Committee on Rules, Calendar, and Operations of the House shall assign to each member an office space. When available, chairs of standing committees and permanent subcommittees shall be assigned an office adjacent to the room in which the standing committee or permanent subcommittee generally meets if the Chair so desires. The Speaker shall be assigned an office of his or her choice.

**RULE 61.2. Convening and Assigning Seats in the New House.** – (a) The Principal Clerk of the previous House of Representatives shall convene the House of Representatives at 12:00 noon on the date established by law for the convening of each regular session and preside over the body until the members elect a Speaker. In the case of a vacancy, inability, or refusal to so serve, the duty shall devolve upon the Sergeant-at-Arms of the prior House, and in the case of a vacancy in that office, or inability or refusal to so serve, the duty shall devolve upon the Reading Clerk of the prior House.

(b) It shall be the duty of the Chair of the Standing Committee on Rules, Calendar, and Operations of the House of the prior House to assign temporary seats to the members of the House of Representatives in its Chamber. In the case of the inability or refusal to serve of the Chair of the Standing Committee on Rules, Calendar, and Operations of the House, the Speaker of the prior House of Representatives shall appoint a person to assign seats to members of the House of Representatives in its Chamber. In the event that the party that had a majority of members in the prior House will no longer have a majority of members in the new House, then the duty assigned in this subsection to the Chair of the Committee of the prior House shall instead be the duty of the person nominated as Speaker by the majority party caucus for the new House, or some member-elect designated by the

Speaker-nominee. In the event no party will have a majority, then the duty assigned in this subsection to the Chair of the Committee of the prior House shall instead be the joint duty of one person chosen each by the caucuses of the two parties having the greatest numbers of members.

**RULE 62. Matters Not Covered in These Rules.** – Except as herein set out, the rules of Mason's Manual of Legislative Procedure shall govern the operation of the House.

**SECTION 2.** This resolution is effective upon adoption.

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**H.R. 667, A HOUSE RESOLUTION HONORING THE MEMORY OF JIM THORPE.**

Whereas, Jim Thorpe, born in Oklahoma Indian Territory in 1887, has been described by many as the greatest athlete of the 20<sup>th</sup> century; and

Whereas, Jim Thorpe competed in the 1912 Olympics, where he was the first and only competitor to win both the pentathlon and decathlon events; and

Whereas, during that same year, Jim Thorpe made 25 touchdowns and scored 198 points to lead the football team at the Carlisle Indian Industrial School in Pennsylvania to the national collegiate championship; and

Whereas, a few months later, Jim Thorpe was declared a professional athlete because he had played baseball during the summers of 1909 and 1910 in North Carolina and had to relinquish his cherished Olympic medals; and

Whereas, in 1913, Jim Thorpe began a career in professional baseball and football, playing six seasons for the New York Giants while simultaneously playing for the Canton, Ohio Bulldogs football team, which he led to several world championships; and

Whereas, in 1929, Jim Thorpe retired from professional athletic competition but, years later, at the age of 57 volunteered for and served in the Merchant Marines during World War II; and

Whereas, Jim Thorpe died on March 28, 1953, leaving a legacy of athletic achievement; and

Whereas, in 1982, after decades of national and international campaigns on his behalf, Olympic officials conceded that Jim Thorpe's amateur status had not been violated prior to the 1912 Olympics and in 1983 awarded new Olympic medals to his family; and

Whereas, as we approach the 50<sup>th</sup> anniversary of Jim Thorpe's death, it is fitting to pay tribute to his life and accomplishments; Now, therefore, Be it resolved by the House of Representatives:

**SECTION 1.** The House of Representatives wishes to honor the memory of Jim Thorpe, a great American who is worthy of respect and admiration for his commitment to fair play, patriotism, and athletic excellence.

**SECTION 2.** The House of Representatives encourages the citizens of this State to join them in celebrating the life and accomplishments of the legendary Jim Thorpe on March 28, 2003, the 50<sup>th</sup> anniversary of his death.

**SECTION 3.** This resolution is effective upon adoption.

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**H.R. 699, A HOUSE RESOLUTION EXPRESSING GRATITUDE TO THE NUCOR CORPORATION FOR ITS CONTRIBUTIONS TO THE STATE'S ECONOMY AND ENVIRONMENT.**

Whereas, the Nucor Corporation, which is headquartered in Charlotte, North Carolina, is the largest steel recycler in the United States with operating facilities in 12 states; and

Whereas, Nucor has invested over 500 million dollars to build a steel-recycling facility in North Carolina, producing carbon steel plates and employing 390 workers in Hertford County; and

Whereas, 23 other associated industries, employing approximately 200 employees, have invested approximately 30 million dollars in North Carolina as a direct result of Nucor's locating in Hertford County; and

Whereas, with its remarkable technology and high-level efficiency, Nucor's North Carolina steel-producing facility recycles approximately one million tons of steel each year; and

Whereas, the Nucor facility in North Carolina produced more than 238 million dollars in total sales for the 2001-2002 fiscal year, making Nucor one of the most successful companies in the State; and

Whereas, Nucor has significantly helped to improve education through its contribution of over 25 million dollars in educational scholarships in 2002; and

Whereas, Nucor has again revolutionized steelmaking through the development of Castrip® technology, which will reshape the industry by making steel thinner and producing it faster, at less cost, and with fewer defects than conventional slab-casting. This new technology will allow steel manufacturers to produce thin, flat-rolled products with fewer steps, thus saving money on both capital outlay and operating expenses by casting steel at or near its final dimensions, allowing tremendous savings of time and energy; and

Whereas, the North Carolina House of Representatives is sincerely grateful for the fantastic investments made by the Nucor Corporation into North Carolina's economy and educational system; Now, therefore,

Be it resolved by the House of Representatives:

**SECTION 1.** The House of Representatives praises the Nucor Corporation for the tremendous success of its operations in North Carolina, expresses its gratitude to the Nucor Corporation for its contributions to the State's economy, and hopes that the positive working relationship between the Nucor Corporation and the State of North Carolina will continue for many years to come.

**SECTION 2.** The Principal Clerk shall transmit a certified copy of this resolution to Daniel R. DiMicco, Vice-Chairman and Chief Executive Officer of the Nucor Corporation, and to Giff Daughtridge, General Manager of the Nucor Corporation's facility in Hertford County.

**SECTION 3.** This resolution is effective upon adoption.

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**H.R. 753, 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.**

Whereas, G.S. 116-6(a) directs the House of Representatives to elect eight members of the Board of Governors of The University of North Carolina this year; and

Whereas, the House of Representatives may determine its own procedure; Now, therefore,

Be it resolved by the House of Representatives:

**SECTION 1.** The following persons are elected to the Board of Governors of The University of North Carolina for terms commencing July 1, 2003, and ending June 30, 2007:

- (1) Addison Bell of Charlotte.
- (2) Patsy Perry of Durham.
- (3) Gladys Robinson of Greensboro.
- (4) Priscilla Taylor of Chapel Hill/Greensboro.
- (5) Peter Keber of Charlotte.
- (6) Cary Owen of Asheville.
- (7) Leroy Lail of Hickory.
- (8) Brent Barringer of Cary.

**SECTION 2.** This resolution is effective upon adoption.

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**H.R. 1330, A HOUSE RESOLUTION COMMENDING BILLY GRAHAM, RENOWNED HUMANITARIAN, PHILANTHROPIST, AND GREAT NORTH CAROLINIAN.**

Whereas, there have been many great North Carolinians, but few have impacted the world more than Billy Graham; and

Whereas, Billy Graham was born William Franklin Graham, Jr. to William Franklin Graham and Morrow Coffey Graham on a dairy farm in Charlotte; and

Whereas, Billy Graham was ordained to the ministry in 1939 and thereafter served as pastor of the First Baptist Church in Western Springs, Illinois, from 1943 to 1945, as a member of Youth for Christ International, where he ministered to young people and military personnel, from 1945 to 1950, and as President of Northwestern Schools, a liberal arts college, Bible school, and theological seminary, from 1947 to 1952; and

Whereas, after World War II, Billy Graham attained international prominence through a series of crusades that began in 1949; and

Whereas, since 1950, Billy Graham has conducted his ministry by means of a weekly radio program, "Hour of Decision"; a newspaper column, "My Answer"; televised crusades; articles published in "Decision" magazine; and films produced and distributed by World Wide Pictures; and

Whereas, over the years, Billy Graham has preached to live audiences of over 210 million people in more than 185 countries and territories; and

Whereas, a renowned humanitarian and philanthropist, Billy Graham has tried to help those in need through his work with the World Emergency Relief Fund, which gives financial assistance to disaster victims, and the BGEA Love in Action committees, which collect and distribute food and clothing internationally; and

Whereas, Billy Graham has received numerous awards and honorary degrees, including the Congressional Gold Medal in 1996, the North Carolina Award for Public Service in 1986, and the Presidential Medal of Freedom in 1983; and

Whereas, Billy Graham received the Big Brother of the Year Award in 1966 for his work on behalf of the welfare of children and the Ronald Reagan Presidential Foundation Freedom Award in 2000 for monumental and lasting contributions to the cause of freedom; and

Whereas, Billy Graham was cited by the George Washington Carver Memorial Institute for his contributions to race relations in 1964 and was recognized by the Anti-Defamation League of the B'nai B'rith and the National Conference of Christians and Jews for his efforts to foster a better understanding among all faiths; and

Whereas, Billy Graham has counseled and advised presidents and world leaders and has participated in many historic occasions, such as the tearing down of the Berlin Wall; and

Whereas, Billy Graham has opposed racial discrimination and, in the 1950s and 1960s, never held a segregated meeting but conducted fully integrated crusades; and

Whereas, Billy Graham has written 18 books, all of which have become best sellers, including his latest book, "Just As I Am," an autobiography published in 1997; and

Whereas, Billy Graham has been named one of Gallup Poll's list of the "Ten Most Admired Men in the World" for an unprecedented 43 times, 36 of which have been in consecutive years; and

Whereas, Billy Graham continues to inspire the world with his good works; and

Whereas, Billy Graham is proud to call himself a Tar Heel and to make North Carolina his home; and

Whereas, Governor Michael F. Easley issued a proclamation on October 29, 2002, during the official groundbreaking ceremony for the Billy Graham Association corporate headquarters in the City of Charlotte honoring Billy Graham and commending him for his many accomplishments; Now, therefore,

Be it resolved by the House of Representatives:

**SECTION 1.** The North Carolina House of Representatives commends Billy Graham, renowned humanitarian, philanthropist, and great North Carolinian, for all of his good works and his many accomplishments.

**SECTION 2.** The Principal Clerk shall transmit a certified copy of this resolution to Billy Graham.

**SECTION 3.** This resolution is effective upon adoption.

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**H.R. 1332, A HOUSE RESOLUTION URGING STATE AND LOCAL AGENCIES TO ADDRESS ISSUES RELATING TO THE HEPATITIS C VIRUS.**

Whereas, Hepatitis C virus infection is the most common chronic bloodborne viral infection in the United States; and

Whereas, Hepatitis C virus infection is a life-threatening disease that the Centers for Disease Control and Prevention conservatively estimate infects 3.9 million persons in the United States; and

Whereas, there were approximately 41,000 newly infected Hepatitis C virus patients in 1998 and approximately 25,000 newly infected patients in 2001; and

Whereas, Hepatitis C virus infections account for approximately 8,000 to 10,000 deaths each year in the United States because of Hepatitis C virus associated chronic liver disease; and

Whereas, Hepatitis C virus infection is three to four times more prevalent in the United States than HIV/AIDS, and approximately one-quarter of all HIV-infected persons are coinfecting with Hepatitis C virus; and

Whereas, an estimated 69 percent of Hepatitis C virus-infected persons are chronically infected; and

Whereas, approximately 75 percent to 85 percent of persons with acute infection from Hepatitis C virus will develop chronic infection; and

Whereas, infected individuals serve as a source of transmission to others; and

Whereas, very few of those infected with Hepatitis C virus are aware that they are infected, as an estimated 80 percent of persons have no signs or symptoms; and

Whereas, infected individuals who are unaware that they are infected are unlikely to take precautions to prevent the spread or exacerbation of their infection; and

Whereas, no vaccine is available for Hepatitis C virus, but treatments are available to slow the progression of the infection; and

Whereas, alcohol consumption is an important contributing factor in the progression of chronic liver disease among persons with Hepatitis C virus infections; and

Whereas, Hepatitis C virus is now the leading cause of liver disease, placing infected individuals at elevated risk for chronic liver disease, liver cancer, and other Hepatitis C virus-related diseases, such as Type II diabetes, autoimmune diseases, and other life-threatening conditions that can lead to liver failure; and

Whereas, data suggests that 15 percent to 20 percent of people with Hepatitis C virus will develop cirrhosis of the liver within five years of contracting the virus, and up to 25 percent may develop cirrhosis in 10 to 20 years; and

Whereas, Hepatitis C virus is the cause for one-third of liver transplants, which cost approximately \$280,000 each; and

Whereas, annually, the costs associated with liver transplants for Hepatitis C virus are nearly \$300,000,000; and

Whereas, conservative estimates now place the cost of lost productivity and medical care arising from Hepatitis C virus infection in the United States to be in excess of \$600,000,000 annually, and such cost will undoubtedly increase without education and prevention efforts; Now, therefore,

Be it resolved by the House of Representatives:

**SECTION 1.** The House of Representatives urges local health departments and other State agencies and institutions to work collaboratively to address the national health crisis associated with Hepatitis C virus through the following measures:

- (1) Recommending implementation of prevention and education activities by State and local public health programs to

counsel and screen persons at risk for Hepatitis C virus infection.

- (2) Recommending the monitoring and evaluation of the infection rate of Hepatitis C virus.
- (3) Recommending that publicly funded programs ensure that Hepatitis C virus-related treatments are made available to persons of all ages.
- (4) Recommending implementation of outreach and community-based programs to educate health care professionals concerning diagnosis, medical management, and prevention by relying upon information recently released by the Centers for Disease Control and Prevention.

**SECTION 2.** This resolution is effective upon adoption.

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**H.R. 1334, A HOUSE RESOLUTION HONORING THE CITIES OF WILSON AND LAURINBURG ON BEING NAMED 2003 ALL-AMERICA CITIES.**

Whereas, each year the National Civic League honors 10 communities that best exemplify the spirit of grassroots citizen involvement and cross-sector collaborative problem solving; and

Whereas, since 1949, more than 4,000 communities have competed and nearly 500 communities have been named All-America Cities; and

Whereas, the 10 recipients selected from this year's 48 competitors were the Cities of Wilson and Laurinburg along with Tempe, Arizona; New Haven, Connecticut; Miami Beach, Florida; Des Moines, Iowa; Marquette County, Michigan; South Sioux City, Nebraska; Corpus Christi, Texas; and Greater Racine Area, Wisconsin; and

Whereas, individuals, businesses, government agencies, and non-profit organizations in both Laurinburg and Wilson worked together to improve their communities with efforts to recognize cultural diversity, create affordable housing, and increase access to health care; and

Whereas, Laurinburg's All-America City Award Committee made a presentation highlighting the City's use of SCOTTY, a mobile health care unit that travels throughout Scotland County and provides free health care services; the City's study of the needs of its children that resulted in the creation of educational after-school programs; and the City's efforts to increase home ownership by replacing dilapidated rental housing with affordable homes; and

Whereas, Wilson's All-America City Award Committee's presentation highlighted the completion of the restoration of the Oliver Nestus Freeman Round House, which was made into a museum exhibiting the importance of African-Americans in Wilson's history; the redevelopment

of East Wilson, which has resulted in improved home ownership, a decrease in crime, better looking neighborhoods, and decreased rental property; and the Citizens for a Healthier Wilson's campaign, which provided immunizations and lead screening exams for children and reduced adolescent pregnancies; and

Whereas, the All-America City distinction is a favorable attribute for cities in attracting new residents, businesses, industry, and grants; and

Whereas, Laurinburg and Wilson join a small number of cities with multiple All-America City Awards, with Laurinburg previously winning in 1956 and 1967 and Wilson in 1972; and

Whereas, Wilson's and Laurinburg's accomplishments exemplify community spirit and deserve recognition; Now, therefore,  
Be it resolved by the House of Representatives:

**SECTION 1.** The House of Representatives recognizes the Cities of Laurinburg and Wilson on being named All-America Cities. The House of Representatives congratulates the members of the Laurinburg and Wilson All-America City Award Committees and the citizens of Laurinburg and Wilson for their hard work in helping their communities receive this national recognition.

**SECTION 2.** The Principal Clerk shall transmit a certified copy of this resolution to the Mayor of Wilson and the Mayor of Laurinburg and to the members of the Cities of Wilson and Laurinburg All-America City Award Committees.

**SECTION 3.** This resolution is effective upon adoption.

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**H.R. 1336, A HOUSE RESOLUTION ELECTING ESTELLE LEE AND JAMES DANIELS TO THE STATE BOARD OF COMMUNITY COLLEGES.**

Be it resolved by the House of Representatives:

**SECTION 1.** The following persons are elected to the State Board of Community Colleges for terms of six years beginning July 1, 2003:

- (1) Estelle Lee.
- (2) James Daniels.

**SECTION 2.** This resolution is effective upon adoption.

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**H.R. 1339, A HOUSE RESOLUTION HONORING THE 175<sup>TH</sup> ANNIVERSARY OF THE CITY OF LEXINGTON.**

Whereas, the City of Lexington was incorporated through an act of the General Assembly on December 28, 1827, and the first town commissioners were elected on February 7, 1828; and

Whereas, during the City's early development, settlers built homes along dirt roads, entrepreneurs opened general stores, missionaries constructed churches, and bankers assisted people in the normal trade that grew in volume each year; and

Whereas, over the years, the means of transportation progressed from horse to train to automobile, streets were paved, telephone lines were strung, and electricity lines were run throughout Lexington and into the surrounding areas; and

Whereas, Lexington serves as the county seat of Davidson County, the location of one of the largest street festivals in the Southeast, the Lexington Barbecue Festival, and home to nationally known artist Bob Timberlake and the Bob Timberlake Gallery; and

Whereas, in 1985, Lexington was designated by the House of Representatives as the "Hickory Cooked Barbecue Capitol of Piedmont North Carolina"; and

Whereas, today, Lexington has grown into a modern city with a population of over 20,000 people; and

Whereas, it is fitting to recognize and honor those who struggled to build the City of Lexington and provide the infrastructure that has been enjoyed for many years and will be passed onto future generations; and

Whereas, citizens of Lexington will celebrate the City's 175<sup>th</sup> anniversary throughout 2003 with special events, including concerts, exhibits, theatrical productions, festivals, outdoor activities, and appearances by dignitaries and celebrities, a celebration that should be enjoyed and supported by all citizens of this great State; Now, therefore, Be it resolved by the House of Representatives:

**SECTION 1.** The House of Representatives congratulates the City of Lexington for its fortitude and commitment and extends good wishes on this special and auspicious occasion.

**SECTION 2.** The House of Representatives commends unto the citizens of North Carolina the opportunity to join the citizens of the City of Lexington in their memorial festivities and urges the citizens to participate in this celebration.

**SECTION 3.** The Principal Clerk shall transmit a certified copy of this resolution to the Mayor of the City of Lexington.

**SECTION 4.** This resolution is effective upon adoption.

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**H.R. 1340, A HOUSE RESOLUTION HONORING THE GREATER WILMINGTON CHAMBER OF COMMERCE ON THE OCCASION OF ITS 150TH ANNIVERSARY.**

Whereas, the Greater Wilmington Chamber of Commerce was established in 1853 with 39 of the 40 houses of trade in attendance at the

first meeting and Robert W. Brown, Esquire, called to Chair and D. McRae, Esquire, appointed Secretary; and

Whereas, the Chamber was formed to promote area businesses and strengthen the local economy; and

Whereas, the Greater Wilmington Chamber of Commerce is the oldest Chamber in North Carolina and is among the oldest in the United States; and

Whereas, for 150 years the Chamber has dedicated itself to serving the Wilmington area business community by listening to its members and providing them with benefits and services to support their successes, advocating positions on those business-related issues most beneficial to its members and to the community, and participating in initiatives that positively affect the quality of life in the community; and

Whereas, the Chamber's mission is enhanced through proactive leadership and partnerships throughout Southeastern North Carolina; and

Whereas, the Chamber's membership has grown to more than 1,650 businesses strong, enabling the Chamber to continue to establish and promote programs that help area businesses prosper and strengthen the economy of the State of North Carolina; Now, therefore,

Be it resolved by the House of Representatives:

**SECTION 1.** The House of Representatives honors the founders of the Greater Wilmington Chamber of Commerce.

**SECTION 2.** The House of Representatives congratulates the Greater Wilmington Chamber of Commerce on its 150<sup>th</sup> anniversary and encourages area businesses to continue to support the valuable work performed by the Chamber on their behalf.

**SECTION 3.** The Principal Clerk shall transmit a certified copy of this resolution to the Chair of the Board of Directors and to the President and CEO of the Greater Wilmington Chamber of Commerce.

**SECTION 4.** This resolution is effective upon adoption.

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**BOARDS AND COMMISSIONS  
APPOINTMENTS  
(January 2003 through December 2003)**

**APPOINTED   EXPIRES**

**ACTUAL INNOCENCE COMMISSION, NORTH CAROLINA**

(Established November 2002 by Supreme Court Chief Justice I. Beverly Lake, Jr.)

Rep. Richard B. Glazier

10/29/2003

**ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE,  
JOINT LEGISLATIVE**

G.S. 120-70.100

Rep. Harold J. Brubaker, Co-Chair	8/29/2003	1/19/2005
Rep. William T. Culpepper, III, Co-Chair	10/1/2003	1/14/2005
Rep. Larry M. Bell	10/1/2003	1/14/2005
Rep. Rick L. Eddins	8/29/2003	1/19/2005
Rep. Pryor A. Gibson, III (Reappointment)	10/1/2003	1/14/2005
Rep. Don Munford	8/29/2003	1/19/2005
Rep. Martin L. Nesbitt, Jr. (Reappointment)	10/1/2003	1/14/2005
Rep. Constance K. Wilson	8/29/2003	1/19/2005

**AGING, NORTH CAROLINA STUDY COMMISSION ON**

G.S. 120-182, 183

Rep. Debbie A. Clary, Co-Chair	8/29/2003	1/19/2005
Rep. Edd Nye, Co-Chair	11/18/2003	6/30/2005
Rep. David R. Lewis	8/29/2003	1/19/2005
Rep. Jennifer Weiss	11/18/2003	6/30/2005
Rep. W. Eugene Wilson	8/29/2003	1/19/2005
Ms. Nancy Hall Evans (Reappointment)	10/1/2003	6/30/2005
Ms. Katherine Fox Price	9/24/2003	1/19/2005

**AGRICULTURE, FORESTRY, AND SEAFOOD AWARENESS  
STUDY COMMISSION**

G. S. 120-150(3), (4)

Rep. Dewey L. Hill, Co-Chair	10/1/2003	9/30/2005
(Reappointment)		
Rep. Rex L. Baker	8/29/2003	1/19/2005
Rep. R. Phillip Haire (Reappointment)	10/1/2003	9/30/2005
Rep. Roger West	8/29/2003	1/19/2005

**AGRICULTURE, NORTH CAROLINA STATE BOARD OF**

G.S. 106-2

Mr. William Holliday (Reappointment)	6/30/2003	5/1/2009
Mr. Kirk Mathis	6/30/2003	5/1/2009
Mr. Elbert Pitt	6/30/2003	5/1/2009
Mr. Hyman Young, Jr. (Reappointment)	6/30/2003	5/1/2009

**BIOTECHNOLOGY CENTER BOARD OF DIRECTORS,  
NORTH CAROLINA**

By-laws

Mr. John F. DelGiorno	9/12/2003	6/30/2005
Hon. James G. Martin, Jr. (Reappointment)	9/12/2003	6/30/2005

**BLOUNT STREET HISTORIC DISTRICT OVERSIGHT COMMITTEE**

Section 3(b)(4) of Session Law 2003-404

Ms. Linda Davis	10/1/2003	7/1/2007
Mr. Kevin Kane	10/2/2003	7/1/2009

**BUSINESS AND EDUCATION TECHNOLOGY ALLIANCE**

Section 7.27(b)(5) of Session Law 2002-126

Rep. Mark K. Hilton	10/2/2003	7/1/2005
Rep. Paul Miller	10/23/2003	7/1/2005
Mr. John Modest	10/23/2003	7/1/2005
Dr. Kathryn M. Moore	10/23/2003	7/1/2005
Dr. Donna C. Peters	10/22/2003	7/1/2005

**CHILDREN AND YOUTH, LEGISLATIVE STUDY  
COMMISSION ON**

G.S. 120-217

Rep. Carolyn H. Justice, Co-Chair	8/29/2003	1/19/2005
Dr. Henry C. Hawthorne, Jr.	11/11/2003	1/15/2005
Hon. Alexander Lyerly	11/11/2003	1/15/2005
Mr. Lee Settle	11/11/2003	1/15/2005
Ms. Reta Shiver	11/11/2003	1/15/2005

**CORRECTIONS, CRIME CONTROL AND JUVENILE JUSTICE  
OVERSIGHT COMMITTEE, JOINT LEGISLATIVE**

G.S. 120-70.93

Rep. R. Phillip Haire, Co-Chair	11/18/2003	1/29/2005
Rep. Joe L. Kiser, Co-Chair	8/29/2003	1/19/2005
Rep. Joanne W. Bowie	8/29/2003	1/19/2005
Rep. William T. Culpepper, III (Reappointment)	11/18/2003	1/29/2005
Rep. Dewey L. Hill (Reappointment)	11/18/2003	1/29/2005
Rep. Carolyn K. Justus	8/29/2003	1/19/2005
Rep. Henry M. Michaux, Jr.	11/18/2003	1/29/2005
Rep. R. Tracy Walker	8/29/2003	1/19/2005

**DOROTHEA DIX HOSPITAL PROPERTY STUDY**

Section 3.4(b) of Session Law 2003-314

Rep. David M. Miner, Co-Chair	10/2/2003
Rep. Jennifer Weiss, Co-Chair	11/18/2003
Rep. Deborah K. Ross	11/18/2003
Rep. Paul Stam	10/2/2003

**ECONOMIC DEVELOPMENT CENTER, RURAL**

Article V, Section 2 of the By-Laws

Rep. D. Bruce Goforth	10/21/2003	12/31/2004
Rep. Ronnie N. Sutton	10/21/2003	12/31/2004

**ECONOMIC GROWTH AND DEVELOPMENT, JOINT SELECT COMMITTEE ON**

G.S. 120-19.6

Rep. William G. Daughtridge, Jr., Co-Chair	9/3/2003	Pleasure of Appointing Officer
Rep. William L. Wainwright, Co-Chair	9/3/2003	"
Rep. Gordon P. Allen	9/3/2003	"
Rep. Margaret H. Dickson	9/3/2003	"
Rep. James A. Harrell, III	9/24/2003	"
Rep. Linda P. Johnson	9/3/2003	"
Rep. Stephen A. LaRoque	9/3/2003	"
Rep. Paul Luebke	9/3/2003	"
Rep. Daniel F. McComas	9/3/2003	"
Rep. William C. Owens, Jr.	9/3/2003	"
Rep. Mitchell S. Setzer	9/3/2003	"
Rep. Paul Stam	9/24/2003	"
Rep. Joe P. Tolson	9/24/2003	"
Rep. R. Tracy Walker	9/24/2003	"

**EDUCATION OVERSIGHT COMMITTEE, JOINT LEGISLATIVE**

G.S. 120-70.80

Rep. W. Robert Grady, Co-Chair	8/29/2003	1/19/2005
Rep. Douglas Y. Yongue, Co-Chair	10/23/2003	1/26/2005
Rep. Larry M. Bell	10/23/2003	1/26/2005
Rep. Michael A. Gorman	8/29/2003	1/19/2005
Rep. Verla C. Insko (Reappointment)	10/23/2003	1/26/2005
Rep. Maggie M. Jeffus (Reappointment)	10/23/2003	1/26/2005
Rep. Louis M. Pate, Jr.	8/29/2003	1/19/2005
Rep. Jean R. Preston	8/29/2003	1/19/2005
Rep. John I. Sauls	8/29/2003	1/19/2005
Rep. Joe P. Tolson	10/23/2003	1/26/2005
Rep. Alex Warner (Reappointment)	10/23/2003	1/26/2005

**ELECTRIC SERVICE IN NORTH CAROLINA, STUDY COMMISSION ON THE FUTURE OF**

House Bill 778 of the 1999 Session Laws

Rep. Daniel F. McComas, Co-Chair	11/13/2003	6/30/2006
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**EMPLOYEE HOSPITAL AND MEDICAL BENEFITS,  
COMMITTEE ON**

G.S. 135-38 (a)(2a), (4a)

Rep. Thomas E. Wright, Co-Chair (Reappointment)	6/23/2003	1/14/2005
Rep. Beverly M. Earle (Reappointment)	6/3/2003	1/14/2005
Rep. William C. McGee	4/3/2003	1/15/2005
Rep. Don Munford	4/3/2003	1/15/2005
Rep. Edd Nye (Reappointment)	6/3/2003	1/14/2005
Rep. Mitchell S. Setzer	4/3/2003	1/15/2005

**ENERGY POLICY COUNCIL**

G.S. 113B-3(a)(1)

Rep. Louis M. Pate, Jr.	4/3/2003	1/14/2005
Rep. Joe P. Tolson (Reappointment)	4/1/2003	1/31/2005

**ENVIRONMENTAL REVIEW COMMISSION**

G.S. 120-70.42(b)

Rep. Pryor A. Gibson, III, Co-Chair (Reappointment)	10/29/2003	Pleasure of Appointing Officer
Rep. Daniel F. McComas, Co-Chair	8/29/2003	1/19/2005
Rep. Stanley H. Fox	10/29/2003	
Rep. Joe Hackney (Reappointment)	10/29/2003	
Rep. Carolyn H. Justice	8/29/2003	1/19/2005
Rep. Stephen A. LaRoque	8/29/2003	1/19/2005
Rep. Jennifer Weiss (Reappointment)	10/29/2003	
Rep. Keith P. Williams	8/29/2003	1/19/2005

**ETHICS COMMITTEE, LEGISLATIVE**

G.S. 120-99

Rep. Martha B. Alexander	5/27/2003	12/31/2004
Rep. Edd Nye	5/27/2003	12/31/2004

**EXECUTIVE BUDGET ACT REVISIONS, JOINT  
COMMITTEE ON**

Section 6.12(a) of Session Law 2003-284

Rep. Rex L. Baker, Co-Chair	10/2/2003
Rep. James W. Crawford, Jr., Co-Chair	10/27/2003
Rep. R. Phillip Haire	10/27/2003
Rep. Wilma M. Sherrill	10/2/2003

**FUTURE STRATEGIES FOR NORTH CAROLINA, JOINT  
LEGISLATIVE COMMISSION ON**

G.S. 120-84.7

Rep. Stephen W. Wood, Co-Chair	8/29/2003	1/19/2005
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**FUTURE STRATEGIES FOR NORTH CAROLINA-Contd.**

Rep. Phillip D. Frye	8/29/2003	1/19/2005
Rep. Edgar V. Starnes	8/29/2003	1/19/2005

**GOVERNMENTAL OPERATIONS, JOINT LEGISLATIVE COMMISSION ON**

G.S. 120-74, 75

Speaker James B. Black, Co-Chair

Speaker Richard T. Morgan, Co-Chair

Rep. Martha B. Alexander (Reappointment)	10/3/2003	1/15/2005
Rep. Rex L. Baker	8/29/2003	1/19/2005
Rep. Bobby H. Barbee, Sr.	8/29/2003	1/19/2005
Rep. Harold J. Brubaker	8/29/2003	1/19/2005
Rep. Debbie A. Clary	8/29/2003	1/19/2005
Rep. E. Nelson Cole (Reappointment)	10/3/2003	1/15/2005
Rep. James W. Crawford, Jr. (Reappointment)	10/3/2003	1/15/2005
Rep. William T. Culpepper, III (Reappointment)	10/3/2003	1/15/2005
Rep. W. Pete Cunningham (Reappointment)	10/3/2003	1/15/2005
Rep. W. Robert Grady	8/29/2003	1/19/2005
Rep. Joe Hackney (Reappointment)	10/3/2003	1/15/2005
Rep. Julia C. Howard	8/29/2003	1/19/2005
Rep. Joe L. Kiser	8/29/2003	1/19/2005
Rep. Edd Nye (Reappointment)	10/3/2003	1/15/2005
Rep. William C. Owens, Jr. (Reappointment)	10/3/2003	1/15/2005
Rep. Wilma M. Sherrill	8/29/2003	1/19/2005
Rep. Thomas E. Wright (Reappointment)	10/3/2003	1/15/2005

**GOVERNMENTAL OPERATIONS – SUBCOMMITTEE ON EDUCATION/HUMAN RESOURCES**

G.S. 120-74

Rep. Debbie A. Clary, Co-Chair	10/22/2003
Rep. Edd Nye, Co-Chair	10/23/2003
Rep. Martha B. Alexander	10/23/2003
Rep. W. Robert Grady	10/22/2003

**GOVERNMENTAL OPERATIONS – SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY/INFORMATION TECHNOLOGY**

G.S. 120-74

Rep. William T. Culpepper, III, Co-Chair	10/23/2003
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**GOVERNMENTAL OPERATIONS – SUBCOMMITTEE ON JUSTICE  
AND PUBLIC SAFETY/INFORMATION TECHNOLOGY-Contd.**

Rep. Joe L. Kiser, Co-Chair	10/22/2003
Rep. Harold J. Brubaker	10/22/2003
Rep. W. Pete Cunningham	10/23/2003

**GOVERNMENTAL OPERATIONS – SUBCOMMITTEE ON  
STATEWIDE/CAPITAL/GENERAL GOVERNMENT**

G.S. 120-74	
Rep. Wilma M. Sherrill, Co-Chair	10/22/2003
Rep. Thomas E. Wright, Co-Chair	10/23/2003
Rep. Joe Hackney	10/23/2003
Rep. Julia C. Howard	10/22/2003

**GOVERNMENTAL OPERATIONS – SUBCOMMITTEE ON  
NATURAL AND ECONOMIC RESOURCES/TRANSPORTATION**

G.S. 120-74	
Rep. Rex L. Baker, Co-Chair	10/22/2003
Rep. William C. Owens, Jr., Co-Chair	10/23/2003
Rep. Bobby H. Barbee, Sr.	10/22/2003
Rep. E. Nelson Cole	10/23/2003
Rep. James W. Crawford, Jr.	10/23/2003

**GROWTH STRATEGIES OVERSIGHT COMMITTEE, JOINT  
LEGISLATIVE**

G.S. 120-70.120(2)		
Rep. William C. McGee, Co-Chair	8/29/2003	1/19/2005
Rep. Phillip D. Frye	8/29/2003	1/19/2005
Rep. Edgar V. Starnes	8/29/2003	1/19/2005

**HEALTH CARE OVERSIGHT COMMITTEE, JOINT  
LEGISLATIVE**

G.S. 120-70.110		
Rep. Jeffrey L. Barnhart, Co-Chair	8/29/2003	1/19/2005
Rep. Thomas E. Wright, Co-Chair (Reappointment)	12/2/2003	1/29/2005
Rep. Joanne W. Bowie	8/29/2003	1/19/2005
Rep. William G. Daughtridge, Jr.	8/29/2003	1/19/2005
Rep. Verla C. Insko (Reappointment)	12/2/2003	1/29/2005
Rep. Edd Nye (Reappointment)	12/2/2003	1/29/2005
Rep. William L. Wainwright (Reappointment)	12/2/2003	1/29/2005
Rep. W. Eugene Wilson	8/29/2003	1/19/2005

**HIGHWAY TRUST FUND STUDY COMMITTEE**

Section 29.12(b) of Session Law 2003-284

Rep. Danny F. McComas, Co-Chair	10/2/2003	11/1/2004
Rep. Bobby H. Barbee, Sr.	10/2/2003	11/1/2004
Rep. Mitch Gillespie	10/2/2003	11/1/2004
Mr. Duane Long	10/16/2003	11/1/2004
Mr. Buddy Norwood	10/14/2003	11/1/2004

**INFORMATION TECHNOLOGY, JOINT SELECT COMMITTEE ON**

G.S. 120-232

Rep. Mark K. Hilton, Co-Chair	8/29/2003	1/19/2005
Rep. W. Robert Grady	8/29/2003	1/19/2005
Rep. Trudi Walend	8/29/2003	1/19/2005

**LEGISLATIVE RESEARCH COMMISSION**

G.S. 120-30.10(a), 13

Speaker James B. Black, Co-Chair

Speaker Richard T. Morgan, Co-Chair

Rep. James W. Crawford, Jr. (Reappointment)	12/10/2003	1/15/2005
Rep. Beverly M. Earle (Reappointment)	12/10/2003	1/15/2005
Rep. Rick L. Eddins	8/29/2003	1/19/2005
Rep. Paul Stam	8/29/2003	1/19/2005

**LEGISLATIVE SERVICES COMMISSION**

G.S. 120-31

Speaker James B. Black, Co-Chair

Speaker Richard T. Morgan, Co-Chair

Rep. William T. Culpepper, III (Reappointment)	11/12/2003	12/31/2004
Rep. Stanley H. Fox (Reappointment)	11/12/2003	12/31/2004
Rep. Julia C. Howard	8/29/2003	1/19/2005
Rep. Wilma M. Sherrill	8/29/2003	1/19/2005
Rep. William L. Wainwright	11/12/2003	12/31/2004
Rep. Stephen W. Wood	8/29/2003	1/19/2005

**LICENSING BOARDS, LEGISLATIVE COMMITTEE ON NEW**

G.S. 120-149.6(b)

Rep. Cary D. Allred	4/3/2003	1/15/2005
Rep. Verla C. Insko	5/14/2003	1/29/2005
Rep. W. Eugene McCombs	4/3/2003	1/15/2005
Rep. Alex Warner	5/14/2003	1/29/2005

**MEDICAID REFORM, BLUE RIBBON COMMISSION ON**

Section 6.14A(b)(1) of Session Law 2003-284

Rep. Julia C. Howard, Co-Chair	10/6/2003	2/1/2005
Rep. Edd Nye, Co-Chair	10/29/2003	2/1/2005
Rep. Beverly M. Earle	10/29/2003	2/1/2005
Mr. William A. Pully	10/6/2003	2/1/2005
Mr. Charles F. Willson	10/6/2003	2/1/2005

**MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND  
SUBSTANCE ABUSE SERVICES, JOINT LEGISLATIVE  
OVERSIGHT COMMITTEE ON**

G.S. 120-240(b)(2), 242(a)

Rep. Verla C. Insko, Co-Chair (Reappointment)	10/23/2003	1/26/2005
Rep. Martha B. Alexander (Reappointment)	10/23/2003	1/26/2005
Rep. Jeffrey L. Barnhart	4/3/2003	1/31/2005
Rep. Beverly M. Earle (Reappointment)	10/23/2003	1/26/2005
Rep. Carolyn H. Justice	4/3/2003	1/31/2005
Rep. Edd Nye (Reappointment)	10/23/2003	1/26/2005
Rep. John I. Sauls	4/3/2003	1/31/2005
Rep. Paul Stam	4/3/2003	1/31/2005

**MILITARY AFFAIRS, JOINT SELECT COMMITTEE ON**

G.S. 120-19.6, Rule 31 of the Rules of the Senate and Rule 26(a) of the Rules of the House of Representatives of the 2003 General Assembly

Rep. Ronnie N. Sutton, Co-Chair	11/12/2003	Pleasure of Appointing Officer
Rep. Keith P. Williams, Co-Chair	11/12/2003	"
Rep. Lorene T. Coates	11/12/2003	"
Rep. Michael A. Gorman	11/12/2003	"
Rep. W. Robert Grady	11/12/2003	"
Rep. Charles E. Johnson	11/12/2003	"
Rep. David R. Lewis	11/12/2003	"
Rep. Marvin W. Lucas	11/12/2003	"
Rep. Louis M. Pate, Jr.	11/12/2003	"
Rep. Alex Warner	11/12/2003	"

**MUNICIPAL INCORPORATIONS, JOINT LEGISLATIVE  
COMMISSION ON**

G.S. 120-158

Rep. Michael A. Gorman	9/4/2003	6/30/2005
Rep. William L. Wainwright (Reappointment)	12/10/2003	6/30/2005
Mr. Steve Wyatt (County Manager Position)	11/5/2003	6/30/2005

**PARKS AND RECREATION AUTHORITY, NORTH CAROLINA**

G.S. 143B-313.2(a)(4), (7)

Mr. Russell Robinson, III (Public member position)	(Reappointment)	12/8/2003	6/30/2004
Dr. Kenneth M. Sadler (Public member position)	(Reappointment)	12/8/2003	6/30/2004

**PARTNERSHIP'S BOARD OF DIRECTORS**

Section 3.2.2, Charlotte Regional Partnership By-laws

Mr. David B. Hamilton		10/14/2003	6/30/2004
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**PROGRESS BOARD, NORTH CAROLINA**

G.S. 143B-372.1(b)(3)

Rep. Harold J. Brubaker		9/12/2003	6/30/2004
Rep. Thomas E. Wright (filling unexpired term of Rep. Pete Oldham)		9/5/2003	6/30/2004
Mr. Rick Carlisle (Reappointment)		9/5/2003	6/30/2007

**PUBLIC SCHOOL FORUM OF NORTH CAROLINA, BOARD OF DIRECTORS**

Bylaws

Rep. Linda P. Johnson		8/11/2003	12/31/2004
Rep. Jean R. Preston		8/11/2003	12/31/2004

**RAIL COMMISSION, VIRGINIA-NORTH CAROLINA INTERSTATE HIGH-SPEED**

Section 1(1) of Session Law 2001-266; Section 29.19(b) of Session Law 2003-284

Rep. E. Nelson Cole, Co-Chair (Reappointment)		9/25/2002	11/30/2004
Rep. James W. Crawford, Jr. (Reappointment)		9/25/2003	11/30/2004
Rep. Mitch Gillespie		9/10/2003	11/30/2004
Mr. William H. Kincheloe (Reappointment)		9/10/2003	11/30/2004

**RAILROAD STUDY COMMISSION, FUTURE OF THE NORTH CAROLINA**

G.S. 120-246(1)

Rep. Cary D. Allred, Co-Chair		8/29/2003	1/19/2005
Rep. William G. Daughtridge, Jr.		8/29/2003	1/19/2005
Rep. Mitch Gillespie		8/29/2003	1/19/2005
Rep. Mark K. Hilton		8/29/2003	1/19/2005
Rep. Keith P. Williams		8/29/2003	1/19/2005

**REVENUE LAWS STUDY COMMITTEE**

G.S. 120-70.105(a)(2)

Rep. David M. Miner, Co-Chair	8/29/2003	1/19/2005
Rep. Harold J. Brubaker	8/29/2003	1/19/2005
Rep. William C. McGee	8/29/2003	1/19/2005
Rep. Stephen W. Wood	8/29/2003	1/19/2005

**ROANOKE RIVER BASIN ADVISORY COMMITTEE,  
NORTH CAROLINA**

G.S. 77-103(b)(1) and G.S. 77-104

Rep. Lucy T. Allen, Co-Chair	6/25/2003	12/31/2004
Rep. Stanley H. Fox	6/25/2003	12/31/2004

**SEAFOOD AND AQUACULTURE, JOINT LEGISLATIVE  
COMMISSION ON**

G.S. 120-70.61

Rep. William L. Wainwright, Co-Chair (Reappointment)	8/14/2003	Pleasure of Appointing Officer
Rep. Michael A. Gorman	8/14/2003	"
Rep. Dewey L. Hill	8/14/2003	"
Rep. Bonner L. Stiller	8/14/2004	"

**SENTENCING AND POLICY ADVISORY COMMISSION,  
NORTH CAROLINA**

G.S. 164-35 and Rule 26(a) of the Rules of the House of Representatives of the 2003 General Assembly

Rep. Joanne W. Bowie (filling the unexpired term of the late Rep. Larry T. Justus)	11/25/2003	6/30/2005
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**SMALL BUSINESS ECONOMIC DEVELOPMENT,  
JOINT SELECT COMMITTEE ON**

G.S. 120-19.6, Rule 31 of the Rules of the Senate and Rule 26(a) of the Rules of the House of Representatives of the 2003 General Assembly

Rep. Walter Church, Sr., Co-Chair	11/12/2003	Pleasure of Appointing Officer
Rep. Stephen A. LaRoque, Co-Chair	11/12/2003	"
Rep. Cary D. Allred	11/12/2003	"
Rep. Alice L. Bordsen	11/12/2003	"
Rep. William G. Daughtridge, Jr.	11/12/2003	"
Rep. Michael P. Decker	11/12/2003	"
Rep. Earl F. Jones	11/12/2003	"
Rep. Mitchell S. Setzer	11/12/2003	"
Rep. Alex Warner	11/12/2003	"
Rep. Constance K. Wilson	11/12/2003	"

**STATEWIDE BENEFIT COMMITTEE**

(Provide a Menu of Portable Supplemental Benefits for all State Employees)

Section 30.21(b)(2) of Session Law 2003-284

Rep. Mitchell S. Setzer, Co-Chair	10/2/2003	12/31/2004
Rep. Thomas E. Wright, Co-Chair	12/2/2003	1/1/2005
Rep. L. Hugh Holliman	12/2/2003	1/1/2005
Mrs. Sabra J. Faires	10/2/2003	12/31/2004

**TEACHERS AND STATE EMPLOYEE'S RETIREMENT SYSTEM, BOARD OF TRUSTEES**

G.S. 135-6

Ms. Shirley Ann Bell	(Reappointment)	7/11/2003	3/31/2007
Hon. Daniel DeVane	(Reappointment)	7/11/2003	3/31/2007
Ms. Shirley Harris		7/11/2003	3/31/2007
Mr. Leslie Leroy Pittman		7/11/2003	3/31/2004

**TRANSPORTATION OVERSIGHT COMMITTEE, JOINT LEGISLATIVE**

G. S. 120-70.50

Rep. James W. Crawford, Jr., Co-Chair		10/1/2003	1/14/2005
Rep. Daniel F. McComas, Co-Chair		8/29/2003	1/19/2005
Rep. Harold J. Brubaker		8/29/2003	1/19/2005
Rep. Lorene T. Coates	(Reappointment)	10/1/2003	1/14/2005
Rep. E. Nelson Cole	(Reappointment)	10/1/2003	1/14/2005
Rep. Mitch Gillespie		8/29/2003	1/19/2005
Rep. Drew P. Saunders	(Reappointment)	10/1/2003	1/14/2005
Rep. Bonner L. Stiller		8/29/2003	1/19/2005
Rep. Keith P. Williams		8/29/2003	1/19/2005

**TRAUMATIC BRAIN INJURY ADVISORY COUNCIL, NORTH CAROLINA**

Session Law 2003-114

Ms. Layla Mabe	10/6/2003	9/30/2007
Dr. Steven Paul Strobel	10/6/2003	9/30/2007

**UNC BOARD OF GOVERNORS, JOINT SELECT COMMITTEE ON**

G.S. 120-19.6, Rule 31 of the Rules of the Senate and Rule 26(a) of the Rules of the House of Representatives of the 2003 General Assembly

Rep. Harold J. Brubaker, Co-Chair	11/12/2003	Pleasure of Appointing Officer
Rep. Joe Hackney, Co-Chair	11/12/2003	"

**UNC BOARD OF GOVERNORS-Contd.**

Rep. Bernard Allen	11/12/2003	"
Rep. Joanne W. Bowie	11/12/2003	"
Rep. William G. Daughtridge, Jr.	11/12/2003	"
Rep. David Miner	11/12/2003	"
Rep. Daniel F. McComas	11/12/2003	"
Rep. Alex Warner	11/12/2003	"
Rep. Edith D. Warren	11/12/2003	"
Rep. Douglas Y. Yongue	11/12/2003	"

**URBAN TRANSPORTATION NEEDS, BLUE RIBBON COMMISSION ON**

Section 5(b)(2) of Session Law 2003-383

Rep. Drew P. Saunders, Co-Chair	10/31/2003	Final Report to the 2005 G.A.
Rep. Cary D. Allred	10/6/2003	"
Rep. Becky Carney	10/31/2003	"
Rep. Earl F. Jones	10/31/2003	"
Rep. David M. Miner	10/6/2003	"
Rep. Don Munford	10/6/2003	"

**UTILITY REVIEW COMMITTEE, JOINT LEGISLATIVE**

G.S. 120-70.2

Rep. Harold J. Brubaker, Co-Chair	8/29/2003	1/19/2005
Rep. Stephen A. LaRoque	8/29/2003	1/19/2005
Rep. Daniel F. McComas	8/29/2003	1/19/2005

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**NORTH CAROLINA HOUSE OF REPRESENTATIVES**
**OFFICES OF THE SPEAKERS****TO THE HONORABLE MEMBERS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES****HOUSE INTERIM COMMITTEE ON CHILD ABUSE AND NEGLECT, FOSTER CARE, AND ADOPTION**

**WHEREAS**, the State and the counties have a duty to ensure that suspected cases of child abuse and neglect are thoroughly investigated and that future abuse and neglect of children is prevented; and

**WHEREAS**, since 1998, the cases of 92 dead children whose families had recent contact with child protective services have been reviewed by the State; and

**WHEREAS**, in the course of those investigations, officials found flawed risk assessments, lack of coordination and communication between and among governmental agencies, and other bureaucratic roadblocks to the full investigation and prevention of child abuse and neglect; and

**WHEREAS**, approximately 700 social services workers investigate more than 100,000 reports of child abuse and neglect annually, and social workers often face an overwhelming, emotional, and thankless task, resulting in high turnover; and

**WHEREAS**, research indicates that most social worker mistakes in child abuse and neglect cases stem from a lack of time, training, or resources; and

**WHEREAS**, children deserve a child protective services system that will help families when needed and remove children from abusive or neglectful situations when necessary; and

**WHEREAS**, in addition to ensuring that children are safe from abuse and neglect, the State should also ensure that its foster care and adoption system fulfills the need for children to be part of a loving, safe, and stable home;

**NOW, THEREFORE:**

**Section 1.** The **House Interim Committee on Child Abuse and Neglect, Foster Care, and Adoption** is established by the Speakers, effective September 19, as an interim committee of the House pursuant to G.S. 120-19.6(a1).

**Section 2.** The Committee consists of 24 members. The individuals listed below are appointed as members of the Committee. Members serve at the pleasure of the Speakers of the House of Representatives.

Representative Tim Moore, Co-Chair	Representative Jim Harrell
Representative Jennifer Weiss Co-Chair	Representative Howard Hunter
Representative Bobby Barbee	Representative Maggie Jeffus
Representative Jeff Barnhart	Representative David Lewis
Representative Curtis Blackwood	Representative Marvin Lucas
Representative Becky Carney	Representative Earline Parmon
Representative Debbie Clary	Representative Jean Preston
Representative Margaret Dickson	Representative Karen Ray
	Representative John Rayfield
	Representative Deborah Ross

Representative Rick Eddins	Representative Alex Warner
Representative Jean Farmer-Butterfield	Mrs. Tamara Barringer
Representative Phillip Frye	Ms. Jennifer Tolle-Whiteside

**Section 3.** The Committee may meet during the interim period between regular sessions upon the call of its cochairs.

**Section 4.** (a) In undertaking the study of child abuse and neglect, the Committee shall review the following to determine how children might be better protected from abuse and neglect:

1. The efficacy, structure and operation of the child protective services system as compared to similar systems in other jurisdictions.
2. High social worker turnover rates and their causes and effects on child protective services.
3. Improving the sharing of information between county Departments of Social Services and between county Departments of Social Services and other governmental agencies.
4. Improving computer systems to process and track child protective services cases.
5. The ability of the child protective services system to access the criminal records of individuals who are being investigated for child abuse or neglect.
6. The statutes relating to the protection of children and child guardianship, including specifically Subchapter 1 of Chapter 7B of the General Statutes.
7. The coordination of efforts between and among governmental agencies in investigating abuse, neglect, and dependency and child deaths.
8. Improving risk assessment by and training of social services workers.
9. The work, findings, and recommendations of the House Select Committee on Domestic Violence.

(b) In undertaking the study of the foster care and adoption systems, the Committee shall review the laws on these subjects and the implementation of these laws to determine whether the systems need to be altered to more efficiently and effectively ensure that children are placed in safe, loving, stable, and caring homes.

**Section 5.** The Committee shall report on the results of its study, including any proposed legislation, to the members of the House of Representatives on or before April 15, 2004, by filing one or more reports with the Speakers' offices, the House Principal Clerk, and the Legislative Library. The Committee terminates on May 15, 2004 or upon the filing of its final report, whichever occurs first.

**Section 6.** The Committee is vested with the authority contained in Article 5A of Chapter 120 of the General Statutes.

**Section 7.** Members of the Committee shall receive per diem, subsistence, and travel allowance at the rate established in G.S. 120-3.1, G.S. 138-5, or G.S. 138-6, as appropriate.

**Section 8.** The expenses of the Committee shall be paid upon the written approval of the Speaker pursuant to G.S. 120-35 from funds available to the House of Representatives for its operations.

/S/ James B. Black  
Speaker

/S/ Richard T. Morgan  
Speaker

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## NORTH CAROLINA HOUSE OF REPRESENTATIVES

### OFFICES OF THE SPEAKERS

**TO:** George Hall  
Legislative Services Office

**FROM:** James B. Black  
Richard T. Morgan  
Co-Speakers, North Carolina House

**DATE:** November 6, 2003

**RE:** House Interim Committee on the Prevention and  
Disposition of Unwanted and Abandoned Companion  
Animals

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**Section 1.** Committee Created -- Pursuant to the authority vested in us by North Carolina General Statute (G.S.) 120-19.6, we hereby

establish the: **House Interim Committee on the Prevention and Disposition of Unwanted and Abandoned Companion Animals and the Intervention of Animal Cruelty**, hereafter referred to as "Interim Committee." The purpose of the Interim Committee shall be to address the issue of preventing unwanted and abandoned companion animals, specifically through the medical procedures of spaying and neutering, to review the laws related to current control practices, including disposition, and the laws dealing with revenue collection and appropriation.

**Section 2.** Definitions – The following definitions shall be used for the purpose of this committee:

a. "Farm Animals" – Means any ungulate, poultry, species of cattle, sheep, swine goats, llamas, horses or fur-bearing animals which are raised for commercial or sustenance purposes. Fur-bearing animal shall not include dogs or cats.

b. "Companion Animal" or "pet" – means any dog or cat, and shall also mean any other domesticated animal normally maintained in or near the household of the owner or person who cares for such domesticated animal. "Pet" or "Companion Animal" shall not include a "farm animal" as defined in this section.

**Section 3.** Committee Membership -- The Interim Committee shall be composed of 28 members as follows:

a. A House Co-chair of the House Standing Committee on Finance.

b. The House Chair of the House Standing Committee on Agriculture.

c. Thirteen members to be appointed by Speaker James B. Black.

(1) Seven members of the North Carolina House of Representatives.

(2) A professor from the North Carolina State University School of Veterinary Medicine.

(3) An employee or volunteer of a companion animal rescue and shelter program.

(4) A present or former local government official interested in the welfare of companion animals.

(5) A law enforcement agent working specifically in the area of animal control.

(6) Two individuals who are companion animal advocates.

d. Thirteen members to be appointed by Speaker Richard T. Morgan.

(1) Seven members of the North Carolina House of Representatives.

- (2) A representative of the North Carolina Veterinary Medical Association.
- (3) An employee or volunteer of a companion animal rescue and shelter program.
- (4) A local government official interested in the welfare of companion animals.
- (5) A representative of a county animal control facility.
- (6) Two individuals who are companion animal advocates.

**Section 4.** Subject of Study -- The Interim Committee shall study all aspects of animal cruelty and the prevention and disposition of unwanted and abandoned companion animals, including the examination of the following:

- (1) The current modes of operation of public and private animal shelters, including the condition of shelters, size, staff, budgets, disposition policies, processes and procedures.
- (2) Public and private adoption programs, and other alternatives for dealing with unwanted or abandoned companion animals in North Carolina and other states.
- (3) The current law and regulation of public and private animal shelters and their disposition of unwanted and abandoned companion animals in North Carolina and other states.
- (4) The adequacy and appropriateness of the law and rules regulating public and private animal shelters and their disposition of unwanted and abandoned companion animals in North Carolina, including the role of both the State and local governments and the balance between the two.
- (5) Ways to reduce the unwanted animal population, other than disposition, focusing specifically on spay-neuter programs, including an analysis of existing programs, ways to increase the effectiveness of such programs and the cost saving associated with reducing the animal population through these programs rather than disposition.
- (6) Currently employed methods of disposition and investigation of alternative methods that reduce or eliminate pain and suffering prior to and during euthanasia for animals without a significant increase in the risk of injury to the handler.
- (7) The adequacy and sources of funding of public and private animal shelters and spaying and neutering programs in North Carolina.

- (8) Potential sources of additional needed funding for the existing public animal shelters, sources of funding utilized in other states, sources of funding for alternative methods of euthanasia of unwanted companion animals, alternative programs, and sources of funding utilized in other states.
- (9) The current modes of operation and funding for breeding specifically for the purpose of animal fighting.
- (10) The adequacy and appropriateness of the law and rules surrounding animal cruelty and inhumane treatment.
- (11) Current policing actions and enforcement tactics of the treatment of animals, including, shelters, animal control, disposition of unwanted or abandoned animals, breeding or any other cruelty investigations.
- (12) Any other improvements in the prevention and disposition of unwanted or abandoned companion animals, or animal cruelty deemed advisable in North Carolina.

**Section 5.** Committee Co-chairs – There shall be two co-chairs. One co-chair of the Interim Committee shall be a Chair of the House Standing Committee on Finance, the other being the Chair of the House Standing Committee on Agriculture. Additionally, Speaker Black and Speaker Morgan shall appoint two committee vice-chairs. The vice chairs shall be individuals who were appointed to the committee as companion animal advocates. The Interim Committee shall meet upon the call of its co-chairs. A quorum of the Interim Committee shall be 15 members.

**Section 6.** Committee Expenses -- The expenses of the Interim Committee including per diem, subsistence, travel allowances, and contracts for professional or consultant services shall be paid upon the written approval of the Democratic and Republican Speakers pursuant to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the House of Representatives for its operations.

**Section 7.** Committee Members' Terms -- The members of the Interim Committee serve at the pleasure of the Democratic and Republican Speakers of the House, who may jointly remove a member. The Speakers of the House may jointly dissolve the Interim Committee at any time.

**Section 8.** Staff -- The Legislative Services Office shall assign professional and clerical staff to the assist the Interim Committee in its work.

**Section 9.** Consultants -- The Interim Committee may hire consultants to examine specific issues and subjects related to the study, in accordance with G.S. 120-32.02.

**Section 10.** Meeting Place -- The Interim Committee may meet at various locations around the State in order to promote greater public participation in its deliberations. The Legislative Services Commission shall grant adequate meeting space to the Interim Committee in the State Legislative Building or the Legislative Office Building.

**Section 11.** Joint Meetings with Senate Committees -- The Interim Committee is authorized to meet jointly with a similarly authorized committee of the Senate to conduct this study.

**Section 12.** Report -- The Interim Committee will report to the 2004 General Assembly and shall make a final report of the findings and conclusions of its study to the Democratic and Republican Speakers of the House, the House Standing Committee on Health, the House Principal Clerk, and the Legislative Library not later than December 31, 2004. The Interim Committee shall terminate on December 31, 2004, or upon the filing of its final report, or upon its being dissolved under Section 5 of this order, whichever occurs first.

Effective this 15<sup>th</sup> day of August, 2003.

/S/ James B. Black  
Speaker

/S/ Richard T. Morgan  
Speaker

**HOUSE INTERIM COMMITTEE ON THE PREVENTION AND DISPOSITION OF UNWANTED AND ABANDONED COMPANION ANIMALS AND THE INTERVENTION OF ANIMAL CRUELTY**

<b>Position</b>	<b>Name Of Appointee</b>	<b>Location</b>
Finance Chair	Julia Howard	Davie
Agriculture Chair	Dewey Hill	Columbus

**Speaker Black Appointees**

House Member	William Wainwright	Craven
House Member	Michael Decker	Forsyth
House Member	Walter Church	Burke
House Member	Maggie Jeffus	Guilford
House Member	Becky Carney	Mecklenburg
House Member	Alice Bordsen	Alamance

House Member	Drew Saunders	Mecklenburg
NCSU Professor	Kelly Ferris	Wake
Employee/Volunteer of Animal Rescue	James Crouse	Wake
Local Government Official	Mort Congleton	Wake
Law Enforcement Agent	Major Tim Stewart	Mecklenburg
Animal Advocate	Clarice Cato Goodyear	Mecklenburg
Animal Advocate	Dennis Stearns	Guilford

**Speaker Morgan Appointees**

House Member	Keith Williams	Onslow
House Member	Rick Eddins	Wake
House Member	Carolyn Justice	Pender
House Member	Cary Allred	Alamance
House Member	Lewis Pate	Wayne
House Member	Linda Johnson	Cabarrus
House Member	William McGee	Forsyth
VMA Representative	Elizabeth Lyerly	Moore
Employee/Volunteer of Animal Rescue	Vickie Hunt	Alamance
Local Government Official	Lynda Clay	Carteret
Animal Control Facility	Clai Martin	Rowan
Animal Advocate	Natalie Beason	Wake
Animal Advocate	Mary Jo Morris	Moore

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**NORTH CAROLINA HOUSE OF REPRESENTATIVES**

**OFFICES OF THE SPEAKERS**

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

**HOUSE INTERIM COMMITTEE ON PROVIDING AN  
APPROPRIATE EDUCATION FOR STUDENTS ON  
LONG-TERM SUSPENSION**

**Section 1.** The **House Interim Committee on Providing An Appropriate Education For Students On Long-Term Suspension** is established by the Speakers, effective November 12, 2003, as an interim committee of the House pursuant to G.S. 120-19.6(a1).

**Section 2.** The Committee consists of 14 members. The individuals listed below are appointed as members of the Committee. Members serve at the pleasure of the Speakers of the House of Representatives.

Rep. Jean R. Preston, Co-Chair	Rep. David R. Lewis
Rep. Alex Warner, Co-Chair	Rep. Martin Nesbitt
Rep. Larry Bell	Rep. Earline Parmon
Rep. Curtis Blackwood	Rep. John Sauls
Rep. Donald Bonner	Rep. Edith Warren
Rep. Michael A. Gorman	Rep. Larry Womble
Rep. Linda P. Johnson	Mr. Lee Settle

**Section 3.** The Committee may meet during the interim period between regular sessions upon the call of its cochairs.

**Section 4.** The Committee shall study the feasibility and cost of developing a State plan to ensure that students recommended for long-term suspension receive an appropriate education. In undertaking this study, the Committee shall consider and report on whether and to what extent North Carolina should mandate the following:

- (a) Local school administrative units in North Carolina shall provide or cause to be provided an appropriate education for all students recommended for a long-term suspension.
- (b) Each student recommended for long-term suspension shall receive a multidisciplinary assessment and evaluation to (i) ascertain the student's educational history, needs, and special learning problems and (ii) assess the risk the student poses to staff and other students. The assessment and evaluation shall include feedback and recommendations from local mental health and juvenile justice professionals.
- (c) An individualized education and service plan shall be developed for all students recommended for long-term suspension by a committee that includes education, mental health, and juvenile justice professionals, the student's parent or guardian, and any other person the committee considers appropriate. The chair of the Juvenile Crime Prevention Council or a designee shall serve as chair of this committee.
- (d) All efforts shall be made to reduce the risk the student poses to staff and other students and to allow the student to continue the student's education in the student's regular school without disruption. These efforts shall include the provision of related

services and interventions from other agencies when considered necessary by the committee.

- (e) During the first 10 days of suspension, the local school administrative unit shall place the student recommended for suspension in a diagnostic setting for purposes of ensuring there is no disruption to the student's education and to complete the assessment process.
- (f) The local education agency shall contract with private or public agencies if an appropriate education cannot be provided within the school system. Funds appropriated to a local school administrative unit for the education of the student shall be used to pay for the program in which the student is placed.
- (g) The student's parent or guardian shall have the right to appeal the recommendation for the long-term suspension or any placement decision made by the local school administrative unit.
- (h) No student shall be rejected for education and services by a local school administrative unit unless a district court judge places the student in a juvenile justice program or facility. In that circumstance, the Department of Juvenile Justice and Delinquency Prevention is responsible for providing the student's education.

**Section 5.** The Committee shall report on the results of its study, including any proposed legislation, to the members of the House of Representatives on or before April 15, 2004, by filing one or more reports with the Speakers' offices, the House Principal Clerk, and the Legislative Library. The Committee terminates on April 15, 2004, or upon the filing of its final report, whichever occurs first.

**Section 6.** The Committee is vested with the authority contained in Article 5A of Chapter 120 of the General Statutes.

**Section 7.** Members of the Committee shall receive per diem, subsistence, and travel allowance at the rate established in G.S. 120-3.1, G.S. 138-5, or G.S. 138-6, as appropriate.

**Section 8.** The expenses of the Committee are considered expenses incurred for the operation of the House of Representatives and

shall be paid pursuant to G.S. 120-35 from funds available to the House for its operations. Individual expenses of \$5,000 or less, including per diem, travel, and subsistence expenses of members of the Committee, and clerical expenses shall be paid upon the authorization of a co-chair of the Committee. Individual expenses in excess of \$5,000 shall be paid upon the written approval of the Speakers of the House of Representatives.

Effective this 12th day of November, 2003.

/S/ James B. Black  
Speaker

/S/ Richard T. Morgan  
Speaker

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**NORTH CAROLINA HOUSE OF REPRESENTATIVES**

**OFFICES OF THE SPEAKERS**

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

**HOUSE BLUE RIBBON TASK FORCE ON  
MEDICAL MALPRACTICE**

**Section 1.** The **House Blue Ribbon Task Force on Medical Malpractice** (Task Force) is created and established by the Speakers, effective September 12, 2003, as a select committee of the House pursuant to G.S. 120-19.6(a) and Rule 26(a) of the Rules of the House of Representatives of the 2003 General Assembly.

**Section 2.** The Task Force consists of 22 members. The individuals listed below are appointed as members of the Task Force. Members serve at the pleasure of the Speakers of the House of Representatives.

Representative William Culpepper, III,  
Co-Chair

Representative Joe Kiser,  
Co-Chair

Representative Lucy Allen

Representative Harold Brubaker

Representative Hugh Holliman

Representative Julia Howard

Representative Carolyn Justus

Representative Daniel McComas

Representative Marian McLawhorn

Representative David Miner

Representative Debbie Clary	Representative Ray Rapp
Representative Margaret Dickson	Representative Mitchell Setzer
Representative Bobby England	Representative Wilma Sherrill
Representative Richard Glazier	Representative Bonner Stiller
Representative Joe Hackney	Representative Edith Warren
Representative James Harrell, III	Representative Roger West

**Section 3.** The Task Force may meet during the interim period between regular sessions upon the call of its cochairs.

**Section 4.** The Task Force shall conduct a study of medical malpractice and make comprehensive recommendations for fundamental reform. In undertaking its study, the Task Force shall consider the following:

1. The complex causes of and remedies for medical malpractice.
2. Rapidly escalating professional liability premiums for health care providers.
3. The impact of medical malpractice issues on health care accessibility in North Carolina.
4. Matters related to the adjudication of medical negligence claims in the civil justice system.
5. Issues related to the quality of medical care.
6. Other matters related to medical malpractice and its impact on health care access.

**Section 5.** The Task Force shall report on the results of its study, including any proposed legislation, to the members of the House of Representatives on or before April 15, 2004, by filing one or more reports with the Speakers' offices, the House Principal Clerk, and the Legislative Library. The Task Force terminates on April 15, 2004 or upon the filing of its final report, whichever occurs first.

**Section 6.** The Task Force is vested with the authority contained in Article 5A of Chapter 120 of the General Statutes.

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

**Section 8.** The expenses of the Task Force shall be paid upon the written approval of the Speaker pursuant to G.S. 120-35 from funds available to the House of Representatives for its operations.

/S/ James B. Black  
Speaker

/S/ Richard T. Morgan  
Speaker

**NORTH CAROLINA HOUSE OF REPRESENTATIVES****OFFICES OF THE SPEAKERS**

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

**ADDENDUM TO THE AUTHORIZATION OF THE  
HOUSE BLUE RIBBON TASK FORCE ON MEDICAL  
MALPRACTICE**

**Section 1.** The **House Blue Ribbon Task Force on Medical Malpractice** was established by the Speakers of the House of Representatives on September 12, 2003.

**Section 2.** The membership of the Task Force is increased from 22 members to 26 members. The additional four Task Force members are listed below. Members serve at the pleasure of the Speakers of the House of Representatives.

Representative Rex L. Baker  
Representative Becky Carney  
Representative Beverly M. Earle  
Representative William C. McGee

Effective this 15<sup>th</sup> day of October, 2003.

/S/ James B. Black  
Speaker

/S/ Richard T. Morgan  
Speaker

**NORTH CAROLINA HOUSE OF REPRESENTATIVE****OFFICES OF THE SPEAKER**

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

**SECOND ADDENDUM TO THE AUTHORIZATION OF THE  
HOUSE BLUE RIBBON TASK FORCE ON MEDICAL  
MALPRACTICE**

**Section 1.** The **House Blue Ribbon Task Force on Medical Malpractice** was established by the Speakers of the House of Representatives on September 12, 2003. In an addendum dated October 15, 2003, the Speakers increased the membership of the Task Force from 22 to 26 members.

**Section 2.** The membership of the Task Force is increased from 26 members to 28 members. The additional two Task Force members are listed below. Members serve at the pleasure of the Speakers of the House of Representatives.

Representative Pete Cunningham  
Representative Rick Eddins

Effective this 29th day of October, 2003.

/S/ James B. Black  
Speaker

/S/ Richard T. Morgan  
Speaker

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## NORTH CAROLINA HOUSE OF REPRESENTATIVES

### OFFICES OF THE SPEAKERS

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

#### HOUSE SELECT COMMITTEE ON ALCOHOLIC BEVERAGE CONTROL ISSUES

**Section 1.** The **House Select Committee on Alcoholic Beverage Control Issues** is established by the Speakers, effective November 3, 2003, as a select committee of the House pursuant to G.S. 120-19.6(a) and Rule 26(a) of the Rules of the House of Representatives of the 2003 General Assembly.

**Section 2.** The Select Committee consists of 10 members. The individuals listed below are appointed as members of the Select Committee. Members serve at the pleasure of the Speakers of the House of Representatives.

Rep. Joanne Bowie, Co-Chair  
Rep. John Hall, Co-Chair

Rep. Rex Baker  
Rep. Pryor Gibson  
Rep. Dewey Hill  
Rep. Marvin Lucas  
Rep. Tim Moore  
Rep. Karen Ray  
Rep. Bonner Stiller  
Rep. Ronnie Sutton

**Section 3.** The Committee shall study all aspects of alcoholic beverage control in this State. The study shall include an examination of all the following:

- (1) Whether the current method of regulating the sale and distribution of alcoholic beverages, and specifically the sale and distribution of fortified wine and spirituous liquor, in North Carolina is the most efficient and effective method as compared to different systems in other states.
- (2) Whether the current statutory and regulatory scheme contained in Chapter 18B of the General Statutes is legally sufficient in light of recent legal challenges and judicial decisions and, if so, whether or not Chapter 18B should be recodified.
- (3) The effectiveness of enforcement of alcoholic beverage control laws and regulations.
- (4) Any other matter relating to alcoholic beverage control in North Carolina.

**Section 4.** The Select Committee may meet during the interim period between regular sessions upon the call of its cochairs.

**Section 5.** The Committee may report on the results of its study, including any proposed legislation, to the members of the House of Representatives on or before the convening of the 2004 Regular Session of the 2003 General Assembly by filing a copy of the report with the Speakers' offices and the Legislative Library. The Committee shall report on the results of its study, including any proposed legislation, to the members of the House of Representatives on or before the convening of the 2005 General Assembly by filing a copy of the report with the Speakers' offices and the Legislative Library. The Committee terminates upon the convening of the 2005 General Assembly, or upon the filing of its final report, whichever occurs first.

**Section 6.** The Select Committee is vested with the authority contained in Article 5A of Chapter 120 of the General Statutes.

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

**Section 8.** The expenses of the Select Committee are considered expenses incurred for the operation of the House of Representatives and shall be paid pursuant to G.S. 120-35 from funds available to the House for its operations. Individual expenses of \$5,000 or less, including per diem, travel, and subsistence expenses of members of the Committee, and clerical expenses shall be paid upon the authorization of a co-chair of the Committee. Individual expenses in excess of \$5,000 shall be paid upon the written approval of the Speakers of the House of Representatives.

Effective this 3rd day of November, 2003.

/S/ James B. Black  
Speaker

/S/ Richard T. Morgan  
Speaker

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**NORTH CAROLINA HOUSE OF REPRESENTATIVES**

**OFFICES OF THE SPEAKERS**

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

**HOUSE SELECT COMMITTEE ON DOMESTIC VIOLENCE**

**WHEREAS**, North Carolina lost 74 people as a result of domestic violence homicides in 2002, an average of one person every five days according to information collected by the N.C. Coalition Against Domestic Violence; and

**WHEREAS**, experts in the field of domestic violence recognize that misdemeanor domestic violence cases can quickly escalate from misdemeanors to homicide cases; and

**WHEREAS**, a study of 238,000 misdemeanor cases from January 1, 1997 to October 11, 2002, indicates that there is a wide disparity between North

Carolina Judicial Districts as to the successful prosecution of misdemeanor domestic violence cases; and

**WHEREAS**, the public has an interest in addressing the problem of domestic violence due to the deleterious effects on families, children, places of employment, and our communities; and

**WHEREAS**, the state owes a duty to its citizens to provide adequate remedies for pervasive problems that impact the health and welfare of its citizens.

**NOW, THEREFORE;**

**Section 1.** The **House Select Committee on Domestic Violence** is established by the Speakers, effective August 12, 2003, as a select committee of the House under G.S. 120-19.6(a) and Rule 26(a) of the Rules of the House of Representatives of the 2003 General Assembly.

**Section 2.** The Select Committee consists of 24 members. The individuals listed below are appointed to the Select Committee. Members serve at the pleasure of the Speakers.

Representative Marian McLawhorn, Co-Chair  
Representative Wilma Sherrill, Co-Chair  
Representative Alma Adams  
Representative Lucy Allen  
Representative Joni Bowie  
Representative Lorene Coates  
Representative Margaret Dickson  
Representative Beverly Earle  
Representative Jean Farmer-Butterfield  
Representative Michael Gorman  
Representative Julia Howard  
Representative Linda Johnson  
Representative Carolyn Justice  
Representative Carolyn Justus  
Representative Mary McAllister  
Representative Tim Moore  
Representative Earline Parmon  
Representative Karen Ray  
Representative Deborah Ross  
Representative Mitchell Setzer  
Representative Paul Stam  
Representative Edith Warren

Representative Jennifer Weiss  
Representative Keith Williams

**Section 3.** The Select Committee shall review the causes of domestic violence, the laws related to domestic violence in North Carolina, the law enforcement and judicial system responses to domestic violence cases, the severity of criminal penalties in domestic violence cases, the effectiveness of the 1999 Crime Victims' Rights Act, and the adequacy of the data collection systems tracking domestic violence cases and homicides.

**Section 4.** The Select Committee shall report on the results of its study, including any proposed legislation, to the members of the House of Representatives, on or before April 15, 2004, by filing a report with the Speakers' offices, the House Principal Clerk, and the Legislative Library. The Select Committee terminates when the final report is filed.

**Section 5.** The Select Committee is authorized to meet during the interim period between regular sessions upon the call of its Co-Chairs.

**Section 6.** The Select Committee is vested with the authority contained in Article 5A of Chapter 120 of the General Statutes.

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

**Section 8.** The expenses of the Select Committee shall be paid upon the written approval of the Speakers pursuant to G.S. 120-35 from funds available to the House of Representatives for its operation.

/S/ James B. Black  
Speaker

/S/ Richard T. Morgan  
Speaker

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**NORTH CAROLINA HOUSE OF REPRESENTATIVES**

**OFFICES OF THE SPEAKERS**

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

**HOUSE SELECT COMMITTEE ON  
MOTORCYCLE HELMET LAWS**

**WHEREAS**, in North Carolina, currently all operators of and passengers on motorcycles are required to wear helmets; and

**WHEREAS**, a number of states permit certain operators of and passengers on motorcycles to ride without helmets, depending upon either the age of the operator or passenger or whether proof of medical insurance or motorcycle safety training is provided; and

**WHEREAS**, the laws of this State regarding motorcycle helmet use and motorcycle safety should be reviewed to ensure that a balance is achieved between personal choice and freedom and the need to ensure the safety of the citizens of this State.

**NOW, THEREFORE:**

**Section 1.** The **House Select Committee on Motorcycle Helmet Laws** is established by the Speakers, effective September 24, 2003, as a select committee of the House pursuant to G.S. 120-19.6(a) and Rule 26(a) of the Rules of the House of Representatives of the 2003 General Assembly.

**Section 2.** The Select Committee consists of 8 members. The individuals listed below are appointed as members of the Select Committee. Members serve at the pleasure of the Speakers of the House of Representatives.

Representative Earl Jones, Co-Chair  
Representative John I. Sauls, Co-Chair  
Representative Rex L. Baker  
Representative E. Nelson Cole  
Representative L. Hugh Holliman  
Representative Don Munford  
Representative Keith P. Williams  
Representative Larry W. Womble

**Section 3.** The Select Committee may meet during the interim period between regular sessions upon the call of its cochairs.

**Section 4.** The Select Committee shall review the laws of this State and other states relating to the use of motorcycle helmets, including the following:

- a. Current requirements in this and other States concerning mandatory motorcycle helmet use.
- b. Studies regarding the effect of using motorcycle helmets.
- c. Effects on insurance premiums, if any, of changes in the law regarding motorcycle helmet use.
- d. Motorcycle safety training requirements.

**Section 5.** The Select Committee shall report on the results of its study, including any proposed legislation, to the members of the House of Representatives on or before May 15, 2004, by filing one or more reports with the Speakers' offices, the House Principal Clerk, and the Legislative Library. The Select Committee terminates on May 15, 2004 or upon the filing of its final report, whichever occurs first.

**Section 6.** The Select Committee is vested with the authority contained in Article 5A of Chapter 120 of the General Statutes.

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

**Section 8.** The expenses of the Select Committee shall be paid upon the written approval of the Speakers pursuant to G.S. 120-35 from funds available to the House of Representatives for its operations.

/S/ James B. Black  
Speaker

/S/ Richard T. Morgan  
Speaker

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**NORTH CAROLINA HOUSE OF REPRESENTATIVES**

**OFFICES OF SPEAKERS**

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

**HOUSE SELECT COMMITTEE ON THE RISING  
COST OF HEALTH CARE**

**WHEREAS**, the cost of providing and paying for health care has been rising at an alarming rate; and

**WHEREAS**, the costs for private sector health plans also are rising rapidly, causing concern among employers and forcing some to reduce or drop coverage all together; and

**WHEREAS**, the citizens of this State, particularly the poor and the elderly, are negatively impacted by the rising cost of health care;

**NOW, THEREFORE:**

**Section 1.** The **House Select Committee on the Rising Cost of Health Care** is established by the Speakers, effective September 12, 2003, as a select committee of the House pursuant to G.S. 120-19.6(a) and Rule 26(a) of the Rules of the House of Representatives of the 2003 General Assembly.

**Section 2.** The Select Committee consists of 22 members. The individuals listed below are appointed as members of the Select Committee. Members serve at the pleasure of the Speakers of the House of Representatives.

Representative William Owens, Jr., Co-Chair	Representative Bobby England
Representative Bonner Stiller, Co-Chair	Representative Bruce Goforth
Representative Cary Allred	Representative Robert Grady
Representative Bobby Barbee, Sr.	Representative Julia Howard
Representative Larry Bell	Representative Verla Insko
Representative Curtis Blackwood	Representative Margaret Jeffus
Representative Alice Bordsen	Representative Carolyn Justus
Representative Joanne Bowie	Representative Edd Nye
Representative Debbie Clary	Representative Wilma Sherrill
Representative Beverly Earle	Representative Joe Tolson
	Representative Constance Wilson
	Representative Thomas Wright

**Section 3.** The Select Committee may meet during the interim period between regular sessions upon the call of its cochairs.

**Section 4.** The Select Committee shall review the following to determine how to stem the rising cost of health care:

1. The rate at which the cost of health care has been increasing and the reasons for the increases.
2. Actions other states are undertaking to address rising health care costs.
3. The effect of the cost of health care on the availability of health care.

4. The affordability of health care to North Carolinians.
5. The effect of increased costs on the ability of employers to provide health care benefits to their employees.
6. Ways to alter the structure and operation of the health care system to reduce the cost of health care.
7. Factors that affect the cost of health care to citizens and providers and how those factors can be changed to reduce the cost of health care.
8. Any other issues the Select Committee determines is appropriate in addressing the issue of the rising cost of health care.

In undertaking this study, the Select Committee shall review the work of and consider the findings and recommendations of the Blue Ribbon Commission on Medicaid Reform established pursuant to S.L. 2003-284, Sec. 6.14A and the House Blue Ribbon Task Force on Medical Malpractice that relate to the cost of health care.

**Section 5.** The Select Committee shall report on the results of its study, including any proposed legislation, to the members of the House of Representatives on or before April 15, 2004, by filing one or more reports with the Speakers' offices, the House Principal Clerk, and the Legislative Library. The Select Committee terminates on April 15, 2004 or upon the filing of its final report, whichever occurs first.

**Section 6.** The Select Committee is vested with the authority contained in Article 5A of Chapter 120 of the General Statutes.

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

**Section 8.** The expenses of the Select Committee shall be paid upon the written approval of the Speaker pursuant to G.S. 120-35 from funds available to the House of Representatives for its operations.

/S/ James B. Black  
Speaker

/S/ Richard T. Morgan  
Speaker

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**2003-2004**  
**APPOINTMENTS BY SPEAKERS**  
**JAMES B. BLACK AND RICHARD T. MORGAN**  
**TO THE NATIONAL COMMITTEES AND**  
**TASK FORCES OF THE**  
**COUNCIL OF STATE GOVERNMENTS**

<b>COMMITTEE</b>	<b>MEMBER</b>
Governing Board	Speaker James B. Black
Annual Meeting	Rep. David M. Miner
Associates Advisory	Rep. William C. Owens, Jr.
Intergovernmental Affairs	Rep. Don Munford
International	Rep. Beverly Earle
Suggested State Legislation	Rep. Daniel F. McComas
SSL Legislative Staff Member	Mr. George F. Givens
Agricultural and Rural Policy Task Force	Rep. Joe L. Kiser
Environmental Task Force	Rep. Joe Hackney
Health Capacity Task Force	Rep. Debbie A. Clary
Public Safety and Justice Task Force	Rep. R. Phillip Haire

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**2003-2004  
APPOINTMENTS BY SPEAKERS  
JAMES B. BLACK AND RICHARD T. MORGAN  
TO THE STANDING COMMITTEES OF THE  
NATIONAL CONFERENCE OF  
STATE LEGISLATURES**

**SPEAKER BLACK'S  
APPOINTEES**

**AGRICULTURAL AND RURAL DEVELOPMENT**

Rep. Donald A. Bonner  
Rep. Dewey L. Hill  
Rep. Charles E. Johnson  
Rep. Edith D. Warren  
Rep. Arthur J. Williams

**SPEAKER MORGAN'S  
APPOINTEES**

Rep. Stephen A. LaRoque  
Rep. David R. Lewis  
Rep. Louis M. Pate, Jr.

**BUDGETS AND REVENUE**

Rep. Gordon P. Allen	Rep. Rex L. Baker
Rep. Becky Carney	Rep. Debbie A. Clary
Rep. James W. Crawford, Jr.	Rep. W. Robert Grady

**BUDGETS AND REVENUE-Contd.**

Rep. Beverly Earle	Rep. Julia C. Howard
Rep. Paul Luebke	Rep. Daniel F. McComas
Rep. William C. Owens, Jr.	Rep. David M. Miner
Rep. William L. Wainwright	Rep. Wilma M. Sherrill
Rep. Thomas E. Wright	

**COMMUNICATIONS, TECHNOLOGY, AND  
INTERSTATE COMMERCE**

Rep. Stanley H. Fox	Rep. Patrick T. McHenry
Rep. Paul Miller	Rep. Trudi Walend
Rep. Joe P. Tolson	

**ECONOMIC DEVELOPMENT, TRADE AND  
CULTURAL AFFAIRS**

Rep. Alma S. Adams	Rep. William G. Daughtridge, Jr.
Rep. Margaret H. Dickson	Rep. Phillip D. Frye
Rep. James A. Harrell, III	Rep. Connie Wilson
Rep. Howard J. Hunter, Jr.	

**EDUCATION**

Rep. D. Bruce Goforth	Rep. Mark K. Hilton
Rep. Maggie Jeffus	Rep. Linda P. Johnson
Rep. Marian N. McLawhorn	Rep. Carolyn H. Justice
Rep. Earline W. Parmon	Rep. Jean R. Preston
Rep. Alex Warner	Rep. Karen B. Ray
Rep. Douglas Y. Yongue	Rep. Stephen W. Wood

**ENERGY AND ELECTRIC UTILITIES**

Rep. Alice L. Bordsen	Rep. Harold J. Brubaker
Rep. Drew P. Saunders	Rep. John I. Sauls

**ENVIRONMENT AND NATURAL RESOURCES**

Rep. Lucy T. Allen	Rep. J. Curtis Blackwood, Jr.
Rep. Pryor A. Gibson, III	Rep. R. Tracy Walker
Rep. Joe Hackney	Rep. Roger West

**FINANCIAL SERVICES**

Rep. Walter G. Church, Sr.	Rep. Cary D. Allred
Rep. L. Hugh Holliman	Rep. William C. McGee
Rep. John D. Hall	Rep. Mitchell S. Setzer
Rep. Earl Jones	Rep. Edgar Starnes

**HEALTH**

Rep. Bobby F. England	Rep. Joanne W. Bowie
Rep. Jean Farmer-Butterfield	Rep. Carolyn K. Justus
Rep. Verla C. Insko	
Rep. Larry W. Womble	

**HUMAN SERVICES AND WELFARE**

Rep. Marvin W. Lucas	Rep. Jeffrey L. Barnhart
Rep. Edd Nye	Rep. Jim Gulley
Rep. Jennifer Weiss	Rep. Gene Wilson

**LABOR AND WORKFORCE DEVELOPMENT**

Rep. Bernard Allen	Rep. Bobby H. Barbee, Sr.
Rep. Larry M. Bell	Rep. J. Russell Capps
Rep. G. Wayne Goodwin	Rep. W. Eugene McCombs
Rep. Ray Rapp	Rep. John M. Rayfield

**LAW AND CRIMINAL JUSTICE**

Rep. Rick Glazier	Rep. Joe Kiser
Rep. R. Phillip Haire	Rep. Tim Moore
Rep. Martin L. Nesbitt, Jr.	Rep. Don Munford
Rep. Deborah K. Ross	Rep. Paul Stam

**LEGISLATIVE EFFECTIVENESS AND STATE GOVERNMENT**

Rep. William T. Culpepper, III	Rep. Michael A. Gorman
Rep. W. Pete Cunningham	
Rep. Michael P. Decker	

**REDISTRICTING AND ELECTIONS**

Rep. Martha B. Alexander	Rep. Rick L. Eddins
Rep. Henry M. Michaux, Jr.	
Rep. Ronnie N. Sutton	

**TRANSPORTATION**

Rep. Lorene T. Coates	Rep. Mitch Gillespie
Rep. E. Nelson Cole	Rep. Bonner L. Stiller
Rep. Mary E. McAllister	Rep. Keith P. Williams

**TO THE CONFERENCE COMMITTEES OF THE  
SOUTHERN LEGISLATIVE CONFERENCE**

<b>COMMITTEE</b>	<b>MEMBER</b>	<b>ALTERNATE</b>
Executive Committee	Speaker James B. Black	Rep. Julia C. Howard
Agriculture and Rural Development	Rep. Dewey L. Hill Rep. Donald A. Bonner Rep. David R. Lewis	Rep. R. Tracy Walker
Economic Development, Transportation and Cultural Affairs	Rep. Connie Wilson Rep. W. G. Daughtridge, Jr. Rep. Gordon P. Allen	Rep. W. C. Owens, Jr.
Education	Rep. Douglas Y. Yongue Rep. Larry M. Bell Rep. Carolyn H. Justice	Rep. Michael A. Gorman
Energy and Environment	Rep. Daniel F. McComas Rep. Stephen A. LaRoque Rep. Pryor A. Gibson, III	Rep. Joe Hackney
Fiscal Affairs and Governmental Operations	Rep. Thomas E. Wright Rep. Paul Luebke Rep. Wilma M. Sherrill	Rep. David M. Miner Rep. W. Robert Grady Rep. W. L. Wainwright
Human Services and Public Safety	Rep. Carolyn K. Justus Rep. Jeffrey L. Barnhart Rep. Jennifer Weiss	Rep. Martha B. Alexander
Intergovernmental Affairs	Rep. Joe P. Tolson Rep. W. Pete Cunningham Rep. Rick L. Eddins	Rep. Keith L. Williams

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**CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 152**

**H152-CCSSU-2, AN ACT TO REQUIRE CHILD CARE FACILITIES TO DEVELOP AND MAINTAIN A SAFE SLEEP POLICY THAT INCLUDES REQUIRING CAREGIVERS TO PLACE CHILDREN ON**

THEIR BACK TO SLEEP TO REDUCE THE RISK OF SUDDEN INFANT DEATH SYNDROME (SIDS), AND TO REQUIRE CERTAIN AGENCIES AND THE MEDICAL COMMUNITY TO COOPERATE IN INVESTIGATING REPORTS OF CHILD ABUSE AND NEGLECT IN CHILD CARE FACILITIES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 110-91 is amended by adding a new subdivision to read:

**"§ 110-91. Mandatory standards for a license.**

All child care facilities shall comply with all State laws and federal laws and local ordinances that pertain to child health, safety, and welfare. Except as otherwise provided in this Article, the standards in this section shall be complied with by all child care facilities. However, none of the standards in this section apply to the school-age children of the operator of a child care facility but do apply to the preschool-age children of the operator. Children 13 years of age or older may receive child care on a voluntary basis provided all applicable required standards are met. The standards in this section, along with any other applicable State laws and federal laws or local ordinances, shall be the required standards for the issuance of a license by the Secretary under the policies and procedures of the Commission except that the Commission may, in its discretion, adopt less stringent standards for the licensing of facilities which provide care on a temporary, part-time, drop-in, seasonal, after-school or other than a full-time basis.

- ....
- (15) Safe Sleep Policy. – Operators of child care facilities that care for children ages 12 months or younger shall develop and maintain a written safe sleep policy, in accordance with rules adopted by the Commission. The safe sleep policy shall address maintaining a safe sleep environment and shall include the following requirements:
- a. A caregiver in a child care facility shall place a child age 12 months or younger on the child's back for sleeping, unless: (i) for a child age 6 months or younger, the operator of the child care facility obtains a written waiver of this requirement from a health care provider as defined in G.S. 58-50-61(a)(8); or (ii) for a child older than 6 months, the operator of the child care facility obtains a written waiver of this requirement from a health care provider as defined in G.S. 58-50-61(a)(8), a parent, or a legal guardian.
  - b. The operator of the child care facility shall discuss the safe sleep policy with the child's parent or guardian before the child is enrolled in the child care facility.

The child's parent or guardian shall sign a statement attesting that the parent or guardian received a copy of the safe sleep policy and that the policy was discussed with the parent or guardian before the child's enrollment.

- c. Any caregiver responsible for the care of children ages 12 months or younger shall receive training in safe sleep practices."

**SECTION 2.** G.S. 110-105.2(a) reads as rewritten:

"(a) For purposes of this Article, child abuse and neglect, as defined in G.S. 7B-101 and in G.S. 14-318.2 and G.S. 14-318.4, occurring in child care facilities, are violations of the licensure standards and of the licensure law. The Department, local departments of social services, and local law enforcement personnel shall cooperate with the medical community to ensure that reports of child abuse or neglect in child care facilities are properly investigated."

**SECTION 3.** This act becomes effective December 1, 2003.

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**CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 440**

**H440-CCSSV-3**, AN ACT AMENDING THE CHARTER OF THE TOWN OF WENTWORTH TO EXEMPT AGRICULTURAL LAND USES WITHIN THAT JURISDICTION FROM ZONING.

The General Assembly of North Carolina enacts:

**SECTION 1.** The Charter of the Town of Wentworth, being Chapter 76 of the Private Laws of 1798, as amended by S.L. 1997-322, is amended by adding a new section to read:

"Sec. 5.2. **Zoning Exemption.** Notwithstanding any other provision of law, the Town may not regulate or restrict agricultural land uses under its zoning ordinance. For the purposes of this section, an 'agricultural land use' includes 'agricultural land' as defined in G.S. 105-277.2 and property used for 'bona fide farm purposes' as defined in G.S. 153A-340(b)(2). This exemption does not limit regulation under this section with respect to the use of farm property for nonfarm purposes."

**SECTION 2.** This act is effective when it becomes law.

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**CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 745**

**H745-CCSRK-15**, AN ACT TO REVISE THE MEMBERSHIP OF THE NORTH CAROLINA INDIAN CULTURAL CENTER BOARD.

The General Assembly of North Carolina enacts:

**SECTION 1.** Subsection (b) of Section 2 of S.L. 1997-41, as amended by S.L. 1998-19 and S.L. 2001-318, reads as rewritten:

"(b) The Board of the North Carolina Indian Cultural Center, Inc., shall consist of ~~17~~19 members, appointed as follows:

- (1) One member representing each of the following Indian groups recognized by the State of North Carolina: the Coharie of Sampson and Harnett Counties; the Eastern Band of Cherokees; the Haliwa of Halifax, Warren, and adjoining counties;
- (2) One member each from the following Indian organizations: the Cumberland County Association for Indian People, the Guilford Native Americans, the Metrolina Native Americans, and the Triangle Native American Society;
- (3) ~~One member~~Two members representing the education community of the ~~State~~; State and residing in Bladen, Columbus, Cumberland, Hoke, Robeson, or Scotland County;
- (4) ~~Two~~Three members representing the business community of the ~~State~~; State and residing in Bladen, Columbus, Cumberland, Hoke, Robeson, or Scotland County;
- (5) Two members representing the government of the State of North Carolina; and
- (6) One member representing the federal government.

Each member designated in subdivisions (1) and (2) above shall be appointed by the North Carolina Commission of Indian Affairs from two prioritized nominations submitted by the group or organization to be represented by that member. Each member designated in subdivisions (3) through (6) above shall be appointed by the North Carolina Commission of Indian Affairs from two prioritized nominations submitted by the Board of the North Carolina Indian Cultural Center, Inc. If the nominating group or organization submits only one nomination or fails to submit nominations for any reason within 30 days after the date designated for submission by the Commission, the Commission shall appoint a member of its choice to fill the requirement. The Board of the North Carolina Indian Cultural Center, Inc., shall appoint a chair from the Board membership.

Members shall serve two-year terms, except that the initial terms of:

- (1) The members representing the Coharie of Sampson and Harnett Counties, the Eastern Band of Cherokees, the Indians of Person County; and the Meherrin of Hertford County; the member representing the Metrolina Native Americans; the member representing the education community of the State; one member representing the government of the State of North Carolina; and one member representing the business community shall be for one year; and

- (2) The members representing the Haliwa of Halifax, Warren, and adjoining counties, the Lumbees of Robeson, Hoke, and Scotland Counties, and the Waccamaw-Siouan from Columbus and Bladen Counties; the members representing the Cumberland County Association for Indian People and the Guilford Native Americans; one member representing the business community of the State; one member representing the government of the State of North Carolina; and one member representing the federal government shall be for two years."

**SECTION 2.** If the members representing the education community and the business community do not meet the residency requirement provided for in Section 1 of this act on the effective date of this act, new members shall be appointed to those seats to serve the remainder of those members' terms. The additional members of the educational and business communities, as provided for in this act, shall be appointed so that their terms run concurrently with the terms of the current educational and business community members.

**SECTION 3.** This act becomes effective July 1, 2003.

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**CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 786**

**H786-CCSRW-31, AN ACT TO AMEND LIABILITY RULES THAT APPLY TO CIVIL PARKING, RED LIGHT CAMERA, AND PHOTOGRAPHIC SPEED-MEASURING SYSTEM ENFORCEMENT ACTIONS.**

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 160A-301 is amended by adding a new subsection to read:

"(e) The registered owner of a vehicle that has been leased or rented to another person or company shall not be liable for a violation of an ordinance adopted pursuant to this section if, after receiving notification of the civil violation within 90 days of the date of occurrence, the owner, within 30 days thereafter, files with the officials or agents of the municipality an affidavit including the name and address of the person or company that leased or rented the vehicle. if notification is given to the owner of the vehicle after 90 days have elapsed from the date of the violation, the owner is not required to provide the name and address of the lessee or renter, and the owner shall not be held responsible for the violation."

**SECTION 2.** G.S. 160A-300.1(c) reads as rewritten:

"(c) Municipalities may adopt ordinances for the civil enforcement of G.S. 20-158 by means of a traffic control photographic system, as described

in subsection (a) of this section. Notwithstanding the provisions of G.S. 20-176, in the event that a municipality adopts an ordinance pursuant to this section, a violation of G.S. 20-158 at a location at which a traffic control photographic system is in operation shall not be an infraction. An ordinance authorized by this subsection shall provide that:

- (1) The owner of a vehicle shall be responsible for a violation unless the owner can furnish evidence that the vehicle was, at the time of the violation, in the care, custody, or control of another person. The owner of the vehicle shall not be responsible for the violation if the owner of the vehicle, within ~~21~~30 days after notification of the violation, furnishes the officials or agents of the municipality which issued the ~~citation~~citation either of the following:
  - a. ~~An affidavit stating The the name and address of the person or company who leased, rented, or otherwise had the care, custody, and control of the vehicle; or vehicle.~~
  - b. ~~An affidavit stating that the vehicle involved was, at the time, stolen-stolen. The affidavit must be supported with evidence that supports the affidavit, including insurance or police report information, or in the care, custody, or control of some person who did not have permission of the owner to use the vehicle.~~
- (2) Subdivision (1) of this subsection shall not apply, and the registered owner of the vehicle shall not be responsible for the violation, if notice of the violation is given to the registered owner of the vehicle more than 90 days after the date of the violation.
- ~~(2)~~(3) A violation detected by a traffic control photographic system shall be deemed a noncriminal violation for which a civil penalty of fifty dollars (\$50.00) shall be assessed, and for which no points authorized by G.S. 20-16(c) shall be assigned to the owner or driver of the vehicle nor insurance points as authorized by G.S. 58-36-65.
- ~~(3)~~(4) The owner of the vehicle shall be issued a citation which shall clearly state the manner in which the violation may be challenged, and the owner shall comply with the directions on the citation. The citation shall be processed by officials or agents of the municipality and shall be forwarded by personal service or first-class mail to the address given on the motor vehicle registration. If the owner fails to pay the civil penalty or to respond to the citation within the time period specified on the citation, the owner shall have

waived the right to contest responsibility for the violation, and shall be subject to a civil penalty not to exceed one hundred dollars (\$100.00). The municipality may establish procedures for the collection of these penalties and may enforce the penalties by civil action in the nature of debt.

- ~~(4)~~(5) The municipality shall institute a nonjudicial administrative hearing to review objections to citations or penalties issued or assessed under this section."

**SECTION 3.** G.S. 160A-300.2(d), as enacted by Section 3 of S.L. 2001-286, reads as rewritten:

"(d) Municipalities may adopt ordinances for the civil enforcement of G.S. 20-158 by means of a traffic control photographic system, as described in subsection (a) of this section. If a municipality adopts an ordinance pursuant to this section then, notwithstanding G.S. 20-176, a violation of G.S. 20-158 detected only by a traffic control photographic system shall not be an infraction. If a violation of G.S. 20-158 is detected by both a law enforcement officer and a traffic control photographic system, the officer may charge the offender with an infraction. If the officer charges the offender with an infraction, a civil penalty issued by the municipality for the same offense is void and unenforceable. An ordinance authorized by this subsection shall provide that:

- (1) The owner of a vehicle shall be responsible for a violation unless the owner can furnish evidence that the vehicle was, at the time of the violation, in the care, custody, or control of another person. The owner of the vehicle shall not be responsible for the violation if the owner of the vehicle, within ~~24~~30 days after receiving notification of the violation, furnishes the office of the mayor of the municipality that issued the ~~citation~~citation any of the following:
  - a. An affidavit stating ~~The~~the name and address of the person or company who ~~leased, rented, or otherwise had~~ the care, custody, and control of the ~~vehicle~~vehicle.
  - b. An affidavit stating that the vehicle involved was, at the time, stolen~~stolen~~. The affidavit must be supported with evidence that supports the affidavit, including insurance or police report information, or in the care, custody, or control of some person who did not have permission of the owner to use the vehicle; or
  - c. ~~A statement~~An affidavit stating that the person who received the citation is not the owner or driver of the vehicle, or that the person who received the citation

was not driving a vehicle at the time and location designated in the citation.

(2) Subdivision (1) of this subsection shall not apply, and the registered owner of the vehicle shall not be responsible for the violation, if notice of the violation is given to the registered owner of the vehicle more than 90 days after the date of the violation.

~~(2)~~(3) A violation detected by a traffic control photographic system shall be deemed a noncriminal violation for which a civil penalty of fifty dollars (\$50.00) shall be assessed and for which no points authorized by G.S. 20-16(c) shall be assigned to the owner or driver of the vehicle nor insurance points as authorized by G.S. 58-36-65.

~~(3)~~(4) The owner of the vehicle shall be issued a citation that shall be attached to photographic evidence of the violation that identifies the vehicle involved. The citation shall clearly state the manner in which the violation may be challenged. The owner of the vehicle shall comply with the directions on the citation. The citation shall be processed by officials or agents of the municipality and shall be forwarded by personal service or first-class mail to the address given on the motor vehicle registration. If the owner fails to pay the civil penalty or to respond to the citation within the time period specified on the citation, the owner shall have waived the right to contest responsibility for the violation and shall be subject to a civil penalty not to exceed one hundred dollars (\$100.00). The municipality may establish procedures for the collection of these penalties and may enforce the penalties by civil action in the nature of debt.

~~(4)~~(5) The municipality shall establish a nonjudicial administrative hearing process to review objections to citations or penalties issued or assessed under this section. The municipality may establish an appeals panel composed of municipal employees to review objections. If the municipality does not establish an appeals panel composed of municipal employees, the mayor of the municipality shall review and make a final decision on all objections."

**SECTION 4.** G.S. 160A-300.3(d), as enacted by Section 4 of S.L. 2001-286, reads as rewritten:

"(d) Municipalities may adopt ordinances for the civil enforcement of G.S. 20-158 by means of a traffic control photographic system, as described in subsection (a) of this section. Notwithstanding the provisions of G.S.

20-176, in the event that a municipality adopts an ordinance pursuant to this section, a violation of G.S. 20-158 at a location at which a traffic control photographic system is in operation shall not be an infraction. An ordinance authorized by this subsection shall provide that:

- (1) The owner of a vehicle shall be responsible for a violation unless the owner can furnish evidence that the vehicle was, at the time of the violation, in the care, custody, or control of another person. The owner of the vehicle shall not be responsible for the violation if the owner of the vehicle, within ~~24~~30 days after notification of the violation, furnishes the officials or agents of the municipality which issued the ~~citation~~citation either of the following:
  - a. An affidavit stating ~~The~~ the name and address of the person or company who ~~leased, rented, or otherwise~~ had the care, custody, and control of the ~~vehicle; or~~ vehicle.
  - b. An affidavit stating that the vehicle involved was, at the time, ~~stolen~~ stolen. The affidavit must be supported with evidence that supports the affidavit, including insurance or police report information. ~~or in the care, custody, or control of some person who did not have permission of the owner to use the vehicle.~~
- (2) Subdivision (1) of this subsection shall not apply, and the registered owner of the vehicle shall not be responsible for the violation, if notice of the violation is given to the registered owner of the vehicle more than 90 days after the date of the violation.
- ~~(2)~~(3) A violation detected by a traffic control photographic system shall be deemed a noncriminal violation for which a civil penalty of fifty dollars (\$50.00) shall be assessed, and for which no points authorized by G.S. 20-16(c) shall be assigned to the owner or driver of the vehicle nor insurance points as authorized by G.S. 58-36-65.
- ~~(3)~~(4) The owner of the vehicle shall be issued a citation which shall clearly state the manner in which the violation may be challenged, and the owner shall comply with the directions on the citation. The citation shall be processed by officials or agents of the municipality and shall be forwarded by personal service or first-class mail to the address given on the motor vehicle registration. If the owner fails to pay the civil penalty or to respond to the citation within the time period specified on the citation, the owner shall have waived the right to contest responsibility for the violation, and shall be subject to a civil

penalty not to exceed one hundred dollars (\$100.00). The municipality may establish procedures for the collection of these penalties and may enforce the penalties by civil action in the nature of debt.

- ~~(4)~~(5) The municipality shall institute a nonjudicial administrative hearing to review objections to citations or penalties issued or assessed under this section."

**SECTION 5.** G.S. 160A-300.4(e), as enacted by S.L. 2003-280, reads as rewritten:

"(e) A municipality may adopt ordinances for the civil enforcement of G.S. 20-141 and G.S. 20-141.1 by means of a photographic speed-measuring system. Notwithstanding the provisions of G.S. 20-141, 20-141.1, and 20-176, in the event that a municipality adopts an ordinance pursuant to this section, a violation of G.S. 20-141 or G.S. 20-141.1 detected by a photographic speed-measuring system shall not be an infraction or misdemeanor. An ordinance authorized by this subsection shall provide that:

- (1) The owner of a vehicle shall be responsible for a violation unless the owner can furnish evidence that the vehicle was, at the time of the violation, in the care, custody, or control of another person. The owner of the vehicle shall not be responsible for the violation if the owner of the vehicle furnishes, within ~~21~~30 days of notification of the violation, to the officials or agents of the municipality that issued the citation either of the following:
  - a. ~~The~~An affidavit stating the name and address of the person or company who leased, rented, or otherwise had the care, custody, or control of the vehicle.
  - b. An affidavit stating that the vehicle involved was, at the time of the violation, stolen-stolen. The affidavit must be supported with evidence that supports the affidavit, including insurance or police report information, or in the care, custody, or control of some person who did not have permission of the owner to use the vehicle.
- (2) Subdivision (1) of this subsection shall not apply, and the registered owner of the vehicle shall not be responsible for the violation, if notice of the violation is given to the registered owner of the vehicle more than 90 days after the date of the violation.
- ~~(2)~~(3) A violation detected by a photographic speed-measuring system shall be deemed a noncriminal violation for which a civil penalty of fifty dollars (\$50.00) shall be assessed

- and for which no points authorized by G.S. 20-16(c) or G.S. 58-36-65 shall be assigned to the owner or driver of the vehicle.
- ~~(3)~~(4) The owner of the vehicle shall be issued a citation, written in both English and Spanish, clearly stating the manner in which the violation may be challenged and containing both a street address within the municipality and a local or toll-free telephone number at which the owner may challenge the citation. The citation shall be processed by officials or agents of the municipality and shall be forwarded by personal service or certified mail to the address given on the motor vehicle registration. If the owner fails to pay the civil penalty or to respond to the citation within the time period specified on the citation, the owner shall have waived the right to contest responsibility for the violation and shall be subject to an additional penalty not to exceed fifty dollars (\$50.00). The municipality may establish procedures for the collection of these penalties and may recover the penalties by civil action in the nature of debt.
- ~~(4)~~(5) The municipality shall provide a nonjudicial administrative hearing process to review objections to citations or penalties issued or assessed under this section. The administrative hearing process shall include methods for challenging the violation or penalty either in person, at the street address provided on the citation, or through the telephone, at the telephone number provided on the citation. The municipality shall ensure that a Spanish-speaking person is available both at the street address and through the telephone number to assist Spanish-speaking persons. An administrative hearing decision shall be subject to review by the superior court by proceedings in the nature of certiorari. Any petition for review by the superior court shall be filed with the clerk of superior court within 30 days after the administrative hearing decision.
- ~~(5)~~(6) The clear proceeds from the citations issued pursuant to the ordinance authorized by this section shall be paid to the county school fund. The clear proceeds from the citations shall mean the funds remaining after paying for the lease, lease-purchase, or purchase of the photographic speed-measuring system; paying for operation of the system, either by the municipality or by a contractor; paying for a program to provide public awareness of the

system; and paying any administrative costs incurred by the municipality related to the use of the system."

**SECTION 6.** This act is effective when it becomes law. Section 5 of this act expires June 30, 2006.

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**CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 855**

**H855-CCSRB-10**, AN ACT TO INCREASE THE FEE FOR A PERSONALIZED REGISTRATION PLATE BY TEN DOLLARS AND TO CREDIT THE INCREASED FEE REVENUE TO THE NATURAL HERITAGE TRUST FUND AND THE PARKS AND RECREATION TRUST FUND, TO REQUIRE THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY VARIOUS ISSUES RELATED TO SPECIAL REGISTRATION PLATES, TO ALLOW THE NC COASTAL FEDERATION SPECIAL PLATE TO HAVE A DIFFERENT PLATE BACKGROUND, AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE THE FOLLOWING NEW SPECIAL REGISTRATION PLATES: ALTERNATIVE FUEL VEHICLES, BE ACTIVE NC, BLUE RIDGE PARKWAY FOUNDATION, BREAST CANCER AWARENESS, BUFFALO SOLDIERS, CELEBRATE ADOPTION, CRYSTAL COAST ARTIFICIAL REEF ASSOCIATION, DELTA SIGMA THETA SORORITY, FRATERNAL ORDER OF POLICE, FRIENDS OF THE APPALACHIAN TRAIL, MOTHERS AGAINST DRUNK DRIVING, POW/MIA, RED HAT SOCIETY, RETIRED LAW ENFORCEMENT OFFICERS, SURVEYORS, AND ZETA PHI BETA SORORITY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 20-63(b) reads as rewritten:

"(b) Every license plate shall have displayed upon it the registration number assigned to the vehicle for which it is issued, the name of the State of North Carolina, which may be abbreviated, and the year number for which it is issued or the date of expiration. A plate issued for a commercial vehicle, as defined in G.S. 20-4.2(1), and weighing 26,001 pounds or more, must bear the word "commercial," unless the plate is a special registration plate authorized in G.S. 20-79.4 or the commercial vehicle is a trailer or is licensed for 6,000 pounds or less. The plate issued for vehicles licensed for 7,000 pounds through 26,000 pounds must bear the word "weighted".

~~A-Except as otherwise provided in this subsection, a registration plate issued by the Division for a private passenger vehicle or for a private hauler vehicle licensed for 6,000 pounds or less, other than a Friends of the Great Smoky Mountains National Park special registration plate or a Rocky~~

~~Mountain Elk Foundation special registration plate~~ shall be a "First in Flight" plate. A "First in Flight" plate shall have the words "First in Flight" printed at the top of the plate above all other letters and numerals. The background of the plate shall depict the Wright Brothers biplane flying over Kitty Hawk Beach, with the plane flying slightly upward and to the right. The following special registration plates do not have to be a "First in Flight" plate. The design of the plates that are not "First in Flight" plates must be approved by the Division and the State Highway Patrol for clarity and ease of identification.

- (1) Friends of the Great Smoky Mountains National Park.
- (2) Rocky Mountain Elk Foundation.
- (3) Blue Ridge Parkway Foundation.
- (4) Friends of the Appalachian Trail.
- (5) NC Coastal Federation."

**SECTION 2.** G.S. 20-79.4(b), as amended by S.L. 2003-10, 2003-11, and 2003-68, is amended by adding the following new subdivisions to read:

"(b) Types. – The Division shall issue the following types of special registration plates:

- ...
- (1e) Alternative Fuel Vehicles. – Issuable to the registered owner of an alternative fuel vehicle. The plate shall bear the words "Alternative Fuel Vehicle". The Division must receive 300 or more applications for the plate before it may be developed.
- ...
- (3e) Be Active NC. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Be Active NC" and a representation of the "Be Active NC" logo.
- ...
- (3h) Breast Cancer Awareness. – Issuable to the registered owner of a motor vehicle. The plate shall bear the phrase "Early Detection Saves Lives" and a representation of a pink ribbon. The Division must receive 300 or more applications for the plate before it may be developed.
- ...
- ~~(3d)~~(3j) Bronze Star Recipient. – Issuable to a recipient of the Bronze Star. The plate shall bear the emblem of the Bronze Star and the words "Bronze Star".
- ...
- (3m) Buffalo Soldiers. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12.

The plate shall bear the words "The Buffalo Soldiers" and the logo of the 9th & 10th (Horse) Cavalry Association of the Buffalo Soldiers Greater North Carolina Chapter (BSGNCC).

...

(3p) Celebrate Adoption. – Issuable to the registered owner of a motor vehicle. The plate shall bear the phrase "Celebrate Adoption" and a representation of a white ribbon with a red heart on it. The Division must receive 300 or more applications for the plate before it may be developed.

...

(11d) Crystal Coast. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the words "Crystal Coast Artificial Reef Association" and a representation of a SCUBA diving flag.

...

(11g) Delta Sigma Theta Sorority. – Issuable to the registered owner of a motor vehicle. The plate shall bear the sorority's name and symbol. The Division must receive 300 or more applications for the plate before it may be developed.

...

(15e) Fraternal Order of Police. – The plate authorized by this subdivision shall bear a representation of the Fraternal Order of Police emblem containing the letters 'FOP'. The Division must receive 300 applications for the plate before it may be developed. The plate is issuable to one of the following:

- a. A person who presents proof of active membership in the State Lodge, Fraternal Order of Police for the year in which the license plate is sought.
- b. The surviving spouse of a person who was a member of the State Lodge, Fraternal Order of Police, so long as the surviving spouse continues to renew the plate and does not remarry.

...

(27e) Mothers Against Drunk Driving. – Issuable to the registered owner of a motor vehicle. The plate shall

bear the letters "M.A.D.D." and the words "Mothers Against Drunk Driving". The Division must receive 300 or more applications for the plate before it may be developed.

...

(32c) POW/MIA. – Issuable to the owner of a motor vehicle. The plate shall bear the official POW/MIA logo. The Division must receive 300 or more applications for the plate before it may be developed.

...

~~(36)~~(35d) Register of Deeds. – Issuable to a register of deeds. The plate shall bear the words "Register of Deeds" and the letter "R" followed by a number representing the county of the register of deeds. The number of a county shall be the order of the county in an alphabetical list of counties that assigns number one to the first county in the list.

...

(36) Red Hat Society. – Issuable to the registered owner of a motor vehicle. The plate shall bear a representation of The Red Hat Society. The Division shall not use the name and logo of The Red Hat Society, Inc., on the plate unless The Red Hat Society, Inc., licenses, without charge, the State to use the name and logo on the plate. The Division must receive 300 or more applications for the plate before it may be developed.

...

(36b) Retired Law Enforcement Officers. – The plate authorized by this subdivision shall bear the phrase "Retired Law Enforcement Officer" and a representation of a law enforcement badge. The Division must receive 300 or more applications for the plate before it may be developed. The plate is issuable to one of the following:

- a. A retired law enforcement officer presenting to the Division, along with the application for the plate, a copy of the officer's retired identification card or letter of retirement.
- b. The surviving spouse of a person who had a retired law enforcement officer plate at the time of death so long as the surviving spouse

continues to renew the plate and does not remarry.

...  
~~(36b)~~(36e) Rocky Mountain Elk Foundation. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Rocky Mountain Elk Foundation" and a logo approved by the Rocky Mountain Elk Foundation, Inc.

...  
~~(36e)~~(36h) Save the Sea Turtles. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear the phrase "Save the Sea Turtles" and a representation related to sea turtles.

...  
(45d) Surveyor Plate. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the words "Following In Their Footsteps" and shall bear a picture of a transit.

...  
~~(45b)~~(45f) Sweet Potato. – Issuable to the registered owner of a motor vehicle. The plate may bear a phrase and picture representing the State's official vegetable, the sweet potato. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.

...  
~~(45e)~~(45i) Tobacco Heritage. – Issuable to the registered owner of a motor vehicle. The plate shall bear a picture of a tobacco leaf and plow. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.

...  
(52) Zeta Phi Beta Sorority. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the sorority's name and symbol."

**SECTION 3.** G.S. 20-79.7(a), as amended by S.L. 2003-11 and 2003-68, reads as rewritten:

"(a) Fees. – Upon request, the Division shall provide and issue free of charge one registration plate to a recipient of the Congressional Medal of Honor, a 100% disabled veteran, and an ex-prisoner of war. All other special registration plates, including additional Congressional Medal of Honor, 100% Disabled Veteran, and Ex-Prisoner of War plates, are subject

to the regular motor vehicle registration fee in G.S. 20-87 or G.S. 20-88 plus an additional fee in the following amount:

<u>Special Plate</u>	<u>Additional Fee Amount</u>
<u>Crystal Coast</u>	<u>\$30.00</u>
Historical Attraction	\$30.00
<u>Personalized</u>	<u>\$30.00</u>
State Attraction	\$30.00
<u>Buffalo Soldiers</u>	<u>\$25.00</u>
Collegiate Insignia	\$25.00
Goodness Grows	\$25.00
Kids First	\$25.00
Olympic Games	\$25.00
NC Agribusiness	\$25.00
NC Coastal Federation	\$25.00
Nurses	\$25.00
<b>(Effective until June 30, 2006)</b>	
<u>Rocky Mountain Elk Foundation</u>	<u>\$25.00</u>
Special Olympics	\$25.00
<u>Surveyor Plate</u>	<u>\$25.00</u>
The V Foundation for Cancer Research Division	\$25.00
University Health Systems of Eastern Carolina	\$25.00
Animal Lovers	\$20.00
Audubon North Carolina	\$20.00
<u>Be Active NC</u>	<u>\$20.00</u>
Ducks Unlimited	\$20.00
<b>(Effective until June 30, 2006)</b>	
Harley Owners' Group	\$20.00
First in Forestry	\$20.00
Litter Prevention	\$20.00
March of Dimes	\$20.00
Omega Psi Phi Fraternity	\$20.00
<del>Rocky Mountain Elk Foundation</del>	<del>\$25.00</del>
Save the Sea Turtles	\$20.00
Scenic Rivers	\$20.00
School Technology	\$20.00
Soil and Water Conservation	\$20.00
Special Forces Association	\$20.00
Support Public Schools	\$20.00
Wildlife Resources	\$20.00
<u>Zeta Phi Beta Sorority</u>	<u>\$20.00</u>
<del>Personalized</del>	<del>\$20.00</del>
Active Member of the National Guard	None
100% Disabled Veteran	None
Ex-Prisoner of War	None

Legion of Valor	None
Purple Heart Recipient	None
Silver Star Recipient	None
All Other Special Plates	\$10.00."

**SECTION 4.** G.S. 20-79.7(b), as amended by S.L. 2003-11 and 2003-68, reads as rewritten:

"(b) Distribution of Fees. – The Special Registration Plate Account and the Collegiate and Cultural Attraction Plate Account are established within the Highway Fund. The Division must credit the additional fee imposed for the special registration plates listed in subsection (a) among the Special Registration Plate Account (SRPA), the Collegiate and Cultural Attraction Plate Account (CCAPA), ~~and~~ the Natural Heritage Trust Fund (NHTF), which is established under G.S. 113-77.7, and the Parks and Recreation Trust Fund, which is established under G.S. 113-44.15, as follows:

<u>Special Plate</u>	<u>SRPA</u>	<u>CCAPA</u>	<u>NHTF</u>	<u>PRTF</u>
Animal Lovers	\$10	\$10	0	<u>0</u>
Audubon North Carolina	\$10	\$10	0	<u>0</u>
<u>Be Active NC</u>	<u>\$10</u>	<u>\$10</u>	<u>0</u>	<u>0</u>
<u>Buffalo Soldiers</u>	<u>\$10</u>	<u>\$15</u>	<u>0</u>	<u>0</u>
<u>Crystal Coast</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
Ducks Unlimited	\$10	\$10	0	<u>0</u>
First in Forestry	\$10	0	\$10	<u>0</u>
Goodness Grows	\$10	\$15	0	<u>0</u>
<b>(Effective until June 30, 2006)</b>				
Harley Owners' Group	\$10	\$10	0	<u>0</u>
Historical Attraction	\$10	\$20	0	<u>0</u>
In-State Collegiate Insignia	\$10	\$15	0	<u>0</u>
Kids First	\$10	\$15	0	<u>0</u>
Litter Prevention	\$10	\$10	0	<u>0</u>
March of Dimes	\$10	\$10	0	<u>0</u>
NC Agribusiness	\$10	\$15	0	<u>0</u>
NC Coastal Federation	\$10	\$15	0	<u>0</u>
Nurses	\$10	\$15	0	<u>0</u>
Olympic Games	\$10	\$15	0	<u>0</u>
Omega Psi Phi Fraternity	\$10	\$10	0	<u>0</u>
Out-of-state Collegiate Insignia	\$10	0	\$15	<u>0</u>
Personalized	\$10	0	<del>\$10</del> \$15	<u>\$5</u>
<b>(Effective until June 30, 2006)</b>				
Rocky Mountain Elk Foundation	\$10	\$15	0	<u>0</u>
Save the Sea Turtles	\$10	\$10	0	<u>0</u>
Scenic Rivers	\$10	\$10	0	<u>0</u>
School Technology	\$10	\$10	0	<u>0</u>

Soil and Water Conservation	\$10	\$10	0	<u>0</u>
Special Forces Association	\$10	\$10	0	<u>0</u>
Special Olympics	\$10	<del>\$10</del> \$15	0	<u>0</u>
State Attraction	\$10	\$20	0	<u>0</u>
Support Public Schools	\$10	\$10	0	<u>0</u>
<u>Surveyor Plate</u>	<u>\$10</u>	<u>\$15</u>	<u>0</u>	<u>0</u>
The V Foundation for Cancer Research	\$10	\$15	0	<u>0</u>
University Health Systems of Eastern Carolina	\$10	\$15	0	<u>0</u>
Wildlife Resources	\$10	\$10	0	<u>0</u>
<u>Zeta Phi Beta Sorority</u>	<u>\$10</u>	<u>\$10</u>	<u>0</u>	<u>0</u>
All other Special Plates	\$10	0	<del>0</del> 0	<u>0</u> ."

**SECTION 5.** G.S. 20-81.12(b2) reads as rewritten:

"(b2) State Attraction Plates. – The Division must receive 300 or more applications for a State attraction plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of State attraction plates to the organizations named below in proportion to the number of State attraction plates sold representing that organization:

- (1) Blue Ridge Parkway Foundation. – The revenue derived from the special plate shall be transferred quarterly to Blue Ridge Parkway Foundation for use in promoting and preserving the Blue Ridge Parkway as a scenic attraction in North Carolina.
- (+) (1a) Friends of the Great Smoky Mountains National Park. – The revenue derived from the special plate shall be transferred quarterly to the Friends of the Great Smoky Mountains National Park, Inc., to be used for educational materials, preservation programs, capital improvements for the portion of the Great Smoky Mountains National Park that is located in North Carolina, and operating expenses of the Great Smoky Mountains National Park.
- (1b) Friends of the Appalachian Trail. – The revenue derived from the special plate shall be transferred quarterly to The Appalachian Trail Conference to be used for educational materials, preservation programs, trail maintenance, trailway and viewshed acquisitions, trailway and viewshed easement acquisitions, capital improvements for the portions of the Appalachian Trail and connecting trails that are located in North Carolina, and related administrative and operating expenses.

- ~~(1a)~~(1c) The North Carolina Arboretum. – The revenue derived from the special plate shall be transferred quarterly to The North Carolina Arboretum Society and used to help the Society obtain grants for the North Carolina Arboretum and for capital improvements to the North Carolina Arboretum.
- ~~(1b)~~(1d) The North Carolina Maritime Museum. – The revenue derived from the special plate shall be transferred quarterly to Friends of the Museum, North Carolina Maritime Museum, Inc., to be used for educational programs and conservation programs and for operating expenses of the North Carolina Maritime Museum.
- (2) The North Carolina Zoological Society. – The revenue derived from the special plate shall be transferred quarterly to The North Carolina Zoological Society, Incorporated, to be used for educational programs and conservation programs at the North Carolina Zoo at Asheboro and for operating expenses of the North Carolina Zoo at Asheboro."

**SECTION 6.** G.S. 20-81.12, as amended by S.L. 2003-11 and S.L. 2003-68, is amended by adding the following new subsections to read:

"(b26) Be Active NC. – The Division must receive 300 or more applications for the Be Active NC plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of the Be Active NC plates to Be Active North Carolina, Inc., to be used to promote physical activity in North Carolina communities.

(b27) Buffalo Soldiers. – The Division must receive 300 or more applications for the Buffalo Soldiers plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of the Buffalo Soldiers plates to the 9th & 10th (Horse) Cavalry Association of the Buffalo Soldiers Greater North Carolina Chapter (BSGNCC) for its public outreach programs.

(b28) Crystal Coast. – The Division must receive 300 or more applications for the Crystal Coast plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Crystal Coast plates to the Crystal Coast Artificial Reef Association to be used to promote scuba diving off the Crystal Coast.

(b29) Surveyor Plate. – The Division must receive 300 or more applications for a Surveyor plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Surveyor plates to The North Carolina Society of Surveyors Education Foundation, Inc., for public educational programs.

(b30) Zeta Phi Beta Sorority. – The Division must receive 300 or more applications for a Zeta Phi Beta Sorority plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Zeta Phi Beta Sorority plates to the Zeta Phi Beta Sorority Education Foundation, through the Raleigh office, for the benefit of undergraduate scholarships in this State."

**SECTION 7.** The Joint Legislative Transportation Oversight Committee shall study the following issues related to special registration plates:

- (1) The number of special registration plates that have not received the minimum number of applications in the three years since their authorization and whether to repeal the authority for these plates.
- (2) The registration plate background and other alternative methods of identifying North Carolina vehicles.
- (3) The fees imposed for special plates and the distribution of those fees. The Committee may ask the Division of Motor Vehicles to study the impact of any fee increase on the number of special registration plates issued. The Committee may also require the organizations that receive money from special registration plates to provide a report on the amount of money received by the organization from the sale of its special registration plate and how the organization spends the money it receives from the sale of this plate.

The Committee may report its findings and any recommended legislation to the 2004 Regular Session of the 2003 General Assembly or the 2005 Regular Session of the 2005 General Assembly.

**SECTION 8.** Sections 7 and 8 of this act are effective when they become law. The remainder of this act becomes effective January 1, 2004.

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**CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 926**

**H926-CCSRK-21, AN ACT TO ENHANCE THE PENALTY FOR AN ASSAULT IN THE PRESENCE OF A MINOR.**

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 14-33 is amended by adding a new subsection to read:

"(d) Any person who, in the course of an assault, assault and battery, or affray, inflicts serious injury upon another person, or uses a deadly weapon, in violation of subdivision (c)(1) of this section, on a person with whom the person has a personal relationship, and in the presence of a minor, shall be placed on supervised probation in addition to any other punishment imposed by the court.

A person committing a second or subsequent violation of this subsection shall be sentenced to an active punishment of no less than 30 days in addition to any other punishment imposed by the court.

The following definitions apply to this subsection:

- (1) "Personal relationship" is as defined in G.S. 50B-1(b).
- (2) "In the presence of a minor" means that the minor was in a position to have observed the assault.
- (3) "Minor" is any person under the age of 18 years who is residing with or is under the care and supervision of, and who has a personal relationship with, the person assaulted or the person committing the assault."

**SECTION 2.** This act becomes effective December 1, 2003, and applies to offenses committed on or after that date.

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**CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 986**

**H986-CCSLK-172, AN ACT TO REQUIRE A MOTOR VEHICLE INSURER TO DISCLOSE ANY FINANCIAL INTEREST IN A RECOMMENDED REPAIR FACILITY OR SERVICE AND REQUIRING AN INSURER TO DISCLOSE THE USE OF NONORIGINAL CRASH REPAIR PARTS OR NONORIGINAL AUTO GLASS FOR MOTOR VEHICLE REPAIRS.**

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 58-3-180(b1) reads as rewritten:

"(b1) No insurer or insurer representative shall recommend the use of a particular motor vehicle repair service without clearly informing the claimant that (i) the claimant is under no obligation to use the recommended repair service, (ii) the claimant may use the repair service of the claimant's choice, and (iii) the amount determined by the insurer to be payable under the policy will be paid regardless of whether or not the claimant uses the recommended repair service, and (iv) that the insurer or insurer representative has, at the time the recommendations are made, a financial

interest in the recommended motor vehicle repair service. No insurer shall require that the insured or claimant must have a damaged vehicle repaired at an insurer-owned motor vehicle repair service."

**SECTION 2.** Chapter 58 of the General Statutes is amended by adding a new section to read:

**"§ 58-36-95. Use of nonoriginal crash repair parts.**

(a) As used in this section, the following definitions apply:

- (1) "Insurer" includes any person authorized to represent an insurer with respect to a claim.
- (2) "Nonoriginal crash repair part" refers to sheet metal and/or plastic parts – generally components of the exterior of a motor vehicle – that are not manufactured by or for the original equipment manufacturer of the vehicle.

(b) An insurer shall disclose to a claimant in writing, either on the estimate or on a separate document attached to the estimate, the following in no smaller than ten point type: 'THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF AUTOMOBILE PARTS NOT MADE BY THE ORIGINAL MANUFACTURER. PARTS USED IN THE REPAIR OF YOUR VEHICLE MADE BY OTHER THAN THE ORIGINAL MANUFACTURER ARE REQUIRED TO BE AT LEAST EQUIVALENT IN TERMS OF FIT, QUALITY, PERFORMANCE, AND WARRANTY TO THE ORIGINAL MANUFACTURER PARTS THEY ARE REPLACING.'

(c) It is a violation of G.S. 58-2-180 for an automobile repair facility or parts person to place a nonoriginal crash repair part, nonoriginal windshield, or nonoriginal auto glass on a motor vehicle and to submit an invoice for an original repair part.

(d) Any insurer or other person who has reason to believe that fraud has occurred under this section shall report that fraud to the Commissioner for further action pursuant to G.S. 58-2-160."

**SECTION 3.** Article 36 of Chapter 58 of the General Statutes is amended by adding a new section to read:

**"§ 58-36-41. Development of policy endorsement for exclusive use of original equipment manufactured crash parts.**

The Rate Bureau shall develop an optional policy endorsement to be filed with the Commissioner for approval that permits policyholders to elect nonfleet private passenger motor vehicle physical damage coverage specifying the exclusive use of original equipment manufactured crash parts."

**SECTION 4.** Sections 2 and 3 of this act become effective January 1, 2004. The remainder of this act is effective when it becomes law.

**CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE BILL 384**

**S384-CCSRW-29**, AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTIONS OF URBAN LOOPS AND OTHER INTRASTATE IMPROVEMENT PROJECTS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 136-180(a) reads as rewritten:

"(a) Funds allocated from the Trust Fund for urban loops may be used only for the following urban loops:

Loop	Description	Affected Counties
Asheville Western Loop	Multilane facility on new location from I-26 west of Asheville to US-19/23 north of Asheville for the purpose of connecting these roads. The funds may be used to improve existing corridors.	Buncombe
Charlotte Outer Loop	Multilane facility <del>on new location</del> encircling City of Charlotte <u>including 6 laning of the portion from Johnston Road/US 521 south to I-77 south of Charlotte</u>	Mecklenburg
Durham Northern Loop	<del>The corridor shall be identified as a part of the local long-range transportation plan as mutually adopted in 2003 by the Durham-Chapel Hill-Carrboro metropolitan planning organization and the North Carolina Board of Transportation</del> <u>The projects listed below are eligible for funding under this section as part of the Durham Northern Loop. The priorities for planning and constructing</u>	Durham, <u>OrangeWake</u>

these projects will be established by mutual agreement of the Metropolitan Planning Organization (MPO) and the Department of Transportation through the federally mandated Transportation Improvement Program development process. The cross sections for these projects will be established by mutual agreement of the MPO and the Department of Transportation through the State and federal environmental review process.

(1) East end connector, from N.C. 147 to U.S. 70 East.

(2) U.S. 70, from Lynn Rd. to the Northern Durham Parkway.

(3) I-85, from U.S. 70 to Red Mill Rd.

(4) Northern Durham Parkway, Section B, from Old Oxford Rd. to I-85.

(5) Northern Durham Parkway, Section A, from I-85 to I-540.

(6) Northern Durham Parkway, Section C, from Old Oxford Rd. to Roxboro Rd.

(7) Roxboro Rd. from Duke St. to Goodwin Rd.

Fayetteville  
Western Outer Loop

Multilane facility on new location from US 401 north of Fayetteville to I-95 south of Hope Mills

Cumberland

Greensboro Loop

Multilane facility on new location encircling City

Guilford

	of Greensboro <u>including interchanges with Cone Boulevard Extension and Lewis-Fleming Road Extension</u>	
<u>Greenville Loop</u>	<u>Multilane extension of the Greenville Loop from US 264 west of Greenville to NC-11 south of Winterville</u>	<u>Pitt</u>
Raleigh Outer Loop	Multilane facility on new location from <del>US-4</del> <u>NC 55</u> southwest of Cary northerly to US-64 in eastern Wake County	Wake
Wilmington Bypass	Multilane facility on new location from US-17 northeast of Wilmington to <del>US-17 southwest of Wilmington</del> <u>US 421 in southern Wilmington</u> , including the Blue Clay Road interchange	New Hanover
Winston-Salem Northbelt	Multilane facility on new location from I-40 west of Winston-Salem northerly to <del>I-40</del> <u>US 311/Future I-74</u> in eastern Forsyth County."	Forsyth

**SECTION 2.** G.S. 136-179 reads as rewritten:

**"§ 136-179. Projects of Intrastate System funded from Trust Fund.**

Funds allocated from the Trust Fund for the Intrastate System may be used only for the following projects of the Intrastate System:

Route	Improvements	Affected Counties
I-40	Widening	Buncombe, Haywood, Guilford, Wake, Durham
I-77	Widening	Mecklenburg
I-85	Widening	Durham, Orange Alamance, Guilford,

		Cabarrus, Mecklenburg, Gaston
I-95	Widening	Halifax
US-1	Complete 4-laning from Henderson to South Carolina Line (including 6-laning of Raleigh Beltline)	Vance, Franklin, Wake, Chatham, Lee, Moore, Richmond
<del>US-13</del>	<del>Connector from I-95 to NC-87</del>	<del>Cumberland</del>
US-13	Complete 4-laning from Virginia Line to US-17	Gates, Hertford, Bertie
US-17	Complete 4-laning from Virginia Line to South Carolina Line (including, Washington, New Bern and Jacksonville Bypasses)	Camden, Pasquotank, Perquimans, Chowan, Bertie, Martin, Beaufort, Craven, Jones, Onslow, Pender, New Hanover, Brunswick
US-19/ US-19E	Complete 4-laning from US-23 to NC 194 in Ingalls	Madison, Yancey, Mitchell, Avery
US-19	Complete 4-laning	Cherokee, Macon, Swain
US-23	Complete 4-laning and upgrading existing 4-lanes from Tennessee Line to I-240	Madison, Buncombe
US-23-441	Complete 4-laning from US-19/US-74 to Georgia Line	Macon
US-52	Complete 4-laning from I-77 to Lexington (including new I-77 Connector)	Surry, Davidson

US-64	Complete 4-laning from Raleigh to Coast (including freeway construction from I-95 to US-17)	Edgecombe, Pitt, Martin, Washington, Tyrrell, Dare
US-64	Complete 4-laning From Lexington to Raleigh	Davidson, Randolph, Chatham, Wake
US-70	Complete 4-laning from Raleigh to Morehead City (including Clayton, Goldsboro, Kinston, Smithfield-Selma, and Havelock Bypasses predominately freeways on predominately new locations)	Wake, Johnston, Wayne, Lenoir, Craven
US-74	Complete 4-laning from Charlotte to US-17 (including multilaning of Independence Blvd. in Charlotte, and Bypasses of Monroe, Rockingham, and Hamlet)	Mecklenburg, Union, Richmond, Robeson, Columbus
US-74	Complete 4-laning from I-26 to I-85	Polk, Rutherford
US-158	Complete 4-laning from Winston-Salem to Whalebone	Forsyth, Guilford, Rockingham, Caswell, Person, Granville, Vance, Warren, Halifax, Northampton, Gates, Hertford, Pasquotank, Camden, Currituck, Dare
	New bridge over Currituck Sound	Currituck

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US-221	Complete 4-laning from Linville to South Carolina	Avery, McDowell, Rutherford
US-220	Complete 4-laning from I-40 to US-1	Guilford, Randolph, Montgomery, Richmond
US-220/NC-68	Complete 4-laning from Virginia Line to I-40	Rockingham, Guilford
US-264	Complete 4-laning from US-64 to Washington (including Wilson and Greenville Bypasses) (including freeway construction from I-95 to Greenville)	Wilson, Greene, Pitt
US-321	Complete 4-laning from Boone to South Carolina Line	Caldwell, Catawba, Lincoln, Gaston
US-421	Complete 4-laning from Tennessee Line to I-40	Watauga, Wilkes, Yadkin
US-421	Complete 4-laning from Greensboro to Sanford (including Bypass of Sanford)	Chatham, Lee
NC-24	Complete 4-laning from Charlotte to Morehead City	Mecklenburg, Cabarrus, Stanly, Montgomery, Moore, Harnett, Cumberland, Sampson, Duplin, Onslow, Carteret
NC-87	Complete 4-laning from Sanford to US-74	Lee, Harnett, Cumberland, Bladen, Columbus
NC-105	Complete 4-laning from Boone to Linville	Watauga, Avery

NC-168	Complete multilaning from Virginia Line to US-158	Currituck
NC-194	Complete 4-laning from US-19E to US-221."	Avery

**SECTION 3.** This act is effective when it becomes law.

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**CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE BILL 824**

**S824-CCSRT-27**, AN ACT TO AMEND VARIOUS LAWS RELATED TO THE ENVIRONMENT, ENVIRONMENTAL HEALTH, AND NATURAL RESOURCES TO: (1) MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS; (2) AMEND THE REPORTING REQUIREMENT SET OUT IN S.L. 2001-442; (3) CLARIFY WHAT CONSTITUTES A BASE OF OPERATIONS FOR MOBILE FOOD UNITS AND PUSHCARTS; (4) INCREASE THE MEMBERSHIP OF THE ENVIRONMENTAL REVIEW COMMISSION BY TWO; (5) EXTEND BY ONE YEAR THE TIME THAT TEMPORARY RULES TO PROTECT WATER QUALITY AND RIPARIAN BUFFERS IN CERTAIN RIVER BASINS WILL REMAIN IN EFFECT; (6) EXTEND BY TWO YEARS THE PILOT PROGRAM FOR INSPECTION OF ANIMAL WASTE MANAGEMENT SYSTEMS INITIALLY ESTABLISHED BY SECTION 15.4 OF S.L. 1997-443; AND (7) 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.

The General Assembly of North Carolina enacts:

**SECTION 1.1.** G.S. 113-44.8(a) reads as rewritten:

"(a) The State of North Carolina offers unique archaeologic, geologic, biological, scenic, and recreational resources. These resources are part of the heritage of the people of this State. The heritage of a people should be preserved and managed by ~~those~~the people for their use and for the use of their visitors and descendants."

**SECTION 1.2.** G.S. 113-173(e) reads as rewritten:

"(e) Replacement RCGL. – The provisions of ~~G.S.~~G.S. 113-168.1(h) apply to this section."

**SECTION 1.3.** Article 13A of Chapter 113 of the General Statutes (G.S. 113-145.1 through G.S. 113-145.8) is recodified as Article 18 of Chapter 113A of the General Statutes (G.S. 113A-251 through G.S. 113A-259). The Revisor of Statutes is authorized to correct any reference in the General Statutes to the statutes that are recodified by this section.

**SECTION 1.4.** G.S. 113A-232(a) reads as rewritten:

"(a) Fund Created. – The Conservation Grant Fund is created within the Department of Environment and Natural Resources. The Fund shall be administered by ~~that~~the Department. The purpose of the Fund is to stimulate the use of conservation easements and conservation tax credits, to improve the capacity of private nonprofit land trust organizations to successfully accomplish conservation projects, to better equip real estate related professionals to pursue opportunities for conservation, to increase landowner participation in land and water conservation, and to provide an opportunity to leverage private and other public monies for conservation easements."

**SECTION 1.5.** G.S. 130A-248(a4) reads as rewritten:

"(a4) For the protection of the public health, the Commission shall adopt rules governing the sanitation of limited food service establishments. In adopting the rules, the Commission shall not limit the number of days that limited food service establishments may operate. Limited food service establishment permits shall be issued only to political subdivisions of the State, establishments operated by volunteers that prepare or serve food in conjunction with amateur athletic events, ~~or for establishments operated by other charitable organizations. On and after January 1, 1996, limited food service establishment permits shall be issued only to political subdivisions of the State, establishments operated by volunteers that prepare or serve food in conjunction with amateur athletic events, or for establishments operated by organizations that have applied for exemption or are exempt from federal income tax under section 501(c)(3) or section 501(c)(4) of the Internal Revenue Code. On and after January 1, 1997, limited food service establishment permits shall be issued only to political subdivisions of the State, establishments operated by volunteers that prepare or serve food in conjunction with amateur athletic events, or for establishments operated by organizations that are exempt from federal income tax under section 501(c)(3) or section 501(c)(4) of the Internal Revenue Code.~~"

**SECTION 1.6.** G.S. 130A-309.14(a1)(3) reads as rewritten:

"(3) The Department of Administration and the Department of Transportation shall each provide by 1 October of each year to the Department of Environment and Natural Resources a detailed description of the respective Agency's review and revision of bid procedures and purchase and use of reusable, refillable, repairable, more durable, and less toxic supplies and products. The information provided by

the Department of Administration and the Department of Transportation to the Department of Environment and Natural Resources shall also be included in the report required by G.S. 130A-309.06(c)."

**SECTION 1.7.** G.S. 143-215.107B reads as rewritten:

**"§ 143-215.107B. Statewide goals for reduction in emissions of ~~nitrogen oxides; oxides of nitrogen~~; report.**

It shall be the goal of the State to reduce emissions of ~~nitrogen~~-oxides of nitrogen (NOx) from all sources by at least twenty-five percent (25%) by 1 July 2009. It shall be the goal of the State to reduce the growth of vehicle miles traveled in the State by at least twenty-five percent (25%) of that growth that would otherwise occur by 1 July 2009. The Department of Environment and Natural Resources and the Department of Transportation shall evaluate progress toward achieving these goals in each fiscal year and shall report their findings and recommendations as to any measures that may be needed to achieve these goals to the Environmental Review Commission on or before 1 October of each ~~year beginning 1 October 2000-year.~~"

**SECTION 1.8.(a)** If Senate Bill 945, 2003 Regular Session, does not become law, then G.S. 143-215.108(a) reads as rewritten:

"(a) Except as provided in subsections (a1) and (a2) of this section, no person shall do any of the following things or carry out any of the following activities ~~which that~~ contravene or will be likely to contravene standards established pursuant to G.S. 143-215.107 or set out in G.S. 143-215.107D unless that person has obtained ~~from the Commission~~ a permit ~~therefor for~~ the activity from the Commission and has complied with any conditions of ~~this the~~ permit:

- (1) Establish or operate any air contaminant ~~source; source.~~
- (2) Build, erect, ~~use-use,~~ or operate any equipment ~~which that~~ may result in the emission of an air contaminantscontaminant or ~~which that~~ is likely to cause air ~~pollution; pollution.~~
- (3) Alter or change the construction or method of operation of any equipment or process from which air contaminants are or may be ~~emitted; emitted.~~
- (4) Enter into an irrevocable contract for the construction and installation of any air-cleaning device, or allow or cause ~~such any air-cleaning~~ device to be constructed, installed, or operated."

**SECTION 1.8.(b)** If Senate Bill 945, 2003 Regular Session, becomes law, then G.S. 143-215.108(a), as amended by Section 1 of Senate Bill 945, 2003 Regular Session, reads as rewritten:

"(a) Except as provided in subsections (a1) and (a2) of this section, no person shall do any of the following things or carry out any of the following

activities that contravene or will be likely to contravene standards established pursuant to G.S. 143-215.107 or set out in G.S. 143-215.107D unless that person has obtained a permit ~~therefor~~ for the activity from the Commission and has complied with any conditions of the permit:

- (1) Establish or operate any air contaminant source, except as provided in G.S. 143-215.108A.
- (2) Build, erect, ~~use~~ use, or operate any equipment that may result in the emission of an air contaminant or that is likely to cause air pollution, except as provided in G.S. 143-215.108A.
- (3) Alter or change the construction or method of operation of any equipment or process from which air contaminants are or may be emitted."

**SECTION 1.9.** G.S. 143-726(d)(4) reads as rewritten:

- "(4) The Secretary of ~~the Department of~~ Environment and Natural Resources."

**SECTION 1.10.** G.S. 143B-428 reads as rewritten:

**"§ 143B-428. Department of Commerce – declaration of policy.**

It is hereby declared to be the policy of the State of North Carolina to actively encourage the expansion of existing environmentally sound North Carolina industry; to actively encourage the recruitment of environmentally sound national and international industry into North Carolina through industrial recruitment efforts and through effective advertising, with an emphasis on high-wage-paying industry; to promote the development of North Carolina's labor force to meet the State's growing industrial needs; to promote the growth and development of our travel and tourist industries; to promote the development of our State ports; ~~to promote the management of North Carolina's energy resources and the development of a State energy policy;~~ and to assure throughout State government, the coordination of North Carolina's economic development efforts."

**SECTION 2.** Section 7 of S.L. 2001-442 reads as rewritten:

"**SECTION 7.** Beginning 1 ~~March 2002,~~ September 2003, the ~~Department Secretary~~ of Environment and Natural Resources shall submit a ~~semiannual~~ an annual report to the Environmental Review Commission on the implementation of Sections 1 through 6 of this act as a part of the report required by G.S. 143-215.94M."

**SECTION 3.** G.S. 130A-248(c1) reads as rewritten:

"(c1) The Commission shall adopt rules governing the sanitation of pushcarts and mobile food units. A permitted restaurant or commissary shall serve as a base of operations for a pushcart or mobile food unit ~~shall be operated in conjunction with a permitted restaurant unit.~~"

**SECTION 4.** G.S. 120-70.42 reads as rewritten:

**"§ 120-70.42. Membership; cochair; vacancies; quorum.**

(a) The Environmental Review Commission shall consist of six Senators appointed by the President Pro Tempore of the Senate, six Representatives appointed by the Speaker of the House of Representatives, who shall serve at the pleasure of their appointing officer, the Chair or a Cochair of the Senate Committee on Agriculture, Environment, and Natural Resources or the equivalent committee, ~~and the Chair~~ or a Cochair of the House of Representatives Committee on Environment and Natural Resources or the equivalent ~~committee~~ committee, ~~the Chair or a Cochair of the Senate Committee on Appropriations – Natural and Economic Resources or the equivalent committee, and the Chair or a Cochair of the House of Representatives Committee on Appropriations – Natural and Economic Resources or the equivalent committee.~~

(b) The President Pro Tempore of the Senate shall designate one Senator to serve as cochair and the Speaker of the House of Representatives shall designate one Representative to serve as cochair.

(c) Except as otherwise provided in this subsection, a member of the Commission shall continue to serve for so long as the member remains a member of the General Assembly and no successor has been appointed. A member of the Commission who does not seek reelection or is not reelected to the General Assembly may complete a term of service on the Commission until the day on which a new General Assembly convenes. A member of the Commission who resigns or is removed from service in the General Assembly shall be deemed to have resigned or been removed from service on the Commission. Any vacancy that occurs on the Environmental Review Commission shall be filled in the same manner as the original appointment.

(d) A quorum of the Environmental Review Commission shall consist of ~~eight~~ nine members."

**SECTION 5.** Subsection (a) of Section 4 of S.L. 2001-418 reads as rewritten:

**"SECTION 4.(a)** Notwithstanding G.S. 150B-21.1(d), temporary rules 15A NCAC 2B.0243 and 15A NCAC 2B.0244, which were adopted pursuant to Section 7.1 of S.L. 1999-329 and which became effective on or before 1 July 2001, shall continue in effect until 1 September ~~2003-2004~~ in order to provide sufficient time for the Environmental Management Commission to further consult with businesses and industries, local governments, landowners, and other interested or potentially affected persons in the upper and lower Catawba River Basin as to the appropriate scope of permanent rules to protect water quality and riparian buffers in that river basin. In developing permanent rules, the Commission shall consider whether riparian buffers on the main stem of the Catawba River and on lake shorelines are adequate to protect water quality in the river and whether

riparian buffer protection requirements should or should not be extended to some or all of the tributary streams in the river basin, taking into account the sources of water quality degradation in the river, the topography of the land in the river basin, and other relevant factors."

**SECTION 6.1.** Section 15.4(a) of S.L. 1997-443, as amended by Section 3.1 of S.L. 1999-329, Section 5 of S.L. 2001-254, and Section 1.1 of S.L. 2002-176, reads as rewritten:

"(a) The Department of Environment and Natural Resources shall develop and implement a pilot program to begin no later than 1 November 1997, and to terminate 1 September ~~2003, 2005~~, regarding the annual inspections of animal operations that are subject to a permit under Article 21 of Chapter 143 of the General Statutes. The Department shall select two counties located in a part of the State that has a high concentration of swine farms to participate in this pilot program. In addition, Brunswick County shall be added to the program. Notwithstanding G.S. 143-215.10F, the Division of Soil and Water Conservation of the Department of Environment and Natural Resources shall conduct inspections of all animal operations that are subject to a permit under Article 21 of Chapter 143 of the General Statutes in these three counties at least once a year to determine whether any animal waste management system is causing a violation of water quality standards and whether the system is in compliance with its animal waste management plan or any other condition of the permit. The personnel of the Division of Soil and Water Conservation who are to conduct these inspections in each of these three counties shall be located in an office in the county in which that person will be conducting inspections. As part of this pilot program, the Department of Environment and Natural Resources shall establish procedures whereby resources within the local Soil and Water Conservation Districts serving the three counties are used for the quick response to complaints and reported problems previously referred only to the Division of Water Quality of the Department of Environment and Natural Resources."

**SECTION 6.2.** Section 3.3 of S.L. 1999-329, as amended by Section 6 of S.L. 2001-254 and Section 1.2 of S.L. 2002-176, reads as rewritten:

"Section 3.3. The Department of Environment and Natural Resources, in consultation with both the Division of Water Quality and the Division of Soil and Water Conservation, shall submit semiannual interim reports no later than ~~15 October 1999, 15 April 2000, and 15 October 2000, 15 April 2001, 15 October 2001, 15 April 2002, and 15 April 2003~~ of each year beginning 15 October 1999 and shall submit a final report no later than ~~15~~ 15 October ~~2003~~2005 to the Environmental Review Commission and to the Fiscal Research Division. These reports shall indicate whether the pilot program has increased the effectiveness of the annual inspections program or the response to complaints and reported problems, specifically whether the pilot program had resulted in identifying violations earlier, taking corrective actions earlier, increasing compliance with the animal waste

management plans and permit conditions, improving the time to respond to discharges, complaints, and reported problems, improving communications between farmers and Department employees, and any other consequences deemed pertinent by the Department. These reports shall also compare the costs of conducting operations reviews and inspections under the pilot program with the costs of conducting operations reviews and inspections pursuant to G.S. 143-215.10D and G.S. ~~143-215.10F~~, 143-215.10F and the resources that would be required to expand the pilot program to all counties. The final report shall include a recommendation as to whether to continue or expand the pilot program under this act. The Environmental Review Commission may recommend to the ~~2003~~-General Assembly whether to continue or expand the pilot program under this act and may make any related legislative proposals."

**SECTION 7.** The moratorium established by Section 1.2 of S.L. 1997-458; as amended by Section 3 of S.L. 1998-188, Section 2.2 of S.L. 1999-329, Section 2 of S.L. 2001-254, and Section 2 of S.L. 2003-266; on new swine farms and lagoons and on the expansion of existing swine farms and lagoons shall not apply to any swine farm or lagoon that would otherwise be prohibited by the moratorium if, on or before 27 August 1997, the Soil and Water Conservation Commission allocated funds under the Agriculture Cost Share Program for Nonpoint Source Pollution Control established pursuant to G.S. 143-215.74 for the construction or expansion of the otherwise prohibited swine farm or lagoon. The Environmental Management Commission may issue a permit for an animal waste management system, as defined by G.S. 143-215.10B, or for a new swine farm or lagoon or the expansion of an existing swine farm or lagoon, as defined in G.S. 106-802, that is authorized by this section.

**SECTION 8.** If any section or provision of this act is declared unconstitutional or invalid by the courts, the unconstitutional or invalid section or provision does not affect the validity of this act as a whole or any part of this act other than the part declared to be unconstitutional or invalid.

**SECTION 9.** Section 5 of this act is effective retroactively to 30 June 2003. All other sections of this act are effective when this act becomes law.

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**CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE BILL 872**

**S872-CCSRC-6, AN ACT TO INCREASE PROTECTIONS FOR TELEPHONE SUBSCRIBERS WHO WISH TO STOP UNWANTED TELEPHONE SOLICITATIONS AND FOR CONSUMERS WHO ENTER INTO TELEMARKETING TRANSACTIONS.**

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 75-30 is repealed.

**SECTION 2.** G.S. 75-30.1 is repealed.

**SECTION 3.** Chapter 75 of the General Statutes is amended by adding a new Article to read:

"Article 4.

"Telephone Solicitations.

**"§ 75-100. Findings.**

The General Assembly finds all of the following:

- (1) The use of the telephone to market goods and services to the home is now pervasive due to the increased use of cost-effective telephone solicitation technologies and techniques.
- (2) While some consumers enjoy and benefit from telephone solicitations from legitimate telephone solicitors, many others object to these telephone solicitations as an intrusive invasion of their privacy in the home.
- (3) In addition, the proliferation of telephone solicitations, especially during the evening hours, creates a nuisance and a disturbance upon the home and family life of telephone subscribers during a time of day used by many families for traditional family activities.
- (4) North Carolina residents should have the freedom to choose whether or not to permit telephone solicitors to contact them.
- (5) Individual privacy rights, personal safety, prevention of fraud, and commercial freedom of speech and trade must be balanced in a way that protects the privacy of individuals and permits legitimate telephone solicitation practices.
- (6) Legitimate telephone solicitors have no interest in continuing to invade the privacy of those telephone subscribers who affirmatively express their desires to receive no further telephone solicitations.
- (7) Many telephone subscribers who have transacted business with firms that employ telephone solicitations have experienced problems with their checking and credit card accounts being debited before they can evaluate the terms and conditions of the transaction, before they can evaluate the merchandise or service to be delivered, or without their agreement to enter into the transaction or authorize such transactions in the first place. Other telephone subscribers have had unauthorized charges placed on their telephone bill and have had their long-distance carrier

- switched without their authorization as a result of telephone solicitations.
- (8) New technologies that make telephone solicitations more cost-effective also allow for the creation of a 'Do Not Call' Registry through which North Carolina consumers can easily register their desires not to receive further telephone solicitations and telephone solicitors can easily access and employ lists of consumers who have registered those desires.
- (9) The public interest requires an efficient mechanism for telephone subscribers to notify telephone solicitors that their telephone numbers cannot be called and additional protections for North Carolina residents who enter into consumer transactions initiated through telephone solicitations.

**"§ 75-101. Definitions.**

The following definitions apply in this Article:

- (1) Affiliate. – A business establishment, business, or other legal entity that wholly or substantially owns, is wholly or substantially owned by, or is under common ownership with a telephone solicitor.
- (2) Automatic dialing and recorded message player. – Any automatic equipment that incorporates a storage capability of telephone numbers to be called or a random or a sequential number generator capable of producing numbers to be called that, working alone or in conjunction with other equipment, disseminates a prerecorded message to the telephone number called.
- (3) 'Do Not Call' Registry. – The registry created and maintained by the Federal Trade Commission pursuant to the Telemarketing Sales Rule. It also means any other telemarketing registry created by the federal government, including the Federal Communications Commission. It also means any registry created by the Attorney General pursuant to G.S. 75-102(n).
- (4) Doing business in this State. – To make or cause to be made any telephone solicitation to North Carolina telephone subscribers, whether the telephone solicitations are made from a location inside North Carolina or outside North Carolina.
- (5) Established business relationship. – A relationship between a seller and a consumer based on:

- a. The consumer's purchase, rental, or lease of the seller's goods or services or a financial transaction between the consumer and the seller or one or more of its affiliates within the 18 months immediately preceding the date of a telephone solicitation; or
  - b. The consumer's inquiry or application regarding a product or service offered by the seller within the three months immediately preceding the date of a telephone solicitation.
- (6) Express invitation or permission. – Any invitation or permission that is registered by the telephone subscriber on an independent form and that contains the telephone number to which calls can be placed and the signature of the telephone subscriber. The form may be completed and signed electronically.
- (7) Person. – Any individual, business establishment, business, or other legal entity.
- (8) Telemarketing Sales Rule. – The federal regulation promulgated by the Federal Trade Commission, 16 C.F.R. Part 310 (January 29, 2003 Edition), as amended, to implement the Telemarketing and Consumer Fraud and Abuse Prevention Act, 15 U.S.C. §§ 6101-6108, as amended.
- (9) Telephone solicitation. – A voice communication, whether prerecorded, live, or a facsimile, over a telephone line or wireless telephone network or via a commercial mobile radio service that is made by a telephone solicitor to a telephone subscriber for the purpose of soliciting or encouraging the purchase or rental of, or investment in, property, goods, or services; obtaining or providing information that will or may be used for that purpose; soliciting or encouraging a telephone subscriber's participation in any contest, sweepstakes, raffle, or lottery, whether legal or illegal; or obtaining a charitable donation. 'Telephone solicitation' also includes those transactions that are defined as 'telemarketing' under the Telemarketing Sales Rule.
- (10) Telephone solicitor. – Any individual, business establishment, business, or other legal entity doing business in this State that, directly or through salespersons or agents, makes or attempts to make telephone solicitations or causes telephone solicitations to be made. 'Telephone solicitor' also includes any party defined as a 'telemarketer' under the Telemarketing Sales Rule.

- (11) Telephone subscriber. – An individual who subscribes to a residential telephone service from a local exchange company, a competing local provider certified to do business in North Carolina, or a wireless telephone company; or the individuals living or residing with that individual.
- (12) Unsolicited telephone call. – A voice communication, whether prerecorded, live, or a facsimile, over a telephone line or wireless telephone network or via a commercial mobile radio service that is made by a person to a telephone subscriber without prior express invitation or permission.

**"§ 75-102. Restrictions on telephone solicitations.**

(a) Except as provided in G.S. 75-103, no telephone solicitor shall make a telephone solicitation to a telephone subscriber's telephone number if the telephone subscriber's telephone number appears in the latest edition of the 'Do Not Call' Registry.

(b) No telephone solicitor shall make a telephone solicitation to a telephone subscriber's telephone number if the telephone subscriber previously has communicated to the telephone solicitor a desire to receive no further telephone solicitations from the telephone solicitor to that number.

(c) Any telephone solicitor who makes a telephone solicitation shall do all of the following:

- (1) At the beginning of the telephone solicitation, state clearly the identity of the telephone solicitor and identify the individual making the telephone solicitation.
- (2) Upon request, provide the telephone subscriber with the telephone number or address at which the telephone solicitor may be contacted.
- (3) If the telephone subscriber requests to be taken off the contact list of the telephone solicitor, the telephone solicitor shall take all steps necessary to remove the telephone subscriber's name and telephone number from the contact list of the telephone solicitor and stop calling the telephone subscriber within 30 business days.
- (4) If the telephone subscriber objects to the telephone solicitation, terminate the telephone solicitation and promptly disconnect from the telephone line of the person receiving the call.
- (5) Notwithstanding subdivision (3) of this subsection, if a telephone solicitor relies on the established business relationship of an affiliate to solicit a residential telephone

subscriber whose telephone number is listed in the latest edition of the 'Do Not Call' Registry and the person called communicates a desire to receive no further telephone solicitations from the telephone solicitor, the telephone solicitor shall take all steps necessary to remove that telephone subscriber's telephone number from the contact lists of the telephone solicitor and that affiliate, unless the telephone subscriber indicates otherwise, and the telephone solicitor and that affiliate shall stop calling the telephone subscriber at that number within 60 business days.

(d) Every telephone solicitor shall implement systems and written procedures to prevent further telephone solicitations to any telephone subscriber who has asked not to be called again at a specific number or numbers or whose telephone number appears in the 'Do Not Call' Registry. Every telephone solicitor shall train, monitor, and enforce compliance by its employees and shall monitor and enforce compliance by its independent contractors in those systems and procedures. Every telephone solicitor shall ensure that lists of telephone numbers that may not be contacted by the telephone solicitor are maintained and recorded. Compliance with the time requirements within the Telemarketing Sales Rule for incorporating and complying with updated versions of the 'Do Not Call' Registry shall constitute compliance with North Carolina law.

(e) Except as provided in G.S. 75-103, no telephone solicitor shall violate any requirement of section 310.3 of the Telemarketing Sales Rule (Deceptive telemarketing acts or practices), section 310.4 of the Telemarketing Sales Rule (Abusive telemarketing acts or practices), and section 310.5 of the Telemarketing Sales Rule (Record keeping requirements).

(f) No telephone solicitor shall make a telephone solicitation before 8:00 A.M. or after 9:00 P.M.

(g) A telephone solicitor shall inquire as to whether the telephone subscriber is under the age of 18. If the telephone subscriber purports to be less than 18 years of age, the telephone solicitor shall discontinue the call immediately. No inquiry is required where the solicitor has taken reasonable steps to remove all telephone contacts who are less than 18 years of age from its list of subscribers being contacted or can demonstrate that it does not target subscribers who are less than 18 years of age.

(h) No telephone solicitor shall engage in threats, intimidation, or the use of profane or obscene language.

(i) No telephone solicitor shall knowingly use any method to block or otherwise circumvent a telephone subscriber's use of a caller identification service. A telephone solicitor who makes a telephone solicitation through the use of a private branch exchange (PBX) or other

call-generating system that is not capable of transmitting caller identification information shall not be in violation of this subsection. No provider of telephone caller identification services shall be held liable for violations of this subsection committed by other individuals or entities.

(j) A telephone solicitor or its agent that makes telephone solicitations on its behalf, provided that the telephone solicitor ensures compliance by its agent, shall keep a record for a period of 24 months from the date a telephone solicitation is made of the legal name, any fictitious name used, the resident address, the telephone number, and the job title of each individual who makes a telephone solicitation for that telephone solicitor. If an individual who makes telephone solicitations for a telephone solicitor uses a fictitious name, the fictitious name shall be traceable only to the specific individual.

(k) Nothing in this section prohibits a telephone solicitor from contacting by nontelephonic notice a telephone subscriber whose telephone number appears in the 'Do Not Call' Registry to obtain the telephone subscriber's express invitation or permission allowing the telephone solicitor to make telephone solicitations to the telephone subscriber. A telephone solicitor shall not contact a telephone subscriber by telephone to obtain this express invitation or permission.

(l) Nothing in this section prohibits a telephone solicitor from advertising in a general medium or contacting by nontelephonic notice a telephone subscriber whose telephone number appears in the 'Do Not Call' Registry to encourage the telephone subscriber to initiate telephone calls to the telephone solicitor. A telephone solicitor shall not contact a telephone subscriber by telephone to obtain this express invitation or permission.

(m) The Attorney General, in consultation with the Public Staff of the Public Utilities Commission, shall draft the contents of a bill insert that notifies consumers of the existence of the 'Do Not Call' Registry and provides information to consumers on how to use it and the other provisions of this Article to object to receiving telephone solicitations. Local exchange companies shall distribute the insert pursuant to G.S. 62-54.

(n) In the event that the federal 'Do Not Call' Registry is not operational by January 1, 2004, or ceases to operate for any reason after January 1, 2004, the Attorney General may develop, operate, and maintain such a registry for the benefit of North Carolina telephone subscribers.

(o) In telephone solicitation transactions involving telephone subscribers, no contract or purchase agreement entered into during a telephone solicitation is valid, and no money from the prospective purchaser is due thereunder, unless all the following conditions are satisfied:

- (1) The contract and the sales representations that precede it are not deceptive or abusive telemarketing acts or practices as elaborated in sections 310.3 and 310.4 of the

- Telemarketing Sales Rule only to the extent that this Article requires telephone solicitors to comply with these regulations.
- (2) The telephone solicitor has complied with the record keeping requirements of section 310.5 of the Telemarketing Sales Rule only to the extent that this Article requires telephone solicitors to comply with these regulations.
  - (3) The contract and the sales representations that precede it comply with all other applicable federal and State laws, including Article 1 of this Chapter.

**"§ 75-103. Limited exceptions.**

(a) G.S. 75-102(a) does not apply to any of the following telephone solicitations that are made:

- (1) To any telephone subscriber with the telephone subscriber's prior express invitation or permission.
- (2) To any telephone subscriber with whom the telephone solicitor has an established business relationship.
- (3) By or on behalf of a tax-exempt nonprofit organization.
- (4) By or on behalf of a telephone solicitor that employs fewer than 10 full-time or part-time direct employees, the telephone solicitations are made by the direct employees, and the direct employees collectively make or attempt to make no more than an average of 10 telephone solicitations to telephone subscribers per week during a calendar year.
- (5) To any telephone subscriber for the sole purpose of arranging a subsequent face-to-face meeting between the telephone solicitor and the telephone subscriber and the telephone solicitor does none of the following during the telephone solicitation:
  - a. Seek payment from the telephone subscriber in connection with the sale or rental of, or investment in, property, goods, or services.
  - b. Complete the sale or rental of, or investment in, property, goods, or services.
  - c. Obtain provisional acceptance of a sale, rental, or investment.
  - d. Obtain the agreement of the telephone subscriber to participate in any contest, sweepstakes, raffle, or lottery.
  - e. Directly following the telephone solicitation, go or cause an individual to go to the telephone subscriber to collect a payment or deliver any item purchased.

(6) By a person primarily soliciting the sale of a subscription for a newspaper of general circulation.

(b) G.S. 75-102(c)(3), 75-102(d), 75-102(g), and 75-102(j) do not apply to any telephone solicitations described in G.S. 75-103(a)(1), (2), (3), (4), and (5).

(c) G.S. 75-102(e) does not apply to any of the telephone solicitations described in subdivisions (a)(4) and (a)(5) of this section.

(d) G.S. 75-102(e) does not apply to any of the telephone solicitations described in subdivisions (a)(1), (a)(2), and (a)(3) of this section, except that these types of telephone solicitations shall comply with sections 310.3(a)(2), (a)(3), and (a)(4), 310.3(c), 310.3(d), 310.4(a), 310.4(b)(1)(i) and (iv), (b)(2), (b)(3), and (b)(4), and 310.4(e) of the Telemarketing Sales Rule.

(e) In any dispute regarding whether a telephone subscriber has provided an express invitation or permission under subsection (a) of this section, the telephone solicitor has the burden of proving that the telephone subscriber has provided this permission by producing the original document, a facsimile document, or an electronic form, signed by the telephone subscriber, or other authentication that evidences permission. A telephone subscriber may subsequently retract express invitation or permission by indicating a desire not to receive further telephone solicitations under G.S. 75-102(b).

**"§ 75-104. Restrictions on use of automatic dialing and recorded message players.**

(a) Except as provided in this section, no person may use an automatic dialing and recorded message player to make an unsolicited telephone call.

(b) Notwithstanding subsection (a) of this section, a person may use an automatic dialing and recorded message player to make an unsolicited telephone call only under one or more of the following circumstances:

(1) All of the following are satisfied:

a. The person making the call is any of the following:

1. A tax-exempt charitable or civic organization.

2. A political party or political candidate.

3. A governmental official.

4. An opinion polling organization, radio station, television station, cable television company, or broadcast rating service conducting a public opinion poll.

b. No part of the call is used to make a telephone solicitation.

- c. The person making the call clearly identifies the person's name and contact information and the nature of the unsolicited telephone call.
- (2) Prior to the playing of the recorded message, a live operator complies with G.S. 75-102(c), states the nature and length in minutes of the recorded message, and asks for and receives prior approval to play the recorded message from the person receiving the call.
- (3) The unsolicited telephone call is in connection with an existing debt or contract for which payment or performance has not been completed at the time of the unsolicited telephone call.
- (4) The unsolicited telephone call is placed by a person with whom the telephone subscriber has made an appointment, provided that the call is conveying information only about the appointment, or by a utility, telephone company, cable television company, satellite television company, or similar entity for the sole purpose of conveying information or news about network outages, repairs or service interruptions, and confirmation calls related to restoration of service.
- (5) The person plays the recorded message in order to comply with section 16 C.F.R. Part 310.4(b)(4) of the Tele-marketing Sales Rule.

**"§ 75-105. Enforcement.**

(a) The Attorney General may investigate any complaints received alleging violation of this Article. If the Attorney General finds that there has been a violation of this Article, the Attorney General may bring an action to impose civil penalties and to seek any other appropriate relief pursuant to this Chapter, including equitable relief to restrain the violation. If the Attorney General brings an action on behalf of telephone subscribers pursuant to subsection (b) of this section, the Attorney General may not seek treble damages on behalf of telephone subscribers pursuant to G.S. 75-16. Actions for civil penalties under this section shall be consistent with the provisions of this Chapter except that the penalty imposed for a violation of this Article shall be either of the following:

- (1) Five hundred dollars (\$500.00) for the first violation, one thousand dollars (\$1,000) for the second violation, and five thousand dollars (\$5,000) for the third and any other violation that occurs within two years of the first violation.
- (2) One hundred dollars (\$100.00) for each violation within two years of the first violation, if the solicitor can show that the violations are the result of a mistake and the telephone solicitor either made the telephone solicitation

under G.S. 75-103(a)(1), (2), (3), (4), and (5), or can show that the telephone solicitor complied with G.S. 75-102(d).

(b) A telephone subscriber who has received a telephone solicitation from or on behalf of a telephone solicitor in violation of this Article may bring any of the following actions in civil court:

- (1) An action to enjoin further violations of this Article by the telephone solicitor.
- (2) An action to recover five hundred dollars (\$500.00) for the first violation, one thousand dollars (\$1,000) for the second violation, and five thousand dollars (\$5,000) for the third and any other violation that occurs within two years of the first violation.

(c) No action may be brought under subsection (b) of this section if the violations are a result of mistake and the telephone solicitor either made the telephone solicitation under G.S. 75-103(a)(1), (2), (3), (4), and (5), or can show that the telephone solicitor complied with G.S. 75-102(d).

(d) In an action brought pursuant to this Article, the court may award a prevailing plaintiff reasonable attorneys' fees if the court finds the defendant willfully engaged in the act or practice, and the court may award reasonable attorneys' fees to a prevailing defendant if the court finds that the plaintiff knew, or should have known, that the action was frivolous and malicious.

(e) A citizen of this State may also bring an action in civil court to enforce the private rights of action established by federal law under 47 U.S.C. § 227(b)(3) and 47 U.S.C. § 227(c)(5).

(f) Actions brought by telephone subscribers pursuant to this section shall be tried in the county where the plaintiff resides at the time of the commencement of the action."

**SECTION 4.** G.S. 75-102(i), as enacted in Section 3 of this act, reads as rewritten:

"(i) No telephone solicitor shall knowingly use any method to block or otherwise circumvent a telephone subscriber's use of a caller identification service. ~~A telephone solicitor who makes a telephone solicitation through the use of a private branch exchange (PBX) or other call generating system that is not capable of transmitting caller identification information shall not be in violation of this subsection.~~ No provider of telephone caller identification services shall be held liable for violations of this subsection committed by other individuals or entities."

**SECTION 5.** G.S. 62-54 reads as rewritten:

**"§ 62-54. Notification of opportunity to object to telephone solicitation.**

The Commission shall require each local exchange company and each competing local provider certified to do business in North Carolina to notify ~~all persons~~ telephone subscribers who subscribe to residential service from

that company of the provisions of ~~G.S. 75-30.4~~, Article 4 of Chapter 75 of the General Statutes and of the federal laws and regulations allowing consumers to object to receiving telephone solicitations, and of programs made available by private industry that allow consumers to have their names removed from telemarketing lists, by enclosing that information, by enclosing a bill insert, drafted pursuant to G.S. 75-102(m), at least annually, in every at least one telephone bill mailed to customers. every residential customer. The Commission shall also ensure that this information is printed in a clear, conspicuous manner in the consumer information pages of each telephone directory distributed to residential customers."

**SECTION 6.** Should one or more of the terms or provisions of this act or any application thereof be held or declared unenforceable or invalid to any extent, the remainder of this act, and the applications thereof that have not been held or declared unenforceable or invalid, shall remain in effect. In the specific event that the provisions of G.S. 75-102, 75-103, 75-104, or 75-105 as enacted in Section 3 of this act, are declared to be preempted or otherwise unenforceable in relation to interstate telephone calls, those provisions shall remain in force and effect with respect to intrastate telephone calls.

**SECTION 7.** Consistent with protected speech rights of businesses that engage in telephone solicitations, the provisions of this act shall be given broad construction so as to protect telephone subscribers from unwanted telephone solicitations and from problematic sales techniques and payment procedures often associated with these solicitations.

**SECTION 8.** Section 4 of this act becomes effective January 1, 2006. G.S. 62-54, as amended by Section 5 of this act, applies to all telephone directories printed on or after January 1, 2004. All other sections of this act become effective October 1, 2003, and apply to telephone solicitations made on or after that date.

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**EXECUTIVE ORDERS BY  
GOVERNOR MICHAEL F. EASLEY  
By Title  
January 2003 - December 2003**

<b>Number</b>	<b>Title</b>
39	Implementation of the North Carolina Emergency Operations Plan Dated November 2002

- 40 North Carolina Emergency Response Commission
- 41 Suspension of Rules and Regulations Limiting the Hours  
Operators of Commercial Vehicles May Drive
- 42 Extending Executive Order No. 41
- 43 Establishment of Statewide Citizen Corps Council
- 44 Extending Registration of Certain Vehicles
- 45 Waiver of the Rules and Regulations Limiting the Hours  
of Operators of Certain Commercial Vehicles and the  
Weight Restrictions on Certain Vehicles
- 46 Immediate Eligibility for Unemployment Benefits in  
Wake of Major Industrial Disaster in Lenoir County
- 47 Waiver of the Rules and Regulations Limiting the Hours  
of Operators of Certain Commercial Vehicles and the  
Weight Restrictions on Certain Vehicles
- 48 Juvenile Justice Planning Committee
- 49 Proclamation of State of Disaster for the City of Eden
- 50 Amending Executive Order No. 32 NC Commission on  
Business Laws and the Economy
- 51 Extending Executive Order No. 1
- 52 Food Safety and Security Task Force
- 53 Emergency Relief for Damage Caused by Hurricane Isabel
- 54 Governor's Task Force on Driving While Impaired

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**2003 HOUSE OF REPRESENTATIVES  
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Chad Lowry

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 and Human Services  
 Transportation

Appropriations-Health  
 and Human Services  
 Insurance  
 Finance

Education-Community  
 Colleges, Office of  
 Democratic Whip

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Capps, Mary	Appropriations-Natural and Economic Resources
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Fish, Ruth	Public Utilities
Fleming, Pattie	Financial Institutions
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Freeman, Emily Reynolds	Judiciary I, Office of Democratic Leader
Freije, Patricia	
Fuller, Joyce	Financial Institutions
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Gaudette, Sharon	Education-Universities
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Graham, Charlotte	Occupational Safety and Health
Graham, Shara	
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Hamby, Jackie	Legislative Assistants' Office

Harris, Joyce	Finance
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Johnson, Linda C.	Appropriations-Natural and Economic Resources
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Kelley, Rosa	Appropriations
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Ledford, Delores	
Lee, Jan	Judiciary II
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Lord, Waneta	
Lowe, Judy	Finance
MacPherson, Shirlyn	Environment and Natural Resources
Marchman, Mary	Ethics, Finance
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McNeil, Melva	
Miller, Wendy	Education
Mills, Joanna	Insurance
Misenheimer, Anne	Appropriations
Monroe, Dorie	Legislative Redistricting
Murray, Peggy	Appropriations
Murray, Rosa	Wildlife Resources
Nelson, Jayne	
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Robinson, Mary Lee	Appropriations-General Government
Rustin, Valerie	Ethics
Savel, Carin	
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Smith, Johnna	Education-Universities
Smith, Suzanne	Appropriations-Transportation
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Stainback, Ferebee	
Stam, Jana	Election Law and Campaign Finance Reform
Stancil, Ann	Education
Stancil, Jackson	
Stewart, Clarestone	Appropriations
Strickland, Marie	
Thurlow, Gennie	Agriculture
Todd, Rhonda	
Towns, Rhonda	Local Government II
Turner, Debbie	Education-Community Colleges
Utley, Thelma	Military, Veterans and Indian Affairs
Uzzle, Linda	
Walend, Ken	Appropriations-General Government, Office of Republican Whip
West, Susan	
Wilder, Anita	Election Law and Campaign Finance Reform
Willis, Nancy	Education-Pre-School, Elementary and Secondary
Winstead, Linda	Appropriations
Winstead, Shirley	Appropriations

**PRESENTMENT OF BILLS TO THE GOVERNOR**  
**(Date Enrolling Clerk Delivered Bills to the**  
**Office of the Governor)**

<b>BILL NUMBER</b>	<b>DATE DELIVERED</b>
SB 8	February 26, 2003
SB 29	February 26, 2003
SB 235	March 25, 2003
SB 307	March 25, 2003
HB 382	March 27, 2003
HB 432	April 1, 2003
HB 237	April 3, 2003
HB 340	April 3, 2003
HB 36	April 8, 2003
HB 482	April 10, 2003
SB 2	April 11, 2003
SB 440	April 11, 2003
SB 338	April 15, 2003
HB 549	April 15, 2003
HB 320	April 17, 2003
SB 784	April 22, 2003
SB 244	April 25, 2003
SB 733	April 28, 2003
SB 772	May 1, 2003
HB 1205	May 6, 2003
HB 24	May 9, 2003
HB 58	May 9, 2003
HB 393	May 13, 2003
SB 731	May 14, 2003
SB 39	May 15, 2003
SB 422	May 15, 2003
SB 295	May 16, 2003
SB 326	May 16, 2003
SB 557	May 16, 2003
SB 658	May 16, 2003
SB 765	May 16, 2003
HB 126	May 16, 2003
HB 475	May 16, 2003
HB 636	May 16, 2003
HB 952	May 16, 2003
HB 1065	May 16, 2003
SB 814	May 20, 2003

<b>BILL NUMBER</b>	<b>DATE DELIVERED</b>
HB 80	May 20, 2003
HB 103	May 20, 2003
HB 234	May 20, 2003
HB 355	May 20, 2003
HB 461	May 20, 2003
HB 710	May 20, 2003
HB 746	May 20, 2003
HB 950	May 20, 2003
SB 449	May 21, 2003
SB 979	May 21, 2003
SB 245	May 22, 2003
SB 323	May 22, 2003
SB 468	May 22, 2003
SB 517	May 22, 2003
SB 555	May 22, 2003
SB 559	May 22, 2003
SB 619	May 22, 2003
SB 630	May 22, 2003
SB 825	May 22, 2003
SB 851	May 22, 2003
SB 940	May 22, 2003
HB 22	May 22, 2003
HB 510	May 22, 2003
HB 689	May 22, 2003
HB 1025	May 22, 2003
HB 1078	May 22, 2003
HB 1134	May 22, 2003
HB 1177	May 22, 2003
SB 471	May 23, 2003
SB 539	May 23, 2003
SB 704	May 23, 2003
HB 462	May 23, 2003
HB 744	May 23, 2003
HB 913	May 23, 2003
SB 136	May 28, 2003
SB 769	May 28, 2003
HB 42	May 28, 2003
HB 421	May 28, 2003
HB 1158	May 28, 2003
SB 776	May 29, 2003
SB 931	May 29, 2003
HB 278	May 29, 2003

<b>BILL NUMBER</b>	<b>DATE DELIVERED</b>
HB 987	May 29, 2003
HB 1003	May 29, 2003
HB 1159	May 29, 2003
SB 93	May 30, 2003
SB 519	May 30, 2003
SB 522	May 30, 2003
SB 620	May 30, 2003
SB 959	May 30, 2003
SB 962	May 30, 2003
HB 55	May 30, 2003
HB 352	May 30, 2003
HB 358	May 30, 2003
HB 560	May 30, 2003
HB 821	May 30, 2003
HB 829	May 30, 2003
HB 864	May 30, 2003
HB 900	May 30, 2003
HB 978	May 30, 2003
HB 1048	May 30, 2003
HB 1175	May 30, 2003
HB 344	June 3, 2003
SB 214	June 3, 2003
HB 825	June 4, 2003
SB 33	June 5, 2003
SB 38	June 5, 2003
SB 90	June 5, 2003
SB 388	June 5, 2003
SB 647	June 5, 2003
SB 648	June 5, 2003
SB 692	June 5, 2003
SB 708	June 5, 2003
SB 877	June 5, 2003
SB 897	June 5, 2003
HB 304	June 5, 2003
HB 869	June 5, 2003
SB 394	June 6, 2003
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All bills dealing with funds are indexed under Appropriations, Local or Appropriations, Public. Local legislation is placed under the county it affects.

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H 673 AVERY FIRE PROTECTION  
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H 295 BEECH MOUNTAIN GOLF CART/UTILITY  
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COMMITTEE ASSIGNMENTS - Agriculture; Alcoholic Beverage  
 Control; Appropriations, **Chair**; Occupational Safety and Health; State  
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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Transportation; Insurance; Local Government I; Pensions and Retirement; Wildlife Resources, **Chair**.

EXCUSED ABSENCES .....341, 740, 1198.

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**BARNHART, JEFFREY L.**

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COMMITTEE ASSIGNMENTS - Appropriations Subcommittee on Health and Human Services, **Chair**; Children, Youth and Families; Education; Education Subcommittee on Universities; Health; Judiciary III.

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802, 844, 858, 861, 862, 957, 958, 959, 986, \*1001, \*1169, \*1170,  
1214, 1216, \*1223, 1227, 1235, 1245, \*1258, 1271, 1309, 1316.
- COMMITTEE ASSIGNMENTS - Agriculture; Appropriations;  
Appropriations Subcommittee on Education; Education; Education  
Subcommittee on Pre-School, Elementary and Secondary Education,  
**Vice Chair**; Ethics; Pensions and Retirement, **Chair**.
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903, 998, 1022, \*1091, \*1268.
- COMMITTEE ASSIGNMENTS - Education; Education Subcommittee  
on Pre-School, Elementary and Secondary Education; Environment and  
Natural Resources; Finance; Occupational Safety and Health, **Vice  
Chair**; Ways and Means.

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**BLUST, JOHN M.-Contd.**

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Health and Human Services; Commerce; Election Law and Campaign Finance Reform; Judiciary III; Wildlife Resources.

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- S 517 ADJUST EASTERN REGION COMMISSION  
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- H 1132 AMEND FISHERIES PROCLAMATION PROCESS  
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S	926	CLARIFY GROUP HOMES LICENSURE AND LEA REIMBURSEMENT (Ch. SL 2003-294) .....	697, 945, 1032, 1064, 1153.
S	831	CLEAN WATER MANAGEMENT TRUST FUND BOARD TERMS (Ch. SL 2003-422) .....	594, 1217, 1245, 1265, 1305, 1401.
H	1145	CLOSURE OF INDUSTRIAL LAGOONS (Environment and Natural Resources).....	440.
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H	1083	ENVIRONMENTAL TECHNICAL CORRECTIONS (Senate) .....	429, 462, 546.
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- S 939 EXTEND TELECOMMUNICATIONS RELAY  
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H	1218	JUDICIAL BRANCH BUDGET REFORM (Appropriations Subcommittee on Justice and Public Safety) .....	454.
H	500	LEGISLATIVE FITNESS CENTER (Health) .....	215.
S	800	LICENSING BOARD CHANGES (Ch. SL 2003-348) .....	906, 1097, 1169, 1192, 1230, 1389.
S	701	LOCAL FLEXIBILITY REGARDING JOB SHARING IN SCHOOLS (Ch. SL 2003-358) .....	626, 1081, 1201, 1253, 1292, 1335, 1392.
S	725	LOCAL OPTION PROJECT DEVELOPMENT FINANCING (Ch. SL 2003-403) .....	887, 1227, 1275, 1293, 1317, 1348, 1398.
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COMMITTEE ASSIGNMENTS - Ex officio member of all committees except Congressional Redistricting and Legislative Redistricting; Ethics; Legislative Redistricting; Public Utilities, **Chair**; Rules, Calendar, and Operations of the House.

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- S 317 CERTAIN COUNTIES ANNEXATION MORATORIUM  
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- COMMITTEE ASSIGNMENTS - Environment and Natural Resources;  
Finance; Judiciary I; Local Government II, **Vice Chair**; State Government.
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- H 68 SPRING LAKE AND NEWTON RED LIGHT CAMERAS  
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- H 697 TROY QUICK TAKE/PEACHLAND/POLKTON CHARTERS/HICKORY WHEEL LOCKS  
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- H 34 CHARTER SCHOOL AND STATE RETIREMENT AND MEDICAL PLANS  
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- S 39 CHARTER SCHOOLS AND STATE RETIREMENT AND MEDICAL PLANS  
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- H 345 CHARTER SCHOOLS APPROVED FOR 10 YEARS  
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- S 421 AMEND CHILD WELFARE LAWS  
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- S 718 AMEND DOMESTIC VIOLENCE LAWS/  
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- H 1033 CHILD CUSTODY/GUARDIANSHIP JURISDICTION  
(Judiciary IV) ..... 419.
- S 926 CLARIFY GROUP HOMES LICENSURE  
AND LEA REIMBURSEMENT  
(Ch. SL 2003-294) .....697, 945, 1032, 1064, 1153.
- H 1128 GRANDPARENT VISITATION  
(Rules, Calendar, and Operations  
of the House)..... 437, 1071.
- H 1139 JUDICIAL APPROVAL FOR PLEAS IN  
CERTAIN CASES (Senate).....439, 651, 715.
- H 1048 JUVENILE CODE REVISIONS/COURT  
IMPROVEMENT PROJECT  
(Ch. SL 2003-140) .....422, 598, 662, 865, 928.
- S 753 QUALIFICATIONS FOR MAGISTRATES/JUVENILE  
CUSTODY PILOT  
(Ch. SL 2003-381) .....608, 932, 996, 1015, 1305, 1395.

**CHILD SUPPORT - also see CHILD CUSTODY; CHILD WELFARE; DAY CARE; DIVORCE AND ALIMONY; MARRIAGE AND FAMILY**

- H 202 AMEND CHILD SUPPORT ENFORCEMENT LAWS  
(Judiciary IV) ..... 141.
- S 423 AMEND CHILD SUPPORT ENFORCEMENT LAWS  
(Ch. SL 2003-288) .....409, 931, 1027, 1064, 1152.

**CHILD WELFARE (G.S. 110) - also see CHILD CUSTODY; CHILD SUPPORT; DAY CARE; DIVORCE AND ALIMONY; MARRIAGE AND FAMILY**

- H 397 2003 BUDGET ACT  
(Ch. SL 2003-284) ..... 184, 462, 476, 482, 485, 495, 709,  
721, 732, 734, 1126, 1130, 1142, 1147, 1150.
- H 202 AMEND CHILD SUPPORT ENFORCEMENT LAWS  
(Judiciary IV) ..... 141.

**CHILD WELFARE-Contd.**

- S 423 AMEND CHILD SUPPORT ENFORCEMENT LAWS  
(Ch. SL 2003-288) .....409, 931, 1027, 1064, 1152.
- H 203 AMEND CHILD WELFARE LAWS  
(Children, Youth and Families)..... 141.
- S 877 CHILD CARE FACILITIES/PENALTIES  
(Ch. SL 2003-192) .....697, 796, 851, 902, 1039.
- H 1209 CHILD ENDANGERMENT AND DRIVING  
WHILE IMPAIRED  
(Rules, Calendar, and Operations of the House)..... 452.
- H 318 CHILDREN WITH DISABILITIES/FEDERAL LAW  
(Senate) .....165, 213, 600, 634.
- H 593 FAMILY TAX CUT/PROTECT AAA RATING  
(Rules, Calendar, and Operations  
of the House).....248, 460, 475.
- H 846 ILLEGAL CHILD CARE FACILITIES  
(Judiciary I)..... 344.
- H 152 PREVENT SUDDEN INFANT DEATH SYNDROME/  
CHILD CARE/INVESTIGATIONS  
(Ch. SL 2003-407) ..... 115, 385, 515, 990, 1044,  
1046, 1061, 1124, 1155, 1181, 1199, 1399.
- S 137 SPECIAL OBLIGATION DEBT/PURPOSES  
(Conference Committee).....1042, 1275, 1318,  
1342, 1365, 1367, 1381.
- H 1063 SUMMARY REQUIREMENTS/CHILD CARE  
FACILITIES (Ch. SL 2003-196) .....425, 567, 662,  
879, 909, 914, 1039.
- H 109 UNAUTHORIZED ADMINISTRATION OF  
MEDICATION BY CHILD CARE FACILITY  
(Judiciary II)..... 107.
- S 226 UNAUTHORIZED ADMINISTRATION OF  
MEDICATION BY CHILD CARE FACILITY  
(Ch. SL 2003-406) ..466, 1019, 1256, 1283, 1330, 1399.

**CHOWAN COUNTY**

- H 765 CHOWAN SUBDIVISION DEFINITION  
(Ch. SL 2003-79) .....302, 482, 553, 797, 810, 814, 831.
- H 655 PEMBROKE CREEK NO-WAKE ZONE/GATES TAX  
CERTIFICATION REQUIREMENT  
(Ch. SL 2003-189) .....263, 385, 411,  
946, 970, 988, 1038.
- H 602 WORTHLESS CHECK PROGRAM/MORE  
COUNTIES (Judiciary IV) ..... 249.

**CHURCH, WALTER G., SR.**

BILLS INTRODUCED - 19, \*25, 54, 64, 108, 117, 131, 147, 169, 186, 207, 219, 255, 356, 381, 429, 527, 544, 554, 577, 654, 667, 727, \*783, 805, 809, 830, 863, \*917, 948, 965, 966, 967, 968, 974, 998, 1072, 1075, 1221, 1222, 1235, 1330.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Health and Human Services; Environment and Natural Resources, **Vice Chair**; Financial Institutions, **Chair**; Legislative Redistricting; Rules, Calendar, and Operations of the House.

EXCUSED ABSENCES ..... 104, 197, 1119, 1251, 1271.

OATH ..... 20.

**CITIES AND TOWNS (G.S. 160A) - also see COUNTIES; and Individual County**

- H 397 2003 BUDGET ACT  
(Ch. SL 2003-284) ..... 184, 462, 476, 482, 485, 495, 709, 721, 732, 734, 1126, 1130, 1142, 1147, 1150.
- H 273 ADVERSE REACTIONS TO SMALLPOX  
VACCINATION (Ch. SL 2003-169).....157, 329, 379, 401, 514, 877, 908, 913, 1036.
- H 572 AIRPORT AUTHORITY INSTALLMENT PURCHASE  
(Finance) ..... 241.
- S 652 AIRPORT FINANCING AND LEASES/  
DAM ASSESSMENTS  
(Ch. SL 2003-259) ..... 783, 924, 956, 979, 1034, 1120.
- H 519 CANAL DREDGING TAX DISTRICTS  
(Finance) ..... 218.
- H 1021 COUNTY APPROVAL OF INVOLUNTARY  
ANNEXATION (Local Government II) ..... 417.
- H 1024 CRIMINAL HISTORY RECORD CHECKS  
(Ch. SL 2003-214) .....418, 651, 701, 879, 907, 919, 926, 1066.
- H 1064 DELEGATIONS OF AUTHORITY  
(Local Government II) ..... 425.
- H 55 HONOR RETIRING FIREFIGHTERS  
(Ch. SL 2003-145) .....83, 238, 265, 864, 928.
- S 242 HONOR RETIRING FIREFIGHTERS  
(Ways and Means) ..... 353.
- H 1301 INTERLOCAL ECONOMIC DEVELOPMENT  
COOPERATION (Ch. SL 2003-417) ..... 777, 1096, 1158, 1273, 1400.
- H 429 JUST COMPENSATION/LOCAL GOVERNMENTS  
TAKING (Senate) .....193, 382, 402, 412.

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S	760	LOCAL CAMPAIGN FINANCE OPTIONS (Election Law and Campaign Finance Reform .....	1302
H	1293	LOCAL OPTION PROJECT DEVELOPMENT FINANCING (Finance) .....	775.
S	725	LOCAL OPTION PROJECT DEVELOPMENT FINANCING (Ch. SL 2003-403) .....	887, 1227, 1275, 1293, 1317, 1348, 1398.
H	481	MINIMUM HOUSING CODES (Ways and Means) .....	206.
H	628	MINIMUM HOUSING CODES (Ways and Means) .....	254.
S	679	MODIFY STATE FINANCING LAWS (Ch. SL 2003-388) .....	717, 1123, 1173, 1187, 1209, 1272, 1396.
H	599	MUNICIPAL FIRE DEPARTMENTS (Ways and Means) .....	249.
H	707	OCEAN ISLE BEACH TRAFFIC CAMERAS (Transportation) .....	292.
H	786	PARKING/RED LIGHT/SPEED CAMERA LIABILITY RULES (Ch. SL 2003-380) .....	306, 539, 582, 1010, 1074, 1101, 1162, 1276, 1309, 1324, 1335, 1394.
H	995	PURPLE HEART PLATES-PARKING METERS (Senate) .....	398, 599, 658.
H	1230	RAIL CORRIDOR USES (Appropriations Subcommittee on Transportation) .....	521, 915.
H	1065	REDEVELOPMENT COMMISSION PROPERTY CONVEYANCE (Ch. SL 2003-66) .....	425, 571, 662, 772, 825.
H	356	REMOVE SUNSET/MUNICIPAL ELECTRIC SERVICE (Senate) .....	174, 256, 267.
S	338	REMOVE SUNSET/MUNICIPAL ELECTRIC SERVICE (Ch. SL 2003-24) .....	317, 386, 412, 455, 604.
S	557	REQUIRE DRUG TEST BEFORE LICENSURE/CAB DRIVER (Ch. SL 2003-65) .....	523, 753, 766, 771, 825.
S	647	SELF-INSURED LOCALITIES (Ch. SL 2003-175) .....	494, 832, 882, 890, 902, 1036.
S	137	SPECIAL OBLIGATION DEBT/PURPOSES (Conference Committee) .....	1042, 1275, 1318, 1342, 1365, 1367, 1381.
S	549	UNIFORM PRINCIPAL AND INCOME ACT (Ch. SL 2003-232) .....	665, 873, 935, 987, 1068.

**CITIES AND TOWNS-Contd.**

- H 1200 WATER AND SEWER ASSESSMENT BASIS  
(Local Government II) ..... 450.
- H 984 ZONING/NONCONFORMING USES  
(Rules, Calendar, and Operations of the House)..... 396.

**CIVIL PROCEDURE (G.S. 1) - also see RULES OF CIVIL PROCEDURE**

- H 1129 2003 OMNIBUS LABOR LAW CHANGES  
(Ch. SL 2003-308) .....437, 499, 617, 1119, 1155.
- H 394 CLARIFY LEGAL FILING LAW  
(Ch. SL 2003-337) .....183, 351, 380,  
1113, 1165, 1178, 1387.
- H 1018 DEFENDANTS COSTS IN CONDEMNATION  
AWARDS (Judiciary I)..... 417.
- H 126 EVIDENCE IN JUVENILE HEARINGS  
(Ch. SL 2003-62) .....109, 180, 195, 771, 825.
- H 270 INSURANCE TECHNICAL CORRECTIONS  
(Ch. SL 2003-221) .....157, 288, 338, 950, 1067.
- S 784 JUDGMENT BONDING LEGISLATION  
(Ch. SL 2003-19) .....378, 407, 506, 518, 564.
- H 1096 MEDICAL MALPRACTICE WITNESSES/  
DISCOVERY (Judiciary II)..... 431.
- H 636 MODERNIZE JUDGMENT DOCKETING LAWS  
(Ch. SL 2003-59) .....259, 351, 380, 771, 824.
- S 390 MODERNIZE JUDGMENT DOCKETING LAWS  
(Judiciary I)..... 466.
- H 1148 NO SECRET MEDICAL MALPRACTICE  
SETTLEMENTS (Judiciary II)..... 441.
- H 967 PROTECT MASTER SETTLEMENT MONEY  
(Finance) ..... 393.
- H 36 REPEAL INVOLUNTARY STERILIZATION  
(Ch. SL 2003-13) .....78, 228, 281, 350, 505.
- H 11 REPEAL UNCONSTITUTIONAL STATUTES  
(Rules, Calendar, and Operations  
of the House).....66, 137, 148, 172, 186, 1301.
- S 161 RESTRICT COURT-ORDERED ARBITRATION  
(Judiciary IV)..... 466.
- S 716 REVISED UNIFORM ARBITRATION ACT  
(Ch. SL 2003-345) .....697, 1098, 1170, 1218, 1389.
- S 137 SPECIAL OBLIGATION DEBT/PURPOSES  
(Conference Committee).....1042, 1275, 1318,  
1342, 1365, 1367, 1381.

**CLARY, DEBBIE A.**

BILLS INTRODUCED - 7, 8, 15, 28, 30, 64, 108, \*109, 131, \*194, 340, 356, 381, 397, 398, 399, 400, \*405, 478, \*503, \*505, \*518, \*528, \*544, 631, \*640, \*641, 702, 809, 830, 845, \*894, 895, 998, 1040, 1141, \*1192, \*1220, 1314, 1316, 1337.

COMMITTEE ASSIGNMENTS - Appropriations, **Chair**; Financial Institutions; Health; Judiciary I; Legislative Redistricting.

CONFEREE ON H.B. 48..... 1357.  
 CONFEREE ON H.B. 674..... 1375.  
 CONFEREE ON S.B. 34 ..... 1380.  
 EXCUSED ABSENCES .....286, 501, 518, 538, 563, 745,786, 860, 1006, 1218.  
 OATH ..... 20.

**CLAY COUNTY**

H 483 CHANGE OFFENSIVE PLACE-NAMES  
 (Ch. SL 2003-211) ..... 206, 621, 677, 917, 949, 962, 1066.  
 H 582 CLAY COUNTY DEVELOPMENT AUTHORITY  
 (Ch. SL 2003-127) .....242, 485, 552, 868, 893.  
 S 445 CLAY COUNTY DEVELOPMENT AUTHORITY  
 (Local Government I)..... 492.  
 H 269 CLAY COUNTY LOCAL ACT  
 (Rules, Calendar, and Operations of the House)..... 157.

**CLEVELAND COUNTY**

H 166 111<sup>TH</sup> HOUSE DISTRICT LOCAL ACT  
 (Rules, Calendar, and Operations of the House)..... 118.  
 H 167 111<sup>TH</sup> HOUSE DISTRICT LOCAL ACT  
 (Rules, Calendar, and Operations of the House)..... 118.  
 H 165 111<sup>TH</sup> HOUSE DISTRICT LOCAL ACT  
 (Rules, Calendar, and Operations of the House)..... 118.  
 H 194 CALENDAR FLEXIBILITY/CLEVELAND COUNTY  
 SCHOOL SYSTEMS  
 (Education Subcommittee on Pre-School, Elementary  
 and Secondary Education) ..... 140, 243.  
 H 132 CLEVELAND COUNTY LOCAL ACT  
 (Rules, Calendar, and Operations of the House)..... 110.  
 H 163 KINGS MOUNTAIN ANNEX WATER SYSTEM  
 (Ch. SL 2003-241) .....118, 560, 660, 816, 836, 852, 1080, 1096.  
 H 164 KINGS MOUNTAIN ANNEXATION CLARIFICATION  
 (Finance) ..... 118, 1322.

**COASTAL RESOURCES**

- H 1284 21<sup>ST</sup> CENTURY JOBS ACT  
(Finance) ..... 774.
- S 979 AMEND ATLANTIC STATES MARINE FISHERIES  
COMMISSION APPOINTMENT  
(Ch. SL 2003-92) .....524, 753, 793, 794, 869.
- H 987 AMEND FISHERIES PROCLAMATION PROCESS  
(Ch. SL 2003-154) .....397, 648, 687,  
709, 817, 835, 842, 929.
- H 1132 AMEND FISHERIES PROCLAMATION PROCESS  
(Environment and Natural Resources) ..... 438.
- H 990 AMEND SHELLFISH STATUTES  
(Environment and Natural Resources) ..... 397.
- H 1133 AMEND SHELLFISH STATUTES  
(Environment and Natural Resources) ..... 438.
- H 1262 AMEND STATE PORTS LAW  
(Rules, Calendar, and Operations of the House) ..... 591.
- S 769 BEACH PLAN HOMEOWNERS POLICY  
RATE SETTING  
(Ch. SL 2003-158) .....653, 789, 811, 819, 830, 930.
- H 519 CANAL DREDGING TAX DISTRICTS  
(Finance) ..... 218.
- H 1323 COASTAL AREA MANAGEMENT ACT  
PERMIT FEES (Senate) .....781, 1232, 1264, 1286.
- H 1206 CONSOLIDATE ENVIRONMENTAL  
REGULATORY COMMISSIONS  
(Environment and Natural Resources) ..... 451.
- S 944 ECONOMIC INCENTIVES/COMMITTEE  
CHANGES (Finance) ..... 1344.
- H 1028 EROSION CONTROL STRUCTURES  
(Ch. SL 2003-427) .....418, 561, 833, 944, 981, 985,  
1000, 1014, 1278, 1322, 1351, 1364, 1401.
- H 1134 EXTEND COASTAL HABITAT PROTECTION  
PLANS ADOPTION DEADLINE  
(Ch. SL 2003-111) .....438, 463, 546, 577, 804, 871.
- H 868 IMPROVE ENVIRONMENTAL ENFORCEMENT  
(Senate) .....356, 642, 687, 691.
- S 765 LIMIT SHELLFISH LEASE AREA IN CORE SOUND  
(Ch. SL 2003-64) .....594, 753, 767, 771, 825.
- H 996 MONITOR COASTAL WATER QUALITY  
(Senate) .....398, 462, 545.
- S 959 MONITOR COASTAL WATER QUALITY  
(Ch. SL 2003-149) .....481, 833, 856, 864, 929.

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- H 48 MOVING AHEAD TRANSPORTATION INITIATIVE  
(Ch. SL 2003-383) .....81, 544, 597, 629, 682,  
703, 707, 708, 1302, 1339, 1355,  
1357, 1360, 1382, 1385, 1386, 1395.
- H 988 PROHIBIT NEW SHELLFISH LEASES  
IN CORE SOUND  
(Environment and Natural Resources) ..... 397.
- S 295 SPECIAL REGISTRATION PLATES  
(Ch. SL 2003-68) .....346, 566, 702,  
728, 742, 771, 825.
- S 627 STATE NATURE AND HISTORIC PRESERVE  
ADDITIONS AND REMOVALS  
(Ch. SL 2003-234) .....459, 885, 920, 987, 1068.

**COATES, LORENE T.**

- BILLS INTRODUCED - 19, 20, 21, 22, 23, 24, 52, \*109, 117, 186, 340,  
\*351, 381, 429, 477, 478, \*498, \*499, \*527, 531, 544, 557, 631, \*681,  
\*784, 800, 850, \*939, 979, 1027, 1075, 1097, \*1140, 1143, 1144, 1160,  
1193, 1220, 1227, 1317, \*1328.
- COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropriations Subcommittee on Transportation; Military, Veterans and Indian Affairs; Public Utilities; Transportation, **Chair**.
- CONFEREE ON H.B. 48..... 1357.
- CONFEREE ON S.B. 872..... 1267.
- EXCUSED ABSENCE ..... NONE.
- OATH ..... 20.

**COLE, E. NELSON**

- BILLS INTRODUCED - 5, 15, 16, 17, 20, 21, 22, 23, \*48, 117, \*168,  
\*237, 255, 381, \*422, \*426, 429, \*445, \*446, 478, 527, 543, 666, 667,  
\*692, 802, 805, 809, 858, 948, \*978, \*979, 986, \*1025, \*1075, 1097,  
1101, 1131, \*1152, \*1153, 1203, 1316, 1330.
- COMMITTEE ASSIGNMENTS - Appropriations, **Vice Chair**;  
Appropriations Subcommittee on Transportation, **Chair**; Commerce;  
Financial Institutions; Occupational Safety and Health; Transportation.
- CONFEREE ON H.B. 48..... 1357.
- CONFEREE ON H.B. 397..... 722.
- CONFEREE ON H.B. 440..... 1294.
- CONFEREE ON H.B. 986..... 1031.
- CONFEREE ON S.B. 750..... 1340.
- DISMISSAL AS CONFEREE ON S.B. 750..... 1358.
- EXCUSED ABSENCES ..... 69, 79, 83.
- MOTION TO SUSPEND RULE 31(d)..... 683.
- OATH ..... 20.

**COLUMBUS COUNTY**

- H 250 18<sup>TH</sup> HOUSE DISTRICT LOCAL ACT  
(Alcoholic Beverage Control) ..... 153, 618.
- H 251 18<sup>TH</sup> HOUSE DISTRICT LOCAL ACT  
(Rules, Calendar, and Operations of the House) ..... 153.
- H 115 20<sup>TH</sup> HOUSE DISTRICT LOCAL ACT  
(Rules, Calendar, and Operations of the House) ..... 107.
- H 114 20<sup>TH</sup> HOUSE DISTRICT LOCAL ACT  
(Rules, Calendar, and Operations of the House) ..... 107.
- H 741 BRUNSWICK/COLUMBUS AGRICULTURAL  
DISTRICT SIGNS  
(Agriculture) ..... 298.
- H 515 CHADBOURN ANNEXATION  
(Finance) ..... 217.
- S 419 CHADBOURN ANNEXATION  
(Ch. SL 2003-18) .....325, 367, 473, 512, 518, 538.
- H 110 COLUMBUS COUNTY LOCAL ACT  
(Rules, Calendar, and Operations of the House) ..... 107.
- H 111 COLUMBUS LOCAL ACT  
(Rules, Calendar, and Operations of the House) ..... 107.
- H 581 ELECTROFISHING/WACCAMAW AND  
LUMBER RIVERS  
(Ch. SL 2003-21) .....242, 385, 412, 472, 538, 564.
- S 498 ELECTROFISHING/WACCAMAW AND  
LUMBER RIVERS  
(Wildlife Resources) ..... 467.
- S 292 RALEIGH/LAKE WACCAMAW  
ELECTRONIC NOTICE  
(Ch. SL 2003-161) .....308, 844, 862, 880, 914, 930.
- H 469 SEVERAL COUNTIES UNPAID FEES COLLECTION  
(Ch. SL 2003-270) .....203, 484, 629,  
674, 1042, 1100, 1112, 1121.
- H 406 TOWN OF LAKE WACCAMAW LOCAL ACT  
(Rules, Calendar, and Operations of the House) ..... 190.

**COMMERCE AND BUSINESS (G.S. 66)**

- H 397 2003 BUDGET ACT  
(Ch. SL 2003-284) ..... 184, 462, 476, 482, 485, 495, 709,  
721, 732, 734, 1126, 1130, 1142, 1147, 1150.
- H 1284 21<sup>ST</sup> CENTURY JOBS ACT  
(Finance) ..... 774.
- H 16 ABC PERMITS IN STATE DEVELOPMENT ZONES  
(Alcoholic Beverage Control) ..... 67.

**COMMERCE AND BUSINESS-Contd.**

H	603	ABC-LOCAL AUTHORITY (Alcoholic Beverage Control).....	250.
S	517	ADJUST EASTERN REGION COMMISSION (Ch. SL 2003-94) .....	467, 763, 799, 802, 870.
H	1041	ADMINISTRATIVE PROCEDURE ACT RULES/ SMALL BUSINESS ECONOMIC IMPACT (Judiciary II).....	421.
H	273	ADVERSE REACTIONS TO SMALLPOX VACCINATION (Ch. SL 2003-169).....	157, 329, 379, 401, 514, 877, 908, 913, 1036.
S	777	AMEND DEALER LICENSING LAW (Ch. SL 2003-254) .....	504, 833, 883, 889, 924, 957, 1006, 1120.
H	1132	AMEND FISHERIES PROCLAMATION PROCESS (Environment and Natural Resources) .....	438.
S	51	AMEND FRANCHISE TAX LOOPHOLE (Conference Committee) .....	324, 343, 379, 401, 506, 577, 632, 742, 756, 820, 1213, 1241, 1262, 1321.
H	1203	AMEND MOTOR FUEL MARKETING ACT (Senate) .....	451, 639, 685, 713.
S	471	AMEND SELF-INSURANCE GUARANTY ASSOCIATION LAWS (Ch. SL 2003-115) .....	696, 789, 810, 813, 872.
H	990	AMEND SHELLFISH STATUTES (Environment and Natural Resources) .....	397.
H	1133	AMEND SHELLFISH STATUTES (Environment and Natural Resources) .....	438.
H	1262	AMEND STATE PORTS LAW (Rules, Calendar, and Operations of the House).....	591.
S	658	APPELLATE PROCEDURE/STATE BANKING COMMISSION (Ch. SL 2003-63) .....	494, 747, 767, 771, 825.
H	1150	APPLIANCE/EQUIPMENT ENERGY EFFICIENCY STANDARDS (Public Utilities) .....	441.
H	1002	APPLY LEMON LAW TO RECREATIONAL VEHICLES (Judiciary III) .....	414.
H	1005	AUTHORIZE AND REGULATE DEFERRED DEPOSIT LOANS (Rules, Calendar, and Operations of the House).....	414.
H	692	AUTO AUCTIONEERS-NO DEALER LICENSE NEEDED (Ch. SL 2003-265) .....	276, 353, 404, 1051, 1121.

**COMMERCE AND BUSINESS-Contd.**

H	1196	AUTOMOBILE GLASS INSURANCE COVERAGE (Judiciary III) .....	449.
H	471	CDL CHANGES/MOPED TAG (Senate) .....	204, 655, 783, 932, 952, 976.
H	378	CIGARETTE TAX INCREASE FOR PUBLIC SCHOOLS (Finance) .....	178.
S	772	CLARIFY CERTAIN PLUMBING AND HVAC LAWS (Ch. SL 2003-31) .....	594, 647, 691, 710, 729.
S	814	CLARIFY COMPETITIVE TELECOMMUNICATIONS STATUTES (Ch. SL 2003-91) .....	724, 744, 757, 786, 869.
H	1153	CLARIFY MOTOR VEHICLE DEALER FRANCHISE LAWS (Judiciary III) .....	442.
S	559	CLARIFY MOTOR VEHICLE DEALER FRANCHISE LAWS (Ch. SL 2003-113) .....	593, 753, 766, 802, 872.
S	773	COMMUNITY COLLEGE FACILITY/PUBLIC PRIVATE PARTNERSHIPS (Ch. SL 2003-286) .....	495, 943, 1030, 1064, 1152.
S	470	COMPENSATION OF TRUSTEES/OTHER FIDUCIARIES (Judiciary IV) .....	493.
H	1185	CONSUMER PROTECTIONS (Rules, Calendar, and Operations of the House) .....	447.
H	1088	CONSUMERS' RIGHT-TO-KNOW ACT (Senate) .....	430, 643, 716.
S	991	CONSUMER'S RIGHT TO KNOW AND ACT (State Government) .....	727.
H	666	CONTRACT AGENCY COMPENSATION (Appropriations) .....	272, 983.
S	771	CREDIT SCORING LIMITATION (Ch. SL 2003-216) .....	627, 845, 882, 900, 926, 1067.
H	42	CRIMINAL UNAUTHORIZED RECORDINGS (Ch. SL 2003-159) .....	80, 212, 257, 797, 818, 830, 930.
S	326	DETERRING STATE UNEMPLOYMENT TAX AVOIDANCE DUMPING (Ch. SL 2003-67) .....	592, 747, 766, 771, 825.
H	1075	DISCLOSURE OF PRIOR MOTOR VEHICLE DAMAGE (Judiciary III) .....	428.
S	558	DISCLOSURE OF PRIOR MOTOR VEHICLE DAMAGE (Ch. SL 2003-258) .....	593, 931, 995, 1034, 1120.
S	136	DISSENTERS' RIGHTS CLARIFICATIONS (Ch. SL 2003-157) .....	316, 796, 820, 830, 929.

**COMMERCE AND BUSINESS-Contd.**

H	1255	DNA BANK/VOLUNTARY DNA SAMPLE FROM PRISONERS (Science and Technology) .....	590.
H	1310	DRUG PRIVILEGE TAX (Finance) .....	779.
S	934	DWI PROVIDER AUTHORIZATION FEES (Ch. SL 2003-396) .....	818, 1048, 1107, 1125, 1132, 1184, 1203, 1206, 1288, 1299, 1331, 1397.
H	1173	ECONOMIC DEVELOPMENT DISTRICT (Rules, Calendar, and Operations of the House).....	445.
S	168	ECONOMIC DEVELOPMENT DISTRICT (Ch. SL 2003-418) .....	1228, 1253, 1288, 1314, 1348, 1400.
S	944	ECONOMIC INCENTIVES/COMMITTEE CHANGES (Finance) .....	1344.
H	1194	ESTABLISH ELECTRONIC-NC AUTHORITY (Ch. SL 2003-425) .....	449, 564, 671, 1205, 1250, 1262, 1276, 1277, 1311, 1324, 1335, 1401.
S	119	EXPAND HISTORIC PRESERVATION CREDIT (Ch. SL 2003-415) .....	948, 1023, 1090, 1104, 1198, 1400.
H	1182	EXPAND USURY EXEMPTION (Ch. SL 2003-401) .....	447, 668, 716, 1303, 1322, 1341, 1348, 1398.
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H	40	SESSION LIMITS/FOUR-YEAR TERMS (Rules, Calendar, and Operations of the House).....	80.
S	627	STATE NATURE AND HISTORIC PRESERVE ADDITIONS AND REMOVALS (Ch. SL 2003-234) .....	459, 885, 920, 987, 1068.
S	568	SUPERINTENDENT OF PUBLIC INSTRUCTION APPOINTED (Education).....	593, 1227, 1256.
H	1130	SUPERINTENDENT RENAMED SECRETARY OF EDUCATION (Education) .....	437.
H	1010	TWO-THIRDS VOTE TO LEVY TAXES (Rules, Calendar, and Operations of the House).....	415.
H	1125	UNIFORM TERMS FOR JUDGES (Judiciary I).....	436.

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S	656	INNOVATIVE EDUCATION INITIATIVES ACT (Ch. SL 2003-277) .....	524, 931, 995, 999, 1034, 1149.
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S	772	CLARIFY CERTAIN PLUMBING AND HVAC LAWS (Ch. SL 2003-31) .....	594, 647, 691, 710, 729.
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- H 1206 CONSOLIDATE ENVIRONMENTAL REGULATORY COMMISSIONS (Environment and Natural Resources) ..... 451.
- S 29 EXTEND DATE RETAILERS EXEMPTION PLUMBING/HEATING LAWS (Ch. SL 2003-2) .....90, 96, 100, 101, 102, 115.
- S 323 GENERAL CONTRACTOR/PROTECT INFORMATION/CLARIFY INJUNCTIVE RELIEF (Ch. SL 2003-97).....592, 762, 798, 802, 870.
- S 437 GENERAL CONTRACTORS BOARD/BIDDING (Ch. SL 2003-231) .....492, 911, 938, 987, 1068.
- H 1298 GLASS GLAZING LICENSURE (Finance) ..... 776.
- H 1305 HOMEBUILDER RESPONSIBILITY (Judiciary IV) ..... 778.
- S 324 INCREASE HOMEOWNERS RECOVERY FUND FEE (Ch. SL 2003-372) .....992, 1253, 1289, 1315, 1330, 1393.
- H 148 PLUMBING, HEATING, FIRE SPRINKLER CONTRACTING (Rules, Calendar, and Operations of the House)..... 113.

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- S 629 CLARIFY SUBORDINATION AGREEMENT REQUIREMENTS (Ch. SL 2003-219) .....593, 831, 863, 881, 925, 1067.

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- S 510 SAFETY AT AUTOMATIC TELLER MACHINES (Financial Institutions) ..... 523.

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- S 137 SPECIAL OBLIGATION DEBT/PURPOSES (Conference Committee).....1042, 1275, 1318, 1342, 1365, 1367, 1381.

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- H 173 COSMETIC ART/CONTINUING EDUCATION/PENALTY CHANGE (Senate) ..... 120, 1004, 1170, 1193, 1194, 1208.

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- H 971 COSMETIC ART/CONTINUING EDUCATION/  
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of the House).....394, 744, 984, 1009.
- H 896 INCREASE COSMETIC ART FEES  
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- S 657 TANNING SALONS/RESTRICTIONS ON USE  
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and Individual County**

- H 397 2003 BUDGET ACT  
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721, 732, 734, 1126, 1130, 1142, 1147, 1150.
- H 273 ADVERSE REACTIONS TO SMALLPOX  
VACCINATION (Ch. SL 2003-169).....157, 329, 379,  
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- H 203 AMEND CHILD WELFARE LAWS  
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- S 421 AMEND CHILD WELFARE LAWS  
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1028, 1058, 1094, 1154.
- H 1064 DELEGATIONS OF AUTHORITY  
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- H 1173 ECONOMIC DEVELOPMENT DISTRICT  
(Rules, Calendar, and Operations of the House)..... 445.
- S 168 ECONOMIC DEVELOPMENT DISTRICT  
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1288, 1314, 1348, 1400.
- H 55 HONOR RETIRING FIREFIGHTERS  
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- S 242 HONOR RETIRING FIREFIGHTERS  
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- H 429 JUST COMPENSATION/LOCAL GOVERNMENTS  
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- H 1315 LARGE COUNTY LAW ENFORCEMENT SERVICES  
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- S 760 LOCAL CAMPAIGN FINANCE OPTIONS  
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- H 983 PRESCRIPTION CO-PAYMENTS/COUNTY  
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- H 684 PSYCHIATRIC HOSPITAL FINANCING  
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998, 1099, 1138, 1144, 1219.
- S 214 RESEARCH AND PRODUCTION SERVICE  
DISTRICT DEANNEXATION  
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880, 889, 891, 1038.
- S 301 SCHOOL ACQUISITION BY COUNTIES STATEWIDE  
(Ch. SL 2003-355) .....967, 1176, 1232,  
1265, 1286, 1305, 1391.
- S 647 SELF-INSURED LOCALITIES  
(Ch. SL 2003-175) .....494, 832, 882, 890, 902, 1036.
- H 1200 WATER AND SEWER ASSESSMENT BASIS  
(Local Government II) ..... 450.
- H 583 WETLANDS REIMBURSEMENT/LOCAL TAX  
BASE (Environment and Natural Resources) ..... 242.
- H 984 ZONING/NONCONFORMING USES  
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- H 1029 ZONING ORDINANCES  
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- S 661 PRISONER HEALTH INFORMATION/EMS  
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1343, 1359, 1363, 1369, 1376, 1377, 1397.

**CRAVEN COUNTY**

- S 294 CRAVEN COUNTY ABC LAW ENFORCEMENT  
(Ch. SL 2003-20) .....308, 465, 534, 538, 564.
- H 97 CRAVEN COUNTY LOCAL ACT  
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- H 118 CRAVEN COUNTY LOCAL ACT  
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- H 119 CRAVEN COUNTY LOCAL ACT  
(Rules, Calendar, and Operations of the House)..... 108.
- H 120 CRAVEN COUNTY LOCAL ACT  
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- H 521 CRAVEN COUNTY LOCAL ACT  
(Rules, Calendar, and Operations of the House)..... 218.
- H 550 CRAVEN COUNTY ROAD HUNTING  
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**CRAWFORD, JAMES W., JR.**

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 131, \*162, 169, 255, 317, 318, 319, 345, \*397, \*398, 399, 400, \*401,  
 429, \*471, \*472, \*650, \*651, 667, \*674, \*684, 805, \*809, 817, \*853,  
 \*879, 1037, \*1074, 1075, 1227, 1268, 1314, 1316, 1330.

COMMITTEE ASSIGNMENTS - Appropriations, **Chair**; Election Law  
 and Campaign Finance Reform; Legislative Redistricting; Rules,  
 Calendar, and Operations of the House; Transportation.

CONFEREE ON H.B. 48..... 1357.

CONFEREE ON H.B. 281..... 1377.

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**CREECH, BILLY J.**

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 817, 955, 998, 1010, 1011, 1013, 1022, 1161, \*1173, \*1174, 1268.

COMMITTEE ASSIGNMENTS - Aging; Agriculture; Finance; Science  
 and Technology; Wildlife Resources.

EXCUSED ABSENCE ..... NONE.

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 876, 1237, 1258, 1273, 1278, 1394.

H 242 AMEND HABITUAL FELON LAW  
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H 1171 AMEND HAZING LAWS  
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H 1037 AMEND JUVENILE LAW  
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709, 1010, 1075, 1079, 1154.

H 408 AMEND SECRET PEEPING LAW  
(Ch. SL 2003-303) .....190, 288, 340,  
1009, 1074, 1079, 1154.

S 867 ARSON-FIREFIGHTER INJURY/NEW BOMB OFFENSE  
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1257, 1298, 1323, 1343, 1359.

H 244 ARSON OFFENSES-SENTENCING COMMISSION  
(Appropriations Subcommittee  
on Justice and Public Safety) .....152, 458, 572.

H 926 ASSAULT IN PRESENCE OF MINOR/ENHANCE  
PENALTY (Ch. SL 2003-409) .....371, 643, 677,  
1010, 1075, 1102, 1108, 1139, 1141,  
1184, 1266, 1279, 1295, 1307, 1399.

S 868 ASSAULT IN THE PRESENCE OF A CHILD  
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S 6 BAN VIDEO POKER/ALL BUT RESERVATIONS  
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H 1017 BURGLARY/DELETE NIGHTTIME REQUIREMENT  
(Judiciary II)..... 416.

H 149 "CASINO NIGHTS" FOR NONPROFIT  
ORGANIZATIONS  
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H 131 CONCEALED HANDGUN RECIPROCITY  
(Senate) .....110, 643, 683, 704.

S 33 CONCEALED HANDGUN RECIPROCITY  
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H 1022 CONCEALED HANDGUN RENEWAL PERMIT/  
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H 42 CRIMINAL UNAUTHORIZED RECORDINGS  
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797, 818, 830, 930.

H 1061 ENHANCE FIREARMS PENALTIES  
(Judiciary III) ..... 425.

H 353 EXPLOSIVE DEVICES OFFENSES  
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H	1187	FELONY MURDER/NO DEATH PENALTY (Judiciary IV).....	448.
H	1106	FETAL HOMICIDE (Judiciary I).....	433.
H	1156	FIREFIGHTERS AND RESCUE WORKERS/ ARSON (Judiciary IV).....	442.
H	853	GOVERNOR'S BUDGET BILL (Appropriations).....	345.
H	817	GUN SALE LEGAL WITH CONCEALED HANDGUN PERMIT (Senate).....	322, 539, 612, 613, 632.
H	108	HABITUAL MISDEMEANOR LARCENY/FELONY (Appropriations).....	106, 173, 598, 680.
H	1030	HANDGUN PERMIT FEE/RETIRED LAW OFFICERS (Ch. SL 2003-379).....	419, 931, 954, 978, 994, 1306, 1394.
S	919	HOMICIDE PREVENTION ACT/DOMESTIC VIOLENCE (Ch. SL 2003-410) .....	697, 739, 964, 1024, 1091, 1105, 1199, 1399.
H	327	INCREASE PENALTY FOR CERTAIN BOMB OFFENSES (Appropriations).....	167, 598, 680.
H	1048	JUVENILE CODE REVISIONS/COURT IMPROVEMENT PROJECT (Ch. SL 2003-140) .....	422, 598, 662, 865, 928.
H	357	NO CREDIT CARD NUMBER ON RECEIPTS (Ch. SL 2003-206) .....	175, 465, 535, 886, 920, 926, 1052.
H	1091	PENALTY FOR ILLEGAL INDOOR PYROTECHNICS (Appropriations).....	430, 651, 659.
S	167	PERMIT WEAPONS AT JOHNSTON COMMUNITY COLLEGE NATURE CENTER (Ch. SL 2003-217) .....	726, 904, 938, 950, 1067.
S	661	PRISONER HEALTH INFORMATION/EMS CHANGES (Ch. SL 2003-392).....	726, 1268, 1333, 1343, 1359, 1363, 1369, 1376, 1377, 1397.
S	251	PROHIBIT REBIRTHING (Ch. SL 2003-205) .....	353, 832, 893, 962, 1052.
S	521	PYROTECHNIC REGULATION ENHANCED (Ch. SL 2003-298) .....	593, 989, 1059, 1094, 1154.

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- H 243 RECLASSIFY STATUTORY RAPE/SEX OFFENSE  
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- H 962 REFUSE TO ABORT/EXTEND  
CONSCIENCE PROTECTION  
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- H 1072 REGULATE TICKET BROKERS  
(Finance) .....427, 1050, 1080.
- S 555 SCHOOL SAFETY OFFICERS-STUDENTS/SEX  
OFFENSES (Ch. SL 2003-98)..... 494, 773,  
799, 802, 870.
- H 1044 SEXUAL BATTERY  
(Judiciary I)..... 422.
- S 912 SEXUAL BATTERY  
(Ch. SL 2003-252) .....595, 815, 828,  
937, 996, 1006, 1120.
- S 137 SPECIAL OBLIGATION DEBT/PURPOSES  
(Conference Committee).....1042, 1275, 1318,  
1342, 1365, 1367, 1381.
- H 304 STALKING/SUPERVISED PROBATION IS MINIMUM  
(Ch. SL 2003-181) ..... 163, 223, 257, 902, 1037.
- H 732 STREET GANG TERRORISM PREVENTION ACT  
(Appropriations)..... 296, 464.
- H 25 WORTHLESS CHECK PROGRAM ADDITIONS  
(Judiciary IV) ..... 70.
- H 1026 WORTHLESS CHECK PROGRAM/EXTEND  
STATEWIDE (Ch. SL 2003-377).....418, 807, 944,  
981, 999, 1331, 1394.

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- H 397 2003 BUDGET ACT  
(Ch. SL 2003-284) ..... 184, 462, 476, 482, 485, 495, 709,  
721, 732, 734, 1126, 1130, 1142, 1147, 1150.
- H 1187 FELONY MURDER/NO DEATH PENALTY  
(Judiciary IV)..... 448.
- H 846 ILLEGAL CHILD CARE FACILITIES  
(Judiciary I)..... 344.
- S 137 SPECIAL OBLIGATION DEBT/PURPOSES  
(Conference Committee).....1042, 1275, 1318,  
1342, 1365, 1367, 1381.

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- H 246 ADJUST B1 - E FELONY PENALTIES  
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S	577	ADJUST COURT JURISDICTION (Rules, Calendar, and Operations of the House).....	696.
S	693	AMEND ENHANCED SENTENCES LAWS (Ch. SL 2003-378) .....	626, 789, 811, 820, 860, 876, 1237, 1258, 1273, 1278, 1394.
H	245	AMEND SPECIAL PROBATION DEFINITION (Judiciary IV).....	152.
S	93	AMEND SPECIAL PROBATION DEFINITION (Ch. SL 2003-151) .....	377, 807, 850, 863, 929.
H	79	DNA REGISTRY (Ch. SL 2003-376) .....	89, 382, 936, 958, 1001, 1032, 1058, 1076, 1087, 1107, 1269, 1282, 1306, 1394.
H	1254	DNA-FELONY SAMPLES/SCIENTIFIC RESEARCH (Science and Technology).....	590.
H	352	DRUG SCREENING AND ASSESSMENT (Ch. SL 2003-141) .....	172, 389, 526, 864, 928.
H	379	EDUCATIONAL CONDITIONS TO PUNISHMENT (Senate).....	178, 278, 327.
H	1061	ENHANCE FIREARMS PENALTIES (Judiciary III) .....	425.
H	27	EXPAND DNA DATABANK/ALL FELONIES (Judiciary I).....	71.
H	794	EXPUNGE CERTAIN MISDEMEANORS/FEE (Unfavorable).....	307, 989.
H	509	FAILURE TO APPEAR/CITATION (Judiciary I).....	216.
S	440	FAILURE TO APPEAR/CITATION (Ch. SL 2003-15) .....	317, 343, 381, 401, 405, 506.
H	1190	FIRST OFFENDER/EXPUNGE CRIMINAL RECORD (Judiciary II) .....	448.
H	1139	JUDICIAL APPROVAL FOR PLEAS IN CERTAIN CASES (Senate).....	439, 651, 715.
H	1055	PROPORTIONALITY REVIEW/ALL CAPITAL CASES (Judiciary IV).....	423.
H	247	RESTRUCTURE PRIOR CRIMINAL RECORDS POINTS (Judiciary IV) .....	153.
H	564	REVISE EXCLUSIONARY RULE (Rules, Calendar, and Operations of the House).....	239, 651, 707.
H	785	RULES OF CIVIL PROCEDURE/REWRITE RULE 45 (Ch. SL 2003-276) .....	306, 607, 640, 991, 1022, 1035, 1122.

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H 264 SENTENCE LENGTHS  
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H 24 VETERANS ADMINISTRATION POLICE OFFICERS  
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AGREEMENT BETWEEN THE TWO HOUSES ..... 690.

**CULP, ARLIE F.**

BILLS INTRODUCED - 4, 7, 11, 27, 43, 55, 56, 57, 64, 117, 131, 194,  
 274, 340, 356, 358, 381, 402, 403, 404, \*407, 409, 425, 427, 429, 477,  
 \*557, 567, 640, 641, 677, 694, 702, \*727, 759, 800, 802, 805, 809, 817,  
 819, 830, 833, 867, 915, 917, 929, 930, 931, \*949, 962, 979, 986, 998,  
 1010, 1022, \*1127, \*1128, 1268, 1271.

COMMITTEE ASSIGNMENTS - Aging; Agriculture; Appropriations;  
 Appropriations Subcommittee on Natural and Economic Resources;  
 State Government; Ways and Means.

EXCUSED ABSENCES .....57, 79, 96, 341, 901, 1271.

OATH ..... 20.

**CULPEPPER, WILLIAM T., III**

APPOINTED TO SELECT COMMITTEE ON UNIVERSITY  
 BOARD OF GOVERNORS NOMINATING COMMITTEE ..... 284.

BILLS INTRODUCED - \*1, \*2, \*3, 48, \*53, \*78, \*103, 117, \*202, \*203,  
 \*277, \*278, \*279, \*280, \*281, 356, \*361, \*362, \*363, \*429, 478, \*512,  
 527, \*602, \*655, \*656, \*657, 667, \*686, \*687, \*750, \*751, \*752, \*753,  
 \*754, \*765, \*775, \*786, \*807, 844, \*868, \*912, \*945, 948, \*972,  
 \*1093, \*1125, \*1151, 1203, \*1213, \*1218, 1227, \*1269, \*1299, \*1300,  
 1314, 1323, \*1335, \*1336, \*1341.

COMMITTEE ASSIGNMENTS - Ex officio member of all committees  
 except Congressional Redistricting and Legislative Redistricting; Legislative  
 Redistricting; Public Utilities; Rules, Calendar, and Operations of the  
 House, **Chair**.

CONFEREE ON H.B. 48..... 1357.

CONFEREE ON H.B. 147..... 1101.

CONFEREE ON H.B. 281 (Chair) ..... 1377.

CONFEREE ON H.B. 397..... 722.

CONFEREE ON H.B. 674 (Chair) ..... 1375.

CONFEREE ON H.B. 786 (Chair) ..... 1101.

CONFEREE ON H.B. 1194..... 1262.

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CONFEREE ON S.B. 75 (Chair) ..... 1380.

CONFEREE ON S.B. 137 (Chair) ..... 1381.

**CULPEPPER, WILLIAM T., III-Contd.**

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 ESCORT FOR GOVERNOR EASLEY ..... 113.  
 EXCUSED ABSENCE ..... NONE.  
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 INQUIRY OF CHAIR REGARDING RULES  
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 REGARDING PROPOSAL OF MARRIAGE BE SPREAD UPON  
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 A. WILLIAMS ON JUNE 17 REGARDING ED WARREN  
 BE SPREAD UPON THE JOURNAL ..... 1033.  
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 OF SPEAKER ..... 37, 38, 39.  
 MOTION TO ADOPT TEMPORARY RULES ..... 57.  
 MOTION TO APPROVE JOURNAL OF JANUARY 29  
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 H 585 42<sup>ND</sup> HOUSE DISTRICT LOCAL ACT  
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 H 558 CUMBERLAND COUNTY LOCAL ACT  
 (Rules, Calendar, and Operations of the House)..... 233.  
 H 559 CUMBERLAND COUNTY LOCAL ACT  
 (Rules, Calendar, and Operations of the House)..... 233.  
 H 586 CUMBERLAND COUNTY LOCAL ACT  
 (Rules, Calendar, and Operations of the House)..... 243.  
 S 162 FAYETTEVILLE FIREMEN'S FUND  
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- H 182 NORTHAMPTON/DUPLIN/FAYETTEVILLE  
LOCAL ACTS (Ch. SL 2003-318).....138, 189, 221,  
1072, 1098, 1178, 1205, 1218, 1231.
- H 68 SPRING LAKE AND NEWTON RED LIGHT CAMERAS  
(Ch. SL 2003-86) .....86, 229, 256, 843, 866.

**CUNNINGHAM, W. PETE**

- APPROVAL ON VOTE CHANGE ON H.B. 11..... 149.
- BILLS INTRODUCED - 37, 38, 52, 54, 59, 117, 147, 340, 381, 474, 475,  
476, 478, 527, \*561, 562, 605, 606, 677, 738, 739, 766, 813, 844, 861,  
948, 1199, \*1214, 1227.
- COMMITTEE ASSIGNMENTS - Ex officio member of all committees  
except Congressional Redistricting and Legislative Redistricting; Ethics,  
**Chair**; Legislative Redistricting, **Vice Chair**.
- CONFEREE ON H.B. 397..... 722.
- ESCORT FOR GOVERNOR EASLEY ..... 121.
- ESCORT FOR SPEAKER BLACK..... 44.
- EXCUSED ABSENCES .....104, 745, 751, 760, 771, 786, 794,  
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1006, 1017, 1034, 1051, 1064, 1079, 1094, 1111, 1119, 1125, 1128,  
1142, 1149, 1152, 1163, 1177, 1198, 1218, 1229, 1251, 1271, 1305,  
1335, 1371.
- NOMINATION OF REPRESENTATIVE BLACK AS SPEAKER ..... 23.
- OATH ..... 20.
- REMOVAL AS CONFEREE ON H.B. 397 ..... 734.

**CURRITUCK COUNTY**

- H 483 CHANGE OFFENSIVE PLACE-NAMES  
(Ch. SL 2003-211) ..... 206, 621, 677,  
917, 949, 962, 1066.
- H 645 CURRITUCK COUNTY ANNEXATION LIMITATION  
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- H 619 CURRITUCK COUNTY LOCAL ACT  
(Rules, Calendar, and Operations of the House)..... 252.
- H 646 CURRITUCK GAME COMMISSION  
(Ch. SL 2003-16) .....261, 385, 411, 505, 518.
- H 602 WORTHLESS CHECK PROGRAM/MORE  
COUNTIES (Judiciary IV) ..... 249.

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**DARE COUNTY**

- H 686 DARE COUNTY COURTHOUSE CONTRACTS  
(Ch. SL 2003-47) .....275, 541, 577, 788, 795.

**DARE COUNTY-Contd.**

H 752 DARE COUNTY LOCAL ACT  
 (Rules, Calendar, and Operations of the House)..... 300.

H 751 KITTY HAWK LAND CONVEYANCE  
 (Ch. SL 2003-364) .....300, 621, 1070,  
 1105, 1140, 1306, 1392.

H 512 NAGS HEAD HISTORIC PRESERVATION  
 COMMISSION (Ch. SL 2003-46)..... 217, 331,  
 348, 788, 795.

H 775 TOWN OF NAGS HEAD LOCAL ACT  
 (Rules, Calendar, and Operations of the House)..... 304.

H 602 WORTHLESS CHECK PROGRAM/MORE  
 COUNTIES (Judiciary IV) ..... 249.

**DAUGHTRIDGE, WILLIAM G., JR.**

APPROVAL OF VOTE CHANGE ON H.R. 280 ..... 677.

APPROVAL OF VOTE CHANGE ON S.B. 244 ..... 556.

APPROVAL OF VOTE CHANGE ON S.B. 939 ..... 1168.

BILLS INTRODUCED - 7, 12, 15, 28, \*30, 45, \*66, 108, 131, \*313,  
 \*314, \*315, \*316, 381, 478, \*540, \*541, 555, \*571, \*638, \*639, 670,  
 677, 702, 704, 809, 830, 833, 863, 970, 1022, 1141, \*1157, \*1158.

COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropriations  
 Subcommittees on Transportation; Education; Education Sub-  
 committee on Universities; Election Law and Campaign Finance Reform;  
 Transportation, **Vice Chair**.

CONFEREE ON H.B. 397 ..... 722.

EXCUSED ABSENCES .....1006, 1017, 1034.

EXCUSED VOTE ON H.B. 1203 ..... 685, 713.

OATH ..... 20.

**DAUGHTRY, N. LEO**

BILLS INTRODUCED - 43, 55, 64, 117, \*235, \*236, 531, 677, 702, 817,  
 830, 874, 998, 1056, 1141, 1268, 1271.

COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropriations  
 Subcommittees on General Government; Election Law and  
 Campaign Finance Reform; Judiciary I; Occupational Safety and  
 Health.

EXCUSED ABSENCES .....64, 405, 860, 1111.

EXCUSED VOTE ON S.B. 750 ..... 1293.

INQUIRY OF CHAIR REGARDING RULES AND PROCEDURE ... 32.

MOTION THAT REMARKS BY REPRESENTATIVE  
 LEWIS REGARDING THE HARRIS FAMILY BE  
 SPREAD UPON THE JOURNAL ..... 142.

OATH ..... 20.

**DAVIDSON COUNTY**

- H 174 DAVIDSON COUNTY LOCAL ACT  
(Rules, Calendar, and Operations of the House)..... 120.
- H 216 DAVIDSON COUNTY LOCAL ACT  
(Rules, Calendar, and Operations of the House)..... 146.
- H 217 DAVIDSON COUNTY LOCAL ACT  
(Rules, Calendar, and Operations of the House)..... 146.
- H 218 DAVIDSON COUNTY LOCAL ACT  
(Rules, Calendar, and Operations of the House)..... 146.
- H 728 THOMASVILLE SATELLITE ANNEXATION  
(Finance)..... 296.

**DAVIE COUNTY**

- H 175 DAVIE COUNTY LOCAL ACT  
(Rules, Calendar, and Operations of the House)..... 120.
- H 176 DAVIE COUNTY LOCAL ACT  
(Rules, Calendar, and Operations of the House)..... 120.
- H 469 SEVERAL COUNTIES UNPAID FEES COLLECTION  
(Ch. SL 2003-270) .....203, 484, 629,  
674, 1042, 1100, 1112, 1121.

**DAY CARE - also see CHILD WELFARE**

- S 877 CHILD CARE FACILITIES/PENALTIES  
(Ch. SL 2003-192) .....697, 796, 851, 902, 1039.
- H 152 PREVENT SUDDEN INFANT DEATH SYNDROME/  
CHILD CARE/INVESTIGATIONS  
(Ch. SL 2003-407) ..... 115, 385, 515, 990, 1044,  
1046, 1061, 1124, 1155, 1181, 1199, 1399.
- S 63 PRO TEM AND SPEAKER APPOINTMENTS BILL  
(Senate).....1358, 1373, 1374.
- H 80 REPORTS TO MENTAL HEALTH  
OVERSIGHT COMMITTEE  
(Ch. SL 2003-58) .....90, 188, 234, 786, 824.
- H 1063 SUMMARY REQUIREMENTS/CHILD CARE  
FACILITIES (Ch. SL 2003-196) .....425, 567, 662,  
879, 909, 914, 1039.
- S 226 UNAUTHORIZED ADMINISTRATION OF  
MEDICATION BY CHILD CARE FACILITY  
(Ch. SL 2003-406) .....466, 1019, 1256,  
1283, 1330, 1399.

**DECKER, MICHAEL P.**

- APPROVAL OF VOTE CHANGE ON H.B. 900 ..... 536.

**DECKER, MICHAEL P.-Contd.**

BILLS INTRODUCED - 117, \*131, 255, \*478, \*495, \*496, 502, 667, 702, 800, 809, 817, 830, 845, 948, 963, 964, 979, 986, 998, \*1221, 1229, 1330, 1333.

COMMITTEE ASSIGNMENTS - Commerce; Finance, **Vice Chair**; Legislative Redistricting; Local Government II; Ways and Means, **Chair**.

ESCORT FOR SPEAKER BLACK..... 44.

EXCUSED ABSENCES .....69, 83, 88, 96, 104, 150, 735, 740, 745, 751, 760, 771, 912, 1125, 1371.

OATH ..... 20.

**DICKSON, MARGARET H.**

APPROVAL OF VOTE CHANGE ON H.B. 320 ..... 280.

BILLS INTRODUCED - 5, 15, 19, 48, \*51, 117, 152, 154, 255, 271, 272, 273, \*275, 356, \*364, \*365, \*366, \*367, 381, 477, 478, 530, 531, \*558, \*586, \*678, 749, 802, 901, \*908, \*926, 948, \*1027, \*1051, \*1054, \*1091, \*1159, \*1171, 1196, 1220, \*1297, \*1329.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Transportation; Commerce; Education; Education Subcommittee on Universities; Local Government I; Occupational Safety and Health, **Vice Chair**.

CONFEREE ON H.B. 926 (Chair) ..... 1141.

CONFEREE ON S.B. 384..... 810.

EXCUSED ABSENCE ..... 114.

OATH ..... 20.

**DISABLED PERSONS**

S 503 AGE/ELIGIBILITY/NC SCHOOLS FOR THE DEAF  
(Ch. SL 2003-253) .....593, 858, 890, 935, 956, 1017, 1120.

H 801 ALTERNATIVES TO SCHOOL COMPETENCY TEST  
(Ch. SL 2003-275) .....313, 332, 639, 678, 966, 1023, 1035, 1122.

H 388 ASSOCIATION OF SELF-ADVOCATES FUNDS  
(Appropriations)..... 182.

H 551 ATTENDANCE AGE/ELIGIBILITY/SCHOOLS  
FOR DEAF (Senate) .....231, 456, 530, 553.

H 1198 CHANGE HANDICAPPED REFERENCE  
TO DISABLED  
(Rules, Calendar, and Operations of the House)..... 450.

H 318 CHILDREN WITH DISABILITIES/FEDERAL LAW  
(Senate) ..... 165, 213, 600, 634.

**DISABLED PERSONS-Contd.**

- S 926 CLARIFY GROUP HOMES LICENSURE  
AND LEA REIMBURSEMENT  
(Ch. SL 2003-294) .....697, 945, 1032, 1064, 1153.
- H 310 COMMUNITY ALTERNATIVES PROGRAM/  
DISABLED ADULTS AUDIT/DHHS REPORT  
(Appropriations Subcommittee on  
Health and Human Services)  
(Included Ch. SL 2003-284) ..... 164, 572.
- H 907 DEAF/HARD OF HEARING ADVISORY COUNCIL  
(Ch. SL 2003-343) .....363, 624, 689, 828, 849,  
875, 1128, 1157, 1183, 1200, 1388.
- H 932 ESTABLISHING REGIONAL INTERAGENCY  
COORDINATING COUNCIL  
(Ch. SL 2003-391) .....372, 539, 1178,  
1197, 1215, 1348, 1396.
- H 822 HEALTH INSURANCE COVERAGE/EARLY  
INTERVENTION (Appropriations) ..... 323, 711.
- S 897 MEDICAID PRIOR AUTHORIZATION  
(Ch. SL 2003-179) .....608, 846, 900, 902, 1037.
- H 1231 MEDICAID WAIVER/EXPAND PRESCRIPTION  
DRUG COVERAGE (Appropriations)..... 521.
- S 63 PRO TEM AND SPEAKER APPOINTMENTS BILL  
(Senate) .....1358, 1373, 1374.
- H 1178 RAISE AIDS DRUG ASSISTANCE PROGRAM  
INCOME LIMIT (Appropriations)  
(Included Ch. SL 2003-284) ..... 446, 536.
- H 331 RETIREMENT SYSTEM TECHNICAL CHANGES  
(Ch. SL 2003-359) .....167, 566, 634,  
1249, 1261, 1272, 1392.
- H 861 REVIEW STATE GOVERNMENT/UNC  
EMPLOYMENT (State Government) ..... 355.
- S 137 SPECIAL OBLIGATION DEBT/PURPOSES  
(Conference Committee).....1042, 1275, 1318,  
1342, 1365, 1367, 1381.
- S 704 TRAUMATIC BRAIN INJURY ADVISORY COUNCIL  
(Ch. SL 2003-114) .....593, 757, 767, 784, 813, 872.
- S 848 VETERINARY BOARD AGREEMENTS/IMPAIRED  
VETS (Occupational Safety and Health) ..... 608.
- H 223 VOCATIONAL REHABILITATION STUDENTS IN  
COMMUNITY COLLEGE/FUNDS  
(Ch. SL 2003-385) .....147, 149, 213,  
238, 266, 1272, 1395.

**DISCRIMINATION**

- H 1175 FAIR HOUSING COMPLAINTS  
(Ch. SL 2003-136) .....446, 557, 617,  
828, 849, 865, 927.
- H 1214 NO DISCRIMINATION IN COMMERCIAL  
CONTRACTS (State Government) ..... 453.
- H 861 REVIEW STATE GOVERNMENT/UNC  
EMPLOYMENT (State Government) ..... 355.
- H 924 STATE GOVERNMENT EQUAL EMPLOYMENT  
OPPORTUNITY  
(State Government) ..... 371.

**DIVORCE AND ALIMONY (G.S. 50) - also see CHILD CUSTODY;  
CHILD SUPPORT; MARRIAGE AND FAMILY**

- S 577 ADJUST COURT JURISDICTION  
(Rules, Calendar, and Operations of the House)..... 696.
- H 202 AMEND CHILD SUPPORT ENFORCEMENT LAWS  
(Judiciary IV) ..... 141.
- S 423 AMEND CHILD SUPPORT ENFORCEMENT LAWS  
(Ch. SL 2003-288) .....409, 931, 1027, 1064, 1152.
- S 718 AMEND DOMESTIC VIOLENCE LAWS/  
TEMPORARY CUSTODY (Judiciary I)..... 718.
- H 1033 CHILD CUSTODY/GUARDIANSHIP JURISDICTION  
(Judiciary IV) ..... 419.
- H 1219 CLARIFY DEFINITION OF DIVISIBLE PROPERTY/  
EQUITABLE DISTRIBUTION (Senate)..... 454, 598, 681.
- H 877 CLARIFY POSTSEPARATION SUPPORT LAWS  
(Judiciary I) ..... 358.
- H 952 CLARIFYING CHANGE/FAMILY LAW  
ARBITRATION ACT  
(Ch. SL 2003-61) .....376, 520, 584, 772, 825.
- H 1126 COLLABORATIVE LAW PROCEDURES/  
FAMILY LAW (Ch. SL 2003-371) .....437, 542, 616,  
1325, 1326, 1332, 1335, 1393.
- S 394 EQUITABLE DISTRIBUTION CLAIM SURVIVE  
DEATH SPOUSE/LIMIT  
(Ch. SL 2003-168) .....492, 751, 798, 851, 912, 1036.

**DOCKHAM, JERRY C.**

- BILLS INTRODUCED - 55, 64, 117, 131, 147, 693, 694, 702, 727, 809,  
825, 830, 835, \*874, 998, 1022, \*1052, \*1053, \*1067, \*1068, 1268,  
1271, 1337.

**DOCKHAM, JERRY C.-Contd.**

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Education; Children, Youth and Families; Commerce; Education; Education Subcommittee on Pre-School, Elementary and Secondary Education, **Chair**; State Government.

EXCUSED ABSENCES .....212, 222, 228, 237, 246, 341, 383, 405, 786, 867, 1198, 1218.

OATH ..... 20.

**DOMESTIC VIOLENCE (G.S. 50B)**

S 718 AMEND DOMESTIC VIOLENCE LAWS/  
TEMPORARY CUSTODY (Judiciary I)..... 718.

H 840 CLARIFY DEFINITION OF PROTECTIVE ORDER  
(Judiciary I)..... 336.

S 630 CLARIFY DEFINITION OF PROTECTIVE ORDER  
(Ch. SL 2003-107) .....480, 747, 766, 803, 871.

S 919 HOMICIDE PREVENTION ACT/DOMESTIC  
VIOLENCE (Ch. SL 2003-410) .....697, 739, 964,  
1024, 1091, 1105, 1199, 1399.

S 63 PRO TEM AND SPEAKER APPOINTMENTS BILL  
(Senate) .....1358, 1373, 1374.

**DRAINAGE (G.S. 156)**

H 394 CLARIFY LEGAL FILING LAW  
(Ch. SL 2003-337) .....183, 351, 380,  
1113, 1165, 1178, 1387.

**DRUGS - also see SUBSTANCE ABUSE**

H 352 DRUG SCREENING AND ASSESSMENT  
(Ch. SL 2003-141) .....172, 389, 526, 864, 928.

S 619 DWI BLOOD TEST RESULT-DIRECTLY TO CLERK  
(Ch. SL 2003-104) .....523, 784, 799, 802, 871.

S 449 EVIDENCE - DWI BLOOD WITHDRAWAL VALID  
(Ch. SL 2003-95) .....626, 752, 792, 794, 870.

S 557 REQUIRE DRUG TEST BEFORE LICENSURE/CAB  
DRIVER (Ch. SL 2003-65).....523, 753, 766, 771, 825.

**DUPLIN COUNTY**

H 104 DUPLIN COUNTY LOCAL ACT  
(Rules, Calendar, and Operations of the House) ..... 106.

H 105 DUPLIN COUNTY LOCAL ACT  
(Rules, Calendar, and Operations of the House) ..... 106.

H 302 DUPLIN UNPAID WATER FEES COLLECTION  
(Local Government II) ..... 162.

**DUPLIN COUNTY-Contd.**

- H 182 NORTHAMPTON/DUPLIN/FAYETTEVILLE  
 LOCAL ACTS (Ch. SL 2003-318).....138, 189, 221,  
 1072, 1098, 1178, 1205, 1218, 1231.
- H 469 SEVERAL COUNTIES UNPAID FEES COLLECTION  
 (Ch. SL 2003-270) .....203, 484, 629,  
 674, 1042, 1100, 1112, 1121.

**DURHAM COUNTY**

- H 733 AMEND DURHAM FIREFIGHTERS' RETIREMENT  
 (Ch. SL 2003-325) .....296, 386, 505,  
 1249, 1260, 1273, 1308.
- S 317 CERTAIN COUNTIES ANNEXATION MORATORIUM  
 (Ch. SL 2003-326) .....797, 1216, 1250,  
 1262, 1285, 1331, 1364.
- H 773 CHAPEL HILL SPRINKLERS  
 (Ch. SL 2003-247) ..... 304, 619, 650,  
 700, 1021, 1083, 1095, 1112.
- H 662 CHAPEL HILL UTILITY TAX DISTRICT  
 (Finance)..... 264.
- H 650 DURHAM ANNEXATIONS  
 (Finance)..... 262.
- H 736 DURHAM AUTO TAX  
 (Ch. SL 2003-329) ..... 297, 1171, 1189, 1206, 1307, 1365.
- H 676 DURHAM BENEFITS  
 (Judiciary I)..... 274.
- H 675 DURHAM CITY ZONING  
 (Rules, Calendar, and Operations of the House)..... 273.
- H 633 DURHAM COUNTY SCHOOL CAPITAL TAX  
 (Finance)..... 254.
- H 124 DURHAM COUNTY ZONING PROTEST PETITIONS  
 (Ch. SL 2003-83) ..... 109, 642, 660, 699, 830, 843.
- H 734 DURHAM HOUSING APPEALS BOARD  
 (Senate) .....297, 408, 472.
- S 477 DURHAM HOUSING BOARD TO HEAR OTHER  
 APPEALS (Ch. SL 2003-51) .....493, 762, 791,795, 805.
- H 632 DURHAM IMPACT FEE FOR SCHOOLS  
 (Finance)..... 254.
- S 478 DURHAM/MONROE OVERGROWN VEGETATION  
 ORDINANCE (Ch. SL 2003-77)..... 467, 769,  
 792, 814, 831.
- H 674 DURHAM NORTHERN LOOP CORRIDOR  
 (Conference Committee)  
 (Included Ch. SL 2003-284) ..... 273, 342, 381, 400,  
 528, 1334, 1352, 1375, 1377, 1379.

**DURHAM COUNTY-Contd.**

- H 737 DURHAM SCHOOL RECALL ELECTION  
(Senate).....297, 566, 610.
- S 482 DURHAM STREET ANNEXATIONS  
(Ch. SL 2003-26) .....493, 519, 550, 575, 604, 620.
- H 788 DURHAM TOWING  
(Rules, Calendar, and Operations of the House)..... 306.
- H 651 DURHAM TRAFFIC CONTROL MEASURES  
(Ch. SL 2003-85) .....262, 342, 364, 831, 843.
- S 476 DURHAM TRAFFIC CONTROL MEASURES  
(Local Government II) ..... 493.
- H 735 NOTICE TO CHRONIC VIOLATORS  
(Ch. SL 2003-133) .....297, 485, 552,  
878, 888, 903, 915.
- H 534 TOWN OF MORRISVILLE LOCAL ACT  
(Rules, Calendar, and Operations of the House)..... 224.
- H 536 TOWN OF MORRISVILLE LOCAL ACT  
(Rules, Calendar, and Operations of the House)..... 224.

**DWI - (Driving While Impaired)**

- H 471 CDL CHANGES/MOPED TAG  
(Senate).....204, 655, 783, 932, 952, 976.
- H 1209 CHILD ENDANGERMENT AND DRIVING  
WHILE IMPAIRED  
(Rules, Calendar, and Operations of the House)..... 452.
- H 880 DWI BLOOD TEST RESULT-DIRECTLY TO CLERK  
(Judiciary I).....359, 480, 559.
- S 934 DWI PROVIDER AUTHORIZATION FEES  
(Ch. SL 2003-396) .....818, 1048, 1107, 1125, 1132,  
1184, 1203, 1206, 1288, 1299, 1331, 1397.
- S 449 EVIDENCE - DWI BLOOD WITHDRAWAL VALID  
(Ch. SL 2003-95) .....626, 752, 792, 794, 870.
- H 1034 MOTHERS AGAINST DRUNK DRIVING SPECIAL  
REGISTRATION PLATE  
(Finance) (Included Ch. SL 2003-424) ..... 420.

**-E-**

**EARLE, BEVERLY M.**

- APPOINTED TO SELECT COMMITTEE ON UNIVERSITY  
BOARD OF GOVERNORS NOMINATING COMMITTEE ..... 284.

**EARLE, BEVERLY M.-Contd.**

BILLS INTRODUCED - 43, 59, \*109, 117, \*155, \*156, \*157, 169, 170, 171, \*172, 255, \*307, \*308, \*309, \*310, 379, 381, 397, 398, 399, 400, 463, 474, 475, 476, 478, 500, 547, 561, 562, 606, 667, 738, \*739, 756, 766, 813, 844, 853, 858, \*861, \*862, 917, 926, 938, 958, 959, 986, 1016, \*1027, \*1121, 1214, 1220, 1227, \*1235, \*1271, \*1305, \*1316, 1317.

COMMITTEE ASSIGNMENTS - Aging; Appropriations, **Chair**; Health; Judiciary IV; Science and Technology.

CONFEREE ON H.B. 397..... 722.

DEMOCRATIC WHIP ..... 76.

ESCORT FOR SPEAKER BLACK..... 44.

EXCUSED ABSENCES .....54, 56, 501, 1064, 1371.

OATH ..... 20.

**EASLEY, MICHAEL F. - GOVERNOR OF NORTH CAROLINA**

S 138 STATE OF THE STATE  
(Ch. Res. 2003-2)..... 90, 96, 100, 101, 102, 105, 113, 121.

APPOINTMENTS OF

BANKS, COMMISSIONER OF ..... 136.

EDUCATION, STATE BOARD OF..... 746.

UTILITIES COMMISSION ..... 602.

RECONVENED SESSION, PROCLAMATION..... 1405.

STATE OF THE STATE ADDRESS..... 123.

VETO MESSAGE REGARDING H.B. 917 ..... 1407.

VETO MESSAGE REGARDING S.B. 931 ..... 940.

**ECONOMIC DEVELOPMENT**

H 1284 21<sup>ST</sup> CENTURY JOBS ACT  
(Finance)..... 774.

H 1296 ABC FEE FOR URBAN REDEVELOPMENT  
ZONE FEE (Finance)..... 776.

H 885 ADJUST TIER FORMULA  
(Finance)..... 359.

H 1041 ADMINISTRATIVE PROCEDURE ACT RULES/  
SMALL BUSINESS ECONOMIC IMPACT  
(Judiciary II)..... 421.

H 1133 AMEND SHELLFISH STATUTES  
(Environment and Natural Resources)..... 438.

S 773 COMMUNITY COLLEGE FACILITY/PUBLIC  
PRIVATE PARTNERSHIPS  
(Ch. SL 2003-286) .....495, 943, 1030, 1064, 1152.

**ECONOMIC DEVELOPMENT-Contd.**

- H 666 CONTRACT AGENCY COMPENSATION  
(Appropriations)..... 272, 983.
- S 934 DWI PROVIDER AUTHORIZATION FEES  
(Ch. SL 2003-396) .....818, 1048, 1107, 1125, 1132,  
1184, 1203, 1206, 1288, 1299, 1331, 1397.
- H 1173 ECONOMIC DEVELOPMENT DISTRICT  
(Rules, Calendar, and Operations of the House)..... 445.
- S 168 ECONOMIC DEVELOPMENT DISTRICT  
(Ch. SL 2003-418) .....1228, 1253,  
1288, 1314, 1348, 1400.
- H 4 ECONOMIC STIMULUS ACT OF 2003  
(Rules, Calendar, and Operations of the House)..... 65.
- H 1194 ESTABLISH ELECTRONIC-NC AUTHORITY  
(Ch. SL 2003-425) .....449, 564, 671, 1205, 1250,  
1262, 1276, 1277, 1311, 1324, 1335, 1401.
- H 45 EXEMPT TOBACCO PAYMENTS FROM  
INCOME TAX (Finance) ..... 81.
- S 460 EXTEND SUNSET/PRIVATE CORRECTIONAL  
OFFICERS (Judiciary III)..... 493.
- H 931 FARM FUTURES PILOT PROGRAM  
(Appropriations)..... 372.
- H 968 FARM FUTURES PILOT PROGRAM  
(Appropriations)..... 393, 731.
- H 1239 IMPROVE ECONOMIC DEVELOPMENT EFFORTS  
(Rules, Calendar, and Operations of the House)..... 587.
- H 740 JOB GROWTH ACCOUNTABILITY ACT  
(Rules, Calendar, and Operations  
of the House)..... 298, 457.
- S 75 LIFE SCIENCES REVENUE BOND AUTHORITY  
(Conference Committee).....1042, 1179, 1241, 1255,  
1280, 1313, 1342, 1372, 1380.
- H 1293 LOCAL OPTION PROJECT DEVELOPMENT  
FINANCING (Finance) ..... 775.
- S 725 LOCAL OPTION PROJECT DEVELOPMENT  
FINANCING (Ch. SL 2003-403) .....887, 1227, 1275,  
1293, 1317, 1348, 1398.
- H 1275 MODIFY BILL LEE TAX CREDIT INCENTIVES  
(Rules, Calendar, and Operations of the House)..... 754.
- H 48 MOVING AHEAD TRANSPORTATION INITIATIVE  
(Ch. SL 2003-383) .....81, 544, 597, 629, 682,  
703, 707, 708, 1302, 1339, 1355,  
1357, 1360, 1382, 1385, 1386, 1395.

**ECONOMIC DEVELOPMENT-Contd.**

H	1316	N.C. TRAVEL AND TOURISM INVESTMENT ACT (Senate) .....	780, 1008, 1042, 1069, 1109, 1141, 1159, 1160.
S	63	PRO TEM AND SPEAKER APPOINTMENTS BILL (Senate) .....	1358, 1373, 1374.
H	1065	REDEVELOPMENT COMMISSION PROPERTY CONVEYANCE (Ch. SL 2003-66) .....	425, 571, 662, 772, 825.
H	1240	REFORM BILL LEE ACT (Finance) .....	587.
H	1318	REPEAL BILL LEE ACT AND MAKE INCENTIVES WORK (Appropriations).....	781, 1048.
S	214	RESEARCH AND PRODUCTION SERVICE DISTRICT DEANNEXATION (Ch. SL 2003-187) .....	748, 816, 862, 880, 889, 891, 1038.
H	61	REVENUE ADMINISTRATIVE CHANGES (Finance) .....	84.
H	41	REVENUE LAWS TECHNICAL CHANGES (Finance) .....	80.
S	97	REVENUE LAWS TECHNICAL CHANGES (Ch. SL 2003-416) .....	887, 1221, 1245, 1263, 1271, 1400.
H	863	SCHOOLS START AFTER LABOR DAY (Commerce) .....	355.
H	942	STATEWIDE INTERNET ACCESS (Rules, Calendar, and Operations of the House).....	374.
H	1268	STIMULATE ECONOMY MANUFACTURING (Finance) .....	625.
H	1242	TARGET INCENTIVES BETTER TO DISTRESSED AREAS (Rules, Calendar, and Operations of the House).....	587.
H	1243	TARGET INCENTIVES TO TRULY DISTRESSED AREAS (Rules, Calendar, and Operations of the House).....	588.
H	1292	TARGET INCENTIVES TO TRULY DISTRESSED AREAS (Senate) .....	775, 1212, 1264, 1285.
H	1244	TARGET TIER 5 INCENTIVES TO NEED (Rules, Calendar, and Operations of the House).....	588.
H	1271	TRAVEL AND TOURISM INCENTIVE GRANTS (Finance) .....	732.

**EDDINS, RICK L.**

BILLS INTRODUCED - 64, 108, 131, 150, 151, 305, \***342**, 356, 381, \***431**, 518, 670, 677, 702, 766, 796, 809, 817, 830, 863, 874, \***889**, \***890**, \***891**, \***910**, \***911**, 960, 961, 998, \***1031**, 1034, 1124, 1268, 1270.

COMMITTEE ASSIGNMENTS - Ex officio member of all committees except Congressional Redistricting and Legislative Redistricting; Legislative Redistricting, **Chair**.

EXCUSED ABSENCES .....150, 760, 771, 986, 1006, 1017, 1034, 1051, 1119.

NOMINATES DENISE WEEKS AS PRINCIPAL CLERK..... 51.

OATH ..... 20.

**EDGECOMBE COUNTY**

H 1074 BUTNER ADVISORY COUNCIL/NASH-ROCKY MOUNT/EDGECOMBE (Ch. SL 2003-346) ..... 427, 559, 581, 607, 736, 773, 790, 822, 933, 955, 978, 1146, 1165, 1186, 1200, 1389.

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- H 801 ALTERNATIVES TO SCHOOL COMPETENCY TEST  
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- S 952 AMEND DISTINGUISHED PROFESSORS  
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- H 1171 AMEND HAZING LAWS  
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- H 1289 AMEND PRIVATE PROTECTIVE SERVICES  
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- S 936 WAIVE DEADLINES FOR TROOPS  
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1059, 1076, 1111, 1154.

**FIDUCIARIES (G.S. 32)**

- S 470 COMPENSATION OF TRUSTEES/OTHER  
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- S 549 UNIFORM PRINCIPAL AND INCOME ACT  
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**FISH AND FISHING - see CONSERVATION AND DEVELOPMENT**

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- S 236 REVENUE ADMINISTRATIVE CHANGES  
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- S 996 ABC-SEXUALLY EXPLICIT CONDUCT BANNED  
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- H 1222 AGRIBUSINESS AND TOURISM JOB TRAINING  
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- S 751 CIVIL PENALTIES/FOOD, DRUG AND COSMETICS  
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758, 1269, 1298, 1331, 1396.
- H 1112 CLARIFY FOOD SERVICE LAWS  
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- H 870 COMMUNITY BUILDINGS/EXEMPT FROM  
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- H 939 DEPARTMENT OF AGRICULTURE AND  
CONSUMER SERVICES TO REGULATE  
FARMED CERVIDS (Agriculture) ..... 374.
- H 968 FARM FUTURES PILOT PROGRAM  
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- H 749 LOCAL OPTION TAX MENU  
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- H 1008 NEW ABC PERMITS BASED ON EXISTING  
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- H 974 PROHIBIT STATE PURCHASE OF  
RECONSTITUTED MILK  
(Ch. SL 2003-367) .....394, 622, 687,  
1220, 1236, 1251, 1393.
- H 900 RESTAURANT ABC PERMITS  
(Ch. SL 2003-135) .....362, 465, 536,  
550, 577, 865, 927.
- H 1101 RESTRICT UNC OWNERSHIP OF  
CERTAIN PROPERTIES  
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- H 1032 SCHOOL FOOD/BEVERAGE PURCHASES  
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- H 977 STATE PURCHASES OF SUBSTITUTE FOR MILK  
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**FORSYTH COUNTY**

- H 423 66<sup>TH</sup> HOUSE DISTRICT LOCAL ACT  
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- H 424 66<sup>TH</sup> HOUSE DISTRICT LOCAL ACT  
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- H 323 92<sup>ND</sup> HOUSE DISTRICT LOCAL ACT  
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- H 324 92<sup>ND</sup> HOUSE DISTRICT LOCAL ACT  
(Rules, Calendar, and Operations of the House)..... 166.
- H 325 92<sup>ND</sup> HOUSE DISTRICT LOCAL ACT  
(Rules, Calendar, and Operations of the House)..... 166.
- H 311 93<sup>RD</sup> HOUSE DISTRICT LOCAL ACT  
(Rules, Calendar, and Operations of the House)..... 164.
- H 312 93<sup>RD</sup> HOUSE DISTRICT LOCAL ACT  
(Rules, Calendar, and Operations of the House)..... 164.
- H 496 94<sup>TH</sup> HOUSE DISTRICT LOCAL ACT  
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- S 276 AMEND WINSTON-SALEM FIREMEN'S  
RETIREMENT FUND  
(Ch. SL 2003-35) .....717, 738, 749, 751, 761.
- S 359 FORSYTH CHARTER SCHOOL/RAISE CAP  
(Senate) .....592, 966, 1003,  
1015, 1180, 1255, 1290, 1292.
- H 495 FORSYTH COUNTY LOCAL ACT  
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- H 89 FORSYTH FIRE DISTRICTS  
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468, 508, 891, 914.

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- H 627 GREENSBORO/KERNERSVILLE CONSTRUCT  
ROADS OUTSIDE CITY  
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411, 878, 888, 902, 915.
- S 995 SCHOOL CONSTRUCTION/REPAIR FLEXIBILITY  
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- S 420 WINSTON-SALEM AUTO TAX  
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- H 153 WINSTON-SALEM ORDINANCES/  
CHRONIC VIOLATORS  
(Ch. SL 2003-120) ..... 116, 230, 256, 868, 892.

**FOX, STANLEY H.**

- BILLS INTRODUCED - 28, 43, \*52, 117, 131, 147, 186, 237, 255, 356,  
381, \*401, 405, 429, 478, 557, 667, \*684, 727, \*767, 802, 809, 817,  
850, 867, 917, 979, 1032, 1075, \*1129, 1193, 1220, \*1245, \*1301.
- COMMITTEE ASSIGNMENTS - Agriculture; Appropriations, **Vice Chair**;  
Appropriations Subcommittee on Natural and Economic Resources,  
**Chair**; Education; Education Subcommittee on Universities; Judiciary III;  
Wildlife Resources, **Vice Chair**.
- CONFEREE ON H.B. 397 ..... 722.
- EXCUSED ABSENCES ..... 1064, 1079.
- EXCUSED VOTE ON H.B. 964 ..... 684.
- OATH ..... 20.

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- H 337 FRANKLIN COUNTY AIRPORT QUICK TAKE  
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- H 594 FRANKLIN COUNTY LOCAL ACT  
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**FRYE, PHILLIP D.**

- APPROVAL OF VOTE CHANGE ON H.B. 131 ..... 683.
- BILLS INTRODUCED - 6, 7, 8, 9, 12, 14, 15, 19, 25, 27, 39, 43, 56, 64,  
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\*299, \*300, \*301, 342, \*343, 356, 357, 359, 381, 402, 403, 404, \*428,  
451, 478, 518, 543, 640, 641, 670, \*673, 702, 809, 817, 819, 830, \*833,  
835, \*843, 847, 858, \*874, 876, \*921, 962, 979, 984, 986, 998, \*1050,  
1097, 1104, 1141, 1196, 1215, 1216, 1217, 1268, 1303, 1330.
- COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Sub-  
committee on Justice and Public Safety, **Vice Chair**; Commerce;  
Education; Education Subcommittee on Community Colleges; Local  
Government II; Transportation.

**FRYE, PHILLIP D.-Contd.**

EXCUSED ABSENCE ..... 1125.  
 OATH ..... 20.

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 H 1203 AMEND MOTOR FUEL MARKETING ACT  
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 H 1192 LEAKING UNDERGROUND STORAGE  
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 H 1007 NO MOTOR FUEL SALES LIMITS  
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 S 63 PRO TEM AND SPEAKER APPOINTMENTS BILL  
 (Senate) .....1358, 1373, 1374.  
 H 806 REBATE AND GRANT PROGRAM FOR  
 ALTERNATIVE FUEL VEHICLES  
 (Appropriations).....314, 1144, 1161.  
 S 732 UNDERGROUND STORAGE TANK PROGRAM  
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H 859 BOARD OF MORTUARY SCIENCE  
 (Senate) .....354, 480, 555, 578, 621, 686, 691, 692.  
 S 550 CREMATORY ACT CHANGES  
 (Ch. SL 2003-420) .....1113, 1233, 1255,  
 1290, 1316, 1330, 1400.  
 H 935 ESTABLISH MOUNTED HORSE/CAISSON PATROL  
 UNIT (Appropriations Subcommittee  
 on Justice and Public Safety) ..... 373.  
 S 63 PRO TEM AND SPEAKER APPOINTMENTS BILL  
 (Senate) .....1358, 1373, 1374.  
 H 677 REDUCE SALES TAX ON FUNERALS  
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**-G-**

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S 6 BAN VIDEO POKER/ALL BUT RESERVATIONS  
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- H 149 "CASINO NIGHTS" FOR NONPROFIT ORGANIZATIONS  
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- S 236 REVENUE ADMINISTRATIVE CHANGES  
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1092, 1174, 1175, 1229, 1389.

**GASTON COUNTY**

- S 30 DALLAS ALDERMEN AUTHORITY  
(Ch. SL 2003-22) .....226, 482, 553, 563, 604.
- S 475 DALLAS ANNEXATION  
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1117, 1128, 1132, 1149.
- H 260 GASTON COUNTY LOCAL ACT  
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- H 261 GASTON COUNTY LOCAL ACT  
(Rules, Calendar, and Operations of the House)..... 155.
- H 262 GASTON COUNTY LOCAL ACT  
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- H 764 GASTON SHERIFF VACANCIES  
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- H 683 GASTON SHERIFF VACANCY  
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- H 635 INVISIBLE FENCE SYSTEMS-SIGNS REQUIRED  
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- S 122 VARIOUS SATELLITE ANNEXATIONS  
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- H 620 GATES COUNTY LOCAL ACT  
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- H 655 PEMBROKE CREEK NO-WAKE ZONE/GATES  
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946, 970, 988, 1038.
- H 602 WORTHLESS CHECK PROGRAM/MORE  
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H	397	2003 BUDGET ACT (Ch. SL 2003-284) .....	184, 462, 476, 482, 485, 495, 709, 721, 732, 734, 1126, 1130, 1142, 1147, 1150.
S	824	AMEND ENVIRONMENTAL LAWS 2003 (Ch. SL 2003-340) .....	504, 1030, 1091, 1114, 1170, 1185, 1199, 1202, 1388.
H	1209	CHILD ENDANGERMENT AND DRIVING WHILE IMPAIRED (Rules, Calendar, and Operations of the House).....	452.
H	1052	CONSOLIDATE ADMINISTRATIVE FUNCTIONS (Rules, Calendar, and Operations of the House).....	423, 622, 654.
S	805	CONSOLIDATE ADMINISTRATIVE FUNCTIONS (Rules, Calendar, and Operations of the House).....	724.
H	71	CONVENE SESSION EARLY (Rules, Calendar, and Operations of the House).....	88.
S	944	ECONOMIC INCENTIVES/COMMITTEE CHANGES (Finance) .....	1344.
H	306	ENHANCE RETIREMENT BENEFITS (Appropriations).....	163, 386.
H	1194	ESTABLISH ELECTRONIC-NC AUTHORITY (Ch. SL 2003-425) .....	449, 564, 671, 1205, 1250, 1262, 1276, 1277, 1311, 1324, 1335, 1401.
H	853	GOVERNOR'S BUDGET BILL (Appropriations).....	345.
H	1060	INDEPENDENT REDISTRICTING COMMISSION/STATUTE (Rules, Calendar, and Operations of the House).....	424.
H	851	INTEREST ON RETURN OF RETIREMENT CONTRIBUTIONS (Appropriations) .....	345, 737.
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H	1218	JUDICIAL BRANCH BUDGET REFORM (Appropriations Subcommittee on Justice and Public Safety) .....	454.
H	500	LEGISLATIVE FITNESS CENTER (Health) .....	215.
S	63	PRO TEM AND SPEAKER APPOINTMENTS BILL (Senate) .....	1358, 1373, 1374.

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H 80 REPORTS TO MENTAL HEALTH  
OVERSIGHT COMMITTEE  
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H 937 REVISE BOARD OF GOVERNORS MEMBERSHIP  
(Rules, Calendar, and Operations of the House)..... 373.

H 28 SESSION LIMITS  
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H 30 SESSION LIMITS  
(Rules, Calendar, and Operations of the House)..... 71.

H 1167 SESSION LIMITS  
(Rules, Calendar, and Operations of the House)..... 444.

H 279 SPEAKER'S APPOINTMENTS  
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S 137 SPECIAL OBLIGATION DEBT/PURPOSES  
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1342, 1365, 1367, 1381.

H 1130 SUPERINTENDENT RENAMED SECRETARY  
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H 186 TIMELY STATE BUDGET ACT  
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**GIBSON, PRYOR A., III**

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APPROVAL OF VOTE CHANGE ON H.B. 1316 ..... 1109.

APPROVAL OF VOTE CHANGE ON S.B. 629 ..... 881.

BILLS INTRODUCED - 109, 117, 126, \*131, 147, 255, \*340, 381, 429,  
477, 478, 502, \*563, \*566, 601, 667, \*695, \*696, \*697, \*698, 702, 727,  
759, \*768, \*769, 802, 809, 817, \*831, 835, 858, \*895, \*896, \*897,  
\*898, \*899, \*900, 917, \*946, \*947, 958, 959, \*1007, \*1008, \*1009,  
1030, 1031, 1032, 1033, \*1040, \*1072, \*1076, \*1077, \*1078, \*1079,  
\*1080, \*1081, \*1082, \*1083, 1097, \*1108, \*1109, \*1110, \*1111,  
\*1112, \*1113, \*1127, \*1203, \*1204, \*1205, \*1206, \*1207, 1221, 1227,  
\*1248, 1284, \*1285, \*1286, 1297, 1298, \*1310, \*1311, \*1312, 1314,  
1316, \*1325.

COMMITTEE ASSIGNMENTS - Alcoholic Beverage Control; Environ-  
ment and Natural Resources, **Chair**; Finance, **Vice Chair**; Legislative  
Redistricting; Public Utilities.

CONFEREE ON H.B. 339..... 1137.

CONFEREE ON H.B. 1062..... 1161.

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**GIBSON, PRYOR A., III-Contd.**

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**GILLESPIE, MITCH**

BILLS INTRODUCED - 6, 7, 9, 15, 19, 24, *25, 31, 55, *64, 108, 117, 131, 171, *201, 237, 255, 294, 329, 330, 381, *563, 677, 702, 704, 805, 809, 817, 830, 843, 858, *870, 874, *882, *897, 910, 911, 927, 962, 978, 979, 998, 1022, *1029, 1101, 1106, 1141, 1330.	
COMMITTEE ASSIGNMENTS - Aging; Appropriations; Appropriations Subcommittee on Transportation, <b>Chair</b> ; Environment and Natural Resources; Local Government I; Ways and Means.	
CONFEREE ON H.B. 48.....	1357.
EXCUSED ABSENCES .....	405, 740, 860.
OATH .....	20.

**GLAZIER, RICK**

APPROVAL OF VOTE CHANGE ON H.B. 918 .....	1314.
BILLS INTRODUCED - 5, 15, 19, 20, 22, *30, 48, *51, 109, 117, *126, 152, 154, *219, 244, 245, 246, 247, *254, 255, *271, *272, *273, *274, *275, 294, 304, 307, 309, 310, 317, 329, 330, 354, 356, 379, 381, 405, 463, 478, 502, 506, *510, 527, 530, 531, 544, *558, *559, *601, 605, 636, 637, *664, 667, *678, *689, 702, 704, 743, 744, 756, *766, 797, 800, *802, 803, 805, 808, 812, *825, *827, 832, 835, 844, 848, 850, 858, 862, 888, *908, 926, 943, 948, *957, *958, *959, 986, 991, 1004, *1005, 1017, 1027, *1030, *1031, *1032, *1033, 1043, 1048, *1054, *1055, 1064, 1067, 1096, 1097, 1121, 1136, 1137, 1157, *1159, 1178, 1199, 1220, *1234, 1235, 1238, 1245, 1246, *1250, *1251, 1271, 1284, 1288, *1297, 1314, 1316, 1317.	
COMMITTEE ASSIGNMENTS - Education; Education Subcommittee on Pre-School, Elementary and Secondary Education; Finance; Financial Institutions; Health; Judiciary IV, <b>Vice Chair</b> .	
DEMOCRATIC FRESHMAN CHAIR .....	76.
ESCORT FOR GOVERNOR EASLEY .....	113.
ESCORT FOR SPEAKER BLACK.....	44.
EXCUSED ABSENCE .....	NONE.
OATH .....	20.

**GOFORTH, D. BRUCE**

APPROVAL OF VOTE CHANGE ON H.B. 695 ..... 576.  
 APPROVAL OF VOTE CHANGE ON H.B. 1316 ..... 1159.  
 APPROVAL OF VOTE CHANGE ON S.B. 647 ..... 882.  
 BILLS INTRODUCED - 5, 28, \*83, 117, 147, 219, 237, 254, 255, 272,  
 307, 308, 356, 381, 429, 478, 527, 702, \*759, 797, 802, 809, 812, 830,  
 \*832, 833, \*912, 926, 948, 964, 978, 1024, 1027, 1032, 1075, 1097,  
 1104, 1196, 1205, 1221, 1227, 1317, 1330.  
 COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Sub-  
 committee on Education; Commerce; Education; Education Sub-  
 committee on Pre-School, Elementary and Secondary Education, **Vice**  
**Chair**; Judiciary IV; State Government.  
 EXCUSED ABSENCE ..... 197.  
 OATH ..... 20.  
 MOTION TO RECONSIDER VOTE ON H.B. 859..... 578.

**GOODWIN, G. WAYNE**

BILLS INTRODUCED - 28, 30, \*42, \*63, \*69, \*108, \*109, 117, 131,  
 147, 152, \*186, \*187, 219, \*230, \*231, 255, 271, \*273, \*327, 356, 381,  
 392, 410, 411, 429, \*510, \*516, \*527, 606, 667, \*689, 693, 696, 704,  
 756, 759, 797, 802, 805, 813, 822, 844, 850, \*918, \*919, 984, 986,  
 \*1023, \*1024, 1046, \*1054, 1075, \*1091, \*1096, 1104, \*1124, 1153,  
 \*1160, \*1161, 1172, \*1181, \*1182, \*1193, \*1235, 1250, \*1276, 1284,  
 1294, 1298, 1330, 1331, 1334.  
 COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Sub-  
 committee on Justice and Public Safety; Education; Education Sub-  
 committee on Community Colleges; Judiciary II, **Vice Chair**;  
 Occupational Safety and Health, **Chair**; Ways and Means.  
 CONFEREE ON H.B. 147 ..... 1101.  
 CONFEREE ON H.B. 786..... 1101.  
 CONFEREE ON S.B. 661..... 1360.  
 EXCUSED ABSENCES .....54, 563, 1034, 1125.  
 OATH ..... 20.

**GORMAN, MICHAEL A.**

APPROVAL OF VOTE CHANGE ON H.B. 96 ..... 1342.  
 APPROVAL OF VOTE CHANGE ON H.B. 917 ..... 615.  
 APPROVAL OF VOTE CHANGE ON H.B. 1062 ..... 1161.  
 APPROVAL ON VOTE CHANGE ON CALL FOR  
 PREVIOUS QUESTION DURING ELECTION OF SPEAKER ..... 41.

**GORMAN, MICHAEL A.-Contd.**

BILLS INTRODUCED - 6, 7, 8, 9, 10, 15, 19, 27, 30, \*32, 43, 51, 55, 56, 60, 64, 65, 67, 71, 100, 108, 109, \*118, \*119, \*120, \*121, \*122, \*123, \*131, 147, \*179, 207, 219, 223, 255, 319, 327, 340, \*345, 356, 381, 394, 402, 429, 477, 518, \*550, 567, 606, 670, 702, \*729, \*730, 759, 797, 798, 805, 809, 810, 817, 819, \*828, 830, 833, 854, 863, 867, \*869, 874, 897, \*912, 962, 970, 998, 1028, 1040, \*1087, 1116, 1124, 1130, 1157, 1159, \*1162, \*1163, \*1164, \*1189, \*1195, 1196, 1268, 1337.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Education; Education, **Vice Chair**; Education Subcommittee on Pre-School, Elementary and Secondary Education; Financial Institutions; Military, Veterans and Indian Affairs; Rules, Calendar, and Operations of the House, **Vice Chair**.

CONFEREE ON H.B. 147..... 1101.  
CONFEREE ON H.B. 397..... 722.  
CONFEREE ON H.B. 926..... 1141.  
EXCUSED ABSENCE ..... 745.  
INQUIRY OF CHAIR REGARDING RULES AND PROCEDURE ..... 33.  
OATH ..... 20.  
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**GRADY, W. ROBERT**

APPROVAL ON VOTE CHANGE ON CALL FOR PREVIOUS QUESTION DURING ELECTION OF SPEAKER ..... 41.  
BILLS INTRODUCED - 19, 43, 71, 131, 381, 397, 398, 399, 400, \*453, \*454, \*455, \*456, \*457, \*458, \*459, \*460, 631, 702, \*825, 830, \*845, 858, 1028, \*1102, \*1103, \*1213.

COMMITTEE ASSIGNMENTS - Appropriations, **Chair**; Education; Education Subcommittee on Universities; Insurance; Legislative Redistricting; Military, Veterans and Indian Affairs.

CONFEREE ON H.B. 397..... 722.  
EXCUSED ABSENCE ..... 1371.  
INQUIRY OF CHAIR REGARDING JOURNAL DURING ELECTION OF SPEAKER ..... 34.  
OATH ..... 20.  
REQUESTS FISCAL NOTE ON H.B. 303 ..... 525.

**GRAHAM COUNTY**

H 268 GRAHAM COUNTY LOCAL ACT (Rules, Calendar, and Operations of the House)..... 157.

**GRANVILLE COUNTY**

- H 1074 BUTNER ADVISORY COUNCIL/NASH-ROCKY MOUNT/EDGEcombe (Ch. SL 2003-346)..... 427, 559, 581, 607, 736, 773, 790, 822, 933, 955, 978, 1146, 1165, 1186, 1200, 1389.
- H 162 GRANVILLE LOCAL ACT (Rules, Calendar, and Operations of the House)..... 118.

**GREENE COUNTY**

- H 284 8<sup>TH</sup> HOUSE DISTRICT LOCAL ACT (Rules, Calendar, and Operations of the House)..... 160.
- H 285 8<sup>TH</sup> HOUSE DISTRICT LOCAL ACT (Rules, Calendar, and Operations of the House)..... 160.
- H 286 8<sup>TH</sup> HOUSE DISTRICT LOCAL ACT (Rules, Calendar, and Operations of the House)..... 160.
- H 287 8<sup>TH</sup> HOUSE DISTRICT LOCAL ACT (Rules, Calendar, and Operations of the House)..... 160.

**GUILFORD COUNTY**

- H 464 58<sup>TH</sup> HOUSE DISTRICT LOCAL ACT (Rules, Calendar, and Operations of the House)..... 203.
- H 465 58<sup>TH</sup> HOUSE DISTRICT LOCAL ACT (Rules, Calendar, and Operations of the House)..... 203.
- H 376 CITY OF GREENSBORO LOCAL ACT (Rules, Calendar, and Operations of the House)..... 178.
- H 377 CITY OF GREENSBORO LOCAL ACT (Rules, Calendar, and Operations of the House)..... 178.
- H 575 CITY OF GREENSBORO LOCAL ACT (Rules, Calendar, and Operations of the House)..... 241.
- H 576 CITY OF GREENSBORO LOCAL ACT (Rules, Calendar, and Operations of the House)..... 241.
- S 465 GOLDSBORO/HIGH POINT UNSAFE BUILDINGS (Ch. SL 2003-23) .....377, 482, 553, 564, 604.
- H 703 GREENSBORO ABC BOARD MEMBERSHIP (Ch. SL 2003-33) .....292, 408, 472, 729, 730.
- H 467 GREENSBORO/AIRPORT ANNEXATION AGREEMENTS (Local Government II)..... 203.
- H 626 GREENSBORO/AIRPORT ANNEXATION AGREEMENTS (Ch. SL 2003-202).....253, 330, 407, 471, 511, 1018, 1039.
- H 776 GREENSBORO CHARTER AMENDMENT (Ch. SL 2003-134) .....304, 388, 412, 879, 889, 903, 915.

**GUILFORD COUNTY-Contd.**

H 579 GREENSBORO CITY LOCAL ACT  
 (Rules, Calendar, and Operations of the House)..... 242.

H 580 GREENSBORO CITY LOCAL ACT  
 (Rules, Calendar, and Operations of the House)..... 242.

H 466 GREENSBORO CONSTRUCT ROADS  
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S 291 GREENSBORO CONSTRUCT ROADS  
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H 627 GREENSBORO/KERNERSVILLE CONSTRUCT  
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S 290 GREENSBORO MINIMUM HOUSING CODES  
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H 338 GREENSBORO VEHICLE TAX  
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H 183 GUILFORD COUNTY LOCAL ACT  
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H 184 GUILFORD COUNTY LOCAL ACT  
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H 185 GUILFORD COUNTY LOCAL ACT  
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H 374 GUILFORD COUNTY LOCAL ACT  
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H 375 GUILFORD COUNTY LOCAL ACT  
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H 573 GUILFORD COUNTY LOCAL ACT  
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H 574 GUILFORD COUNTY LOCAL ACT  
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H 380 GUILFORD/WORTHLESS CHECK PROGRAM  
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 702, \*705, 759, 766, 809, 813, 817, 819, 830, 854, 863, 874, 948, 986,  
 998, 1022, 1141, 1268.

COMMITTEE ASSIGNMENTS - Aging; Appropriations; Appropriations  
 Subcommittee on Transportation; Education; Education Subcommittee  
 on Pre-School, Elementary and Secondary Education, **Vice Chair**;  
 Environment and Natural Resources; Judiciary II.

CONFEREE ON H.B. 147 (Chair)..... 1101.

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 \*887, 948, \*949, \*950, \*951, \*952, \*953, 960, \*999, \*1000, 1023,  
 1027, 1033, 1084, 1085, 1155, \*1044, \*1045, \*1046, \*1047, 1064,  
 1122, 1123, \*1125, \*1126, 1127, \*1199, \*1219, 1224, 1227, 1235,  
 \*1238, 1272, \*1289, \*1312, 1317.

COMMITTEE ASSIGNMENTS - Appropriations; Environment and Natural  
 Resources, **Vice Chair**; Finance; Judiciary I, **Chair**; Rules, Calendar,  
 and Operations of the House, **Vice Chair**.

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**HAIRE, R. PHILLIP**

APPOINTED TO SELECT COMMITTEE ON UNIVERSITY BOARD  
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 \*352, \*353, 356, 381, 477, 478, 500, 527, \*545, 637, 667, \*785, \*790,  
 850, 865, \*866, 948, \*956, \*1016, 1040, \*1205, 1227, 1271, \*1304,  
 1316.

COMMITTEE ASSIGNMENTS - Appropriations, **Vice Chair**; Appropri-  
 ations Subcommittee on Justice and Public Safety, **Chair**; Education;  
 Education Subcommittee on Universities; Environment and Natural  
 Resources; Judiciary IV; Transportation.

CONFEREE ON H.B. 382..... 270.

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H	772	HALIFAX COUNTY LOCAL ACT (Rules, Calendar, and Operations of the House).....	304.
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S	243	NAME HALIFAX-NORTHAMPTON AIRPORT AUTHORITY (Postponed until July 29, 2003).....	626, 735, 755, 839, 1087, 1163.
H	182	NORTHAMPTON/DUPLIN/FAYETTEVILLE LOCAL ACTS (Ch. SL 2003-318).....	138, 189, 221, 1072, 1098, 1178, 1205, 1218, 1231.
H	135	ROANOKE RAPIDS ANNEXATION (Ch. SL 2003-7) .....	111, 182, 194, 210, 311, 320.
H	598	ROANOKE RAPIDS ANNEXATION (Ch. SL 2003-200) .....	249, 407, 470, 510, 1006, 1018.
H	597	ROANOKE RAPIDS/LUMBERTON DEANNEXATION (Ch. SL 2003-271) .....	249, 406, 470, 510, 1021, 1083, 1099, 1112, 1122.
H	134	ROANOKE RAPIDS PRIVATE SALE (Ch. SL 2003-43) .....	110, 189, 221, 787, 795.

**HALL, JOHN D.**

BILLS INTRODUCED - 36, \*42, 59, 117, \*134, \*135, 147, 154, 255, 340, 356, 381, 429, 478, 479, \*500, \*501, 527, \*597, \*598, \*599, \*600, 606, 667, 738, 759, \*771, \*772, 809, 844, 862, 865, \*917, 1075, 1214, 1221, 1271, 1309, 1316.

COMMITTEE ASSIGNMENTS - Aging; Alcoholic Beverage Control, **Chair**; Appropriations; Appropriations Subcommittee on Justice and Public Safety; Insurance, **Vice Chair**; Occupational Safety and Health.

EXCUSED ABSENCE ..... NONE.

OATH ..... 20.

**HANDICAPPED PERSONS (G.S. 168) - see DISABLED PERSONS**

**HARNETT COUNTY**

- H 584 42<sup>ND</sup> HOUSE DISTRICT LOCAL ACT  
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- H 585 42<sup>ND</sup> HOUSE DISTRICT LOCAL ACT  
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- S 317 CERTAIN COUNTIES ANNEXATION MORATORIUM  
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1262, 1285, 1331, 1364.
- H 364 HARNETT COUNTY LOCAL ACT  
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- H 365 HARNETT COUNTY LOCAL ACT  
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- H 366 HARNETT COUNTY LOCAL ACT  
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- H 367 HARNETT COUNTY LOCAL ACT  
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**HARRELL, JAMES A., III**

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NO. 1 OF S.B. 725 ..... 1317.

BILLS INTRODUCED - 108, \*127, \*128, \*129, \*130, 219, 255, 356, 381, 478, 667, \*688, 744, 809, 833, 844, 858, 865, 948, \*1043, \*1055, 1097, 1221, 1316.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Natural and Economic Resources; Commerce, **Vice Chair**; Judiciary I; Local Government II; Ways and Means.

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**HARRELL, JAMES A., III-Contd.**

- EXCUSED ABSENCES ..... 88, 96, 735.
- OATH ..... 20.

**HAYWOOD COUNTY**

- H 483 CHANGE OFFENSIVE PLACE-NAMES  
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917, 949, 962, 1066.
- H 212 HAYWOOD COUNTY LOCAL ACT  
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- H 213 HAYWOOD COUNTY LOCAL ACT  
(Rules, Calendar, and Operations of the House)..... 145.
- H 35 WAYNESVILLE REZONING NOTICES  
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- S 519 CHILD LEAD POISONING PREVENTION  
PROGRAM AMENDS  
(Ch. SL 2003-150) .....504, 841, 856, 863, 929.
- H 1091 PENALTY FOR ILLEGAL INDOOR  
PYROTECHNICS (Appropriations).....430, 651, 659.
- S 521 PYROTECHNIC REGULATION ENHANCED  
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**HAZARDOUS WASTE**

- H 1205 FRANCHISE NOT REQUIREMENT FOR  
SMOKESTACKS/LANDFILLS  
(Ch. SL 2003-37) .....451, 463, 529, 728, 772.
- H 1179 GROUNDWATER PROTECTION ACT  
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- H 1312 HAZARDOUS WASTE FEES  
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- H 256 HERBICIDE APPLICATION BY PUBLIC UTILITY  
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- H 397 2003 BUDGET ACT  
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- H 894 CLARIFY ADULT CARE HOME MORATORIUM  
(Health) ..... 361.
- H 815 DETOX FACILITIES NOT SUBJECT TO  
CERTIFICATE OF NEED  
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960, 1301, 1312, 1331, 1396.

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- H 809 ENSURE HEALTH CARE ACCESS  
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- H 593 FAMILY TAX CUT/PROTECT AAA RATING  
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- H 853 GOVERNOR'S BUDGET BILL  
(Appropriations)..... 345.
- H 669 HOSPITAL LICENSURE/CRITICAL ACCESS  
HOSPITAL (Senate).....272, 384, 526.
- H 1151 IMPROVE RULE-MAKING PROCESS  
(Ch. SL 2003-229) .....441, 605, 664,  
712, 948, 971, 988, 1068.
- S 1016 NURSING HOME/MEDICATION ERRORS  
(Ch. SL 2003-393) .....725, 989, 1060,  
1108, 1164, 1216, 1251, 1397.
- S 661 PRISONER HEALTH INFORMATION/EMS  
CHANGES (Ch. SL 2003-392).....726, 1268, 1333,  
1343, 1359, 1363, 1369, 1376, 1377, 1397.

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- H 397 2003 BUDGET ACT  
(Ch. SL 2003-284) ..... 184, 462, 476, 482, 485, 495, 709,  
721, 732, 734, 1126, 1130, 1142, 1147, 1150.
- H 1304 ADVANCE DISPOSAL FEE FOR MOBILE HOMES  
(Finance)..... 777, 1063.
- S 422 ADVANCE HEALTH CARE DIRECTIVE REGISTRY  
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- H 1076 AMEND ENVIRONMENTAL HEALTH LAWS  
(Environment and Natural Resources) ..... 428.
- H 1077 AMEND ENVIRONMENTAL HEALTH LAWS  
(Environment and Natural Resources) ..... 428.
- S 824 AMEND ENVIRONMENTAL LAWS 2003  
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1114, 1170, 1185, 1199, 1202, 1388.
- H 65 AUTOPSY PHOTOS NOT PUBLIC RECORD  
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- H 912 CERTIFICATION OF WASTEWATER SITE  
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- H 354 CHILD LEAD POISONING PREVENTION  
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(Senate).....172, 352, 402, 526.

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- S 519 CHILD LEAD POISONING PREVENTION PROGRAM AMENDS  
(Ch. SL 2003-150) .....504, 841, 856, 863, 929.
- H 1112 CLARIFY FOOD SERVICE LAWS  
(Senate).....434, 565, 663.
- H 870 COMMUNITY BUILDINGS/EXEMPT FROM FOOD RULES (Health)..... 357.
- H 1206 CONSOLIDATE ENVIRONMENTAL REGULATORY COMMISSIONS  
(Environment and Natural Resources) ..... 451.
- H 1204 DRINKING WATER LAWS/  
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- H 1083 ENVIRONMENTAL TECHNICAL CORRECTIONS  
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- S 823 ENVIRONMENTAL TECHNICAL CORRECTIONS  
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- H 878 ESTABLISH ELECTRONICS RECYCLING PROGRAM  
(Environment and Natural Resources) ..... 358, 759.
- H 593 FAMILY TAX CUT/PROTECT AAA RATING  
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- H 916 FIRST-RESPONDERS VACCINATION PROGRAM  
(Ch. SL 2003-227) .....369, 606, 656,  
934, 949, 963, 1068.
- H 1205 FRANCHISE NOT REQUIREMENT FOR SMOKESTACKS/LANDFILLS  
(Ch. SL 2003-37) .....451, 463, 529, 728, 772.
- H 1179 GROUNDWATER PROTECTION ACT  
(Environment and Natural Resources) ..... 446.
- H 1180 GROUNDWATER PROTECTION ACT  
(Environment and Natural Resources) ..... 446.
- H 1312 HAZARDOUS WASTE FEES  
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- H 868 IMPROVE ENVIRONMENTAL ENFORCEMENT  
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- H 1094 LOCAL HEALTH DEPARTMENTS  
(Health)..... 431, 768.
- H 996 MONITOR COASTAL WATER QUALITY  
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- S 959 MONITOR COASTAL WATER QUALITY  
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- H 657 RECYCLING STEEL INITIATIVE  
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- H 475 REGISTRATION OF BIRTH AND DEATH  
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268, 771, 824.
- H 238 REGULATE BODY PIERCING  
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- S 90 SANITARY DISTRICT COMPENSATION  
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- H 1004 STRENGTHEN PUBLIC HEALTH  
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- S 672 STRENGTHEN PUBLIC HEALTH  
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- H 74 HENDERSON COUNTY LOCAL ACT  
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- H 75 HENDERSON COUNTY LOCAL ACT  
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- H 160 HENDERSON COUNTY LOCAL ACT  
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- H 161 HENDERSON COUNTY LOCAL ACT  
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- H 232 INCORPORATE MILLS RIVER  
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996, 1013, 1080, 1096.

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- H 369 HERTFORD COUNTY LOCAL ACT  
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- H 373 HERTFORD COUNTY LOCAL ACT  
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(G.S. 116D) - also see COMMUNITY COLLEGES; EDUCATION**

- H 397 2003 BUDGET ACT  
(Ch. SL 2003-284) ..... 184, 462, 476, 482, 485, 495, 709,  
721, 732, 734, 1126, 1130, 1142, 1147, 1150.
- S 851 AMEND ARBORETUM BOARD OF DIRECTORS  
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- S 952 AMEND DISTINGUISHED PROFESSORS  
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- H 1283 AMEND LEGISLATIVE TUITION GRANT/FEE  
(Finance) ..... 765.
- H 928 APPALACHIAN STATE/REGULATE PARKING  
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- H 1195 CAMPUS INITIATED TUITION AND FEE INCREASE  
(Education Subcommittee on Universities)..... 449, 599.
- H 1052 CONSOLIDATE ADMINISTRATIVE FUNCTIONS  
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- S 805 CONSOLIDATE ADMINISTRATIVE FUNCTIONS  
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- H 150 ESTABLISH STATE EDUCATION GRANTS  
(Ch. SL 2003-429) .....115, 213, 458, 474, 488, 936,  
958, 960, 982, 985, 1306, 1402.
- H 567 INCREASE OUT-OF-STATE TUITION/  
UNC SYSTEM  
(Education Subcommittee on Universities)..... 240, 333.
- H 103 INCREASE SCIENCE AND MATH  
SCHOOL TRUSTEES  
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- H 825 MENINGITIS IMMUNIZATION INFORMATION  
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861, 880, 891, 1039.
- S 633 MODIFY UNC BOND LAW  
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- H 1211 N.C. ARBORETUM/BOARD MEMBERSHIP  
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- H 1210 N.C. SCHOOL OF THE ARTS/BOARD MEMBERSHIP  
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- H 1070 PURCHASE CONTRACTS/INCREASE UNC  
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- H 1101 RESTRICT UNC OWNERSHIP OF  
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- H 937 REVISE BOARD OF GOVERNORS MEMBERSHIP  
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- S 137 SPECIAL OBLIGATION DEBT/PURPOSES  
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1342, 1365, 1367, 1381.
- H 1130 SUPERINTENDENT RENAMED SECRETARY  
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- H 875 TUITION REMISSION/OVERHEAD RECEIPTS  
(Appropriations)..... 358.
- H 506 UNC/BOARD OF GOVERNORS STUDENT MEMBER  
VOTE (Senate).....216, 244, 346, 474, 482, 535.
- H 1071 UNC FLEXIBLE BENEFITS CLARIFICATION  
(Appropriations)..... 427, 614.
- H 975 UNC PURCHASING FLEXIBILITY  
(Ch. SL 2003-228) .....394, 620, 672, 963, 1068.
- H 51 UNC TUITION/MILITARY STUDENTS  
(Finance) (Included Ch. SL 2003-284) .....82, 213, 458,  
474, 488, 769.
- H 1202 UNC-TV/LIMIT INTERNAL SOLICITATION  
PROGRAMMING (Ways and Means) ..... 450.
- S 936 WAIVE DEADLINES FOR TROOPS  
(Ch. SL 2003-300) .....754, 985, 1049,  
1059, 1076, 1111, 1154.

**HILL, DEWEY L.**

- APPROVAL OF VOTE CHANGE ON S.B. 475 ..... 1129.
- BILLS INTRODUCED - 28, 41, 44, \*54, 61, 62, \*110, \*111, \*112, \*113,  
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502, \*515, \*555, \*568, \*569, \*581, \*670, \*685, 727, \*741, \*742, \*757,  
\*770, \*782, 809, 830, \*863, 948, \*965, \*966, \*967, \*968, \*974, 978,  
986, 998, 1075, 1127, \*1142, \*1143, \*1144, 1203, 1221, \*1222, 1227,  
\*1232, \*1327, 1330, 1331.
- COMMITTEE ASSIGNMENTS - Agriculture, **Chair**; Finance, **Vice Chair**;  
Public Utilities; Rules, Calendar, and Operations of the House;  
Transportation.
- CONFEREE ON S.B. 750..... 1322.
- DISMISSED AS CONFEREE ON S.B. 750..... 1358.
- EXCUSED ABSENCES .....197, 286, 740, 771, 813, 1119, 1125.
- OATH ..... 20.

**HILTON, MARK K.**

- APPROVAL OF VOTE CHANGE ON H.B. 918 ..... 1288.

**HILTON, MARK K.-Contd.**

BILLS INTRODUCED - 4, 6, 7, 8, 9, 12, 19, 25, 27, 39, 43, 54, 55, 60, 64, 67, 71, 100, 108, \***131**, 147, 148, 154, 252, 319, 356, 357, 359, 381, 402, 403, 404, 429, 451, 478, 640, 641, 642, 670, 677, 702, 704, 725, 759, 800, 809, \***817**, 819, 825, \***830**, \***847**, 858, 863, 874, 876, 903, \***962**, 986, 998, 1014, 1015, 1022, 1040, 1101, 1268.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Education; Education, **Chair**; Health; Science and Technology; Transportation.

EXCUSED ABSENCES ..... 57, 341, 405, 726, 730, 786, 829, 1119, 1125.

OATH ..... 20.

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H 335 HOKE COUNTY LOCAL ACT  
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H 415 HOKE COUNTY LOCAL ACT  
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H 419 HOKE COUNTY LOCAL ACT  
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H 420 HOKE COUNTY LOCAL ACT  
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H 448 HOKE COUNTY LOCAL ACT  
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H 449 HOKE COUNTY LOCAL ACT  
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S 396 RAEFORD ANNEXATION  
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**HOLLIMAN, L. HUGH**

BILLS INTRODUCED - 36, \***41**, 44, 61, 62, 147, 152, 154, \***216**, \***217**, \***218**, 320, 356, 357, 381, 478, 502, \***560**, 631, \***728**, 756, 759, 803, 817, \***829**, \***890**, \***909**, \***910**, \***911**, \***1049**, 1101, 1220, 1221, 1227, 1239, \***1292**, \***1339**.

COMMITTEE ASSIGNMENTS - Election Law and Campaign Finance Reform, **Vice Chair**; Finance; Financial Institutions; Insurance, **Chair**; Public Utilities.

CONFEREE ON H.B. 283..... 848.

CONFEREE ON S.B. 775 ..... 922.

EXCUSED ABSENCES .....69, 174, 538, 942.

OATH ..... 20.

**HOLMES, GEORGE M.**

BILLS INTRODUCED - 27, 39, 43, 89, 153, 255, \***323**, \***324**, \***325**, \***326**, 381, \***392**, 798, 809, 817, 819, 830, 998, 1022, 1141, 1229, 1268, 1326, 1330.

**HOLMES, GEORGE M.-Contd.**

COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropriations Subcommittee on Transportation; Education; Education Subcommittee on Universities, **Vice Chair**; Judiciary III; Transportation.

EXCUSED ABSENCES ..... 79, 83, 197, 237, 563, 726, 912, 1198.

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**HOSPITALS - see HEALTH CARE FACILITIES AND SERVICES**

**HOUSE OF REPRESENTATIVES - see GENERAL ASSEMBLY**

**HOUSE RESOLUTIONS - see RESOLUTIONS, HOUSE (Simple)**

**HOUSE RULES - see RULES, HOUSE OF REPRESENTATIVES**

**HOUSING ACT, STATE FAIR (G.S. 41A)**

H 1175 FAIR HOUSING COMPLAINTS  
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 828, 849, 865, 927.

**HOWARD, JULIA C.**

APPOINTED TO SELECT COMMITTEE ON UNIVERSITY  
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- H 462 HEALTH INSURANCE/MARRIAGE AND FAMILY THERAPISTS (Ch. SL 2003-117) .....202, 278, 337, 402, 813, 872.
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- H 56 INCREASE FIRE AND RESCUE SQUAD PENSION (Appropriations) (Included Ch. SL 2003-284) ..... 84, 329.
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- S 925 STRENGTHEN SECURITY FRAUD  
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- S 563 UNIFORM ATHLETE AGENTS ACT  
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- H 790 INCORPORATE CASHIERS  
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- COMMITTEE ASSIGNMENTS - Appropriations, **Vice Chair**; Appropriations Subcommittee on General Government, **Chair**; Education; Education Subcommittee on Pre-School, Elementary and Secondary Education; Ethics; Judiciary IV; Ways and Means.
- CONFEREE ON H.B. 397 ..... 722.
- CONFEREE ON H.B. 907 ..... 849.
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**JOHNSON, CHARLES E.**

- BILLS INTRODUCED - 18, 56, \*97, \*98, \*99, 117, 154, 255, 317, 318,  
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850, \*973, 998, 1097, 1317.

**JOHNSON, CHARLES E.-Contd.**

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Education; Education; Education Subcommittee on Pre-School, Elementary and Secondary Education; Environment and Natural Resources, **Vice Chair**; Insurance; Military, Veterans and Indian Affairs.  
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 COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Education, **Chair**; Education; Education Subcommittee on Pre-School, Elementary and Secondary Education; Insurance; Legislative Redistricting; Public Utilities.  
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 H 780 26<sup>TH</sup> HOUSE DISTRICT LOCAL ACT  
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 H 236 JOHNSTON COUNTY LOCAL ACT  
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- COMMITTEE ASSIGNMENTS - Finance; Financial Institutions, **Vice Chair**; Local Government II; Science and Technology; Ways and Means.
- EXCUSED ABSENCE..... 69.
- EXCUSED VOTE ON H.B. 1149 ..... 1161, 1176.
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- H 1148 NO SECRET MEDICAL MALPRACTICE SETTLEMENTS (Judiciary II)..... 441.

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H	1052	CONSOLIDATE ADMINISTRATIVE FUNCTIONS (Rules, Calendar, and Operations of the House).....	423, 622, 654.
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S	753	QUALIFICATIONS FOR MAGISTRATES/JUVENILE CUSTODY PILOT (Ch. SL 2003-381) .....	608, 932, 996, 1015, 1305, 1395.
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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Sub-  
 committee on Education, **Vice Chair**; Education, **Vice Chair**; Education  
 Subcommittee on Community Colleges; Ethics; Legislative Redistricting;  
 Local Government II.

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H 154 DNA ANALYSIS/SEX ASSAULT KITS  
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H 1182 EXPAND USURY EXEMPTION  
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S 708 FIRE DEPARTMENT CRIMINAL BACKGROUND  
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S 963 PREVENT PRICE GOUGING DURING DISASTERS  
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S 661 PRISONER HEALTH INFORMATION/EMS  
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**JUSTUS, CAROLYN K.-Contd.**

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Justice and Public Safety; Health, **Chair**; Judiciary IV; Legislative Redistricting; Rules, Calendar, and Operations of the House.

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 S 421 AMEND CHILD WELFARE LAWS  
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 H 1037 AMEND JUVENILE LAW  
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 H 1033 CHILD CUSTODY/GUARDIANSHIP JURISDICTION  
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COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropriations Subcommittee on Justice and Public Safety, <b>Chair</b> ; Election Law and Campaign Finance Reform; Judiciary IV; Pensions and Retirement.	
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- H 37 LIVABLE STATE MINIMUM WAGE  
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- H 947 LANDSCAPE/IRRIGATION CONTRACTORS  
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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Natural and Economic Resources, **Vice Chair**; Environment and Natural Resources, **Vice Chair**; Public Utilities; Rules, Calendar, and Operations of the House; Transportation.

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CONFEREE ON H.B. 986.....	1031.
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- H 107 LENOIR COUNTY LOCAL ACT  
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- H 525 LENOIR COUNTY LOCAL ACT  
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Education Subcommittee on Community Colleges; Finance; Insurance;  
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- H 16 ABC PERMITS IN STATE DEVELOPMENT ZONES  
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- S 655 AMEND LOCKSMITH ACT/CRIMINAL  
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- H 1257 AMEND RESPIRATORY CARE PRACTICE ACT/  
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- S 437 GENERAL CONTRACTORS BOARD/BIDDING  
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- H 970 SCHOOL BUS DRIVER MEDICAL EVALUATIONS  
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- S 563 UNIFORM ATHLETE AGENTS ACT  
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- H 978 VETERINARY BOARD AGREEMENTS/IMPAIRED  
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- S 848 VETERINARY BOARD AGREEMENTS/IMPAIRED  
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- H 1064 DELEGATIONS OF AUTHORITY  
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- H 1293 LOCAL OPTION PROJECT DEVELOPMENT  
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- S 725 LOCAL OPTION PROJECT DEVELOPMENT  
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1293, 1317, 1348, 1398.

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- H 1269 INSURANCE GUARANTY BONDS  
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- H 1286 LOCAL FINANCE LAW CHANGES  
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- H 1293 LOCAL OPTION PROJECT DEVELOPMENT  
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- S 725 LOCAL OPTION PROJECT DEVELOPMENT  
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1293, 1317, 1348, 1398.
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1187, 1209, 1272, 1396.
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**LOCKSMITH LICENSING ACT (G.S. 74F)**

- S 655 AMEND LOCKSMITH ACT/CRIMINAL  
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**LUCAS, MARVIN W.**

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861, 862, 865, 901, \*908, 926, 948, 957, 958, 959, 984, \*986, 1064,  
1160, 1196, 1227, 1271, 1309, 1316, 1329, 1330.

COMMITTEE ASSIGNMENTS - Alcoholic Beverage Control; Appropriations; Appropriations Subcommittee on General Government, **Vice Chair**; Education; Education Subcommittee on Pre-School, Elementary and Secondary Education; Military, Veterans and Indian Affairs, **Chair**; Wildlife Resources.

- CONFEREE ON H.B. 674 ..... 1377.
- CONFEREE ON H.B. 986 ..... 1031.
- CONFEREE ON S.B. 34 ..... 1380.

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EXCUSED ABSENCE..... NONE.  
OATH ..... 20.

**LUEBKE, PAUL**

BILLS INTRODUCED - \*33, \*34, \*36, 37, 41, \*44, 48, 52, 53, 54, 59, 61, 62, \*101, 109, 117, 152, 170, 171, 254, 272, 317, 318, 319, 320, 354, 357, 381, 405, 463, 468, 478, 483, 493, 494, \*502, 527, 530, 531, 544, 547, 557, 603, 604, 606, \*623, 631, \*632, \*633, 643, \*650, \*651, 654, 663, \*674, \*675, \*676, \*684, \*734, \*735, 737, 738, 744, \*756, \*788, \*789, 796, 797, 799, 803, \*804, \*814, 819, \*827, 831, 835, 849, 861, 864, 866, 867, 868, 871, 872, 873, 878, 901, \*922, \*923, \*924, \*925, 936, 942, 948, 953, 954, 958, 959, 984, \*1036, \*1037, \*1038, 1075, 1084, 1085, 1095, 1098, 1118, 1135, 1142, 1149, 1154, 1161, \*1186, \*1187, \*1188, \*1199, 1214, 1220, 1223, 1227, \*1228, \*1230, \*1231, \*1239, \*1240, \*1241, \*1242, \*1243, \*1244, \*1279, \*1280, \*1281, \*1282, \*1283, 1287, 1290, \*1292, 1296, 1299, 1309, \*1313, \*1317, \*1318, \*1319, \*1320, \*1321, \*1322, \*1323, \*1324, 1328, 1331.

COMMITTEE ASSIGNMENTS - Environment and Natural Resources; Finance, **Chair**; Legislative Redistricting; Rules, Calendar, and Operations of the House; Ways and Means.

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- H 214 MADISON COUNTY TAX COLLECTOR  
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567, 610, 868, 892.

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- H 1047 ABOLISH ALIENATION OF AFFECTION/  
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- H 830 ABORTION-PARENTAL CONSENT NOTARIZED  
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- H 203 AMEND CHILD WELFARE LAWS  
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1028, 1058, 1094, 1154.
- S 718 AMEND DOMESTIC VIOLENCE LAWS/  
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- H 926 ASSAULT IN PRESENCE OF MINOR/ENHANCE  
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- S 868 ASSAULT IN THE PRESENCE OF A CHILD  
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- H 1219 CLARIFY DEFINITION OF DIVISIBLE  
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- H 840 CLARIFY DEFINITION OF PROTECTIVE ORDER  
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 646, 686, 1010, 1075, 1079, 1154.

S 394 EQUITABLE DISTRIBUTION CLAIM SURVIVE  
 DEATH SPOUSE/LIMIT  
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H 1128 GRANDPARENT VISITATION  
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 of the House)..... 437, 1071.

H 462 HEALTH INSURANCE/MARRIAGE AND  
 FAMILY THERAPISTS  
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S 919 HOMICIDE PREVENTION ACT/DOMESTIC  
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H 382 MARRIAGE BY DISTRICT COURT JUDGE  
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H 286 8<sup>TH</sup> HOUSE DISTRICT LOCAL ACT  
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H 287 8<sup>TH</sup> HOUSE DISTRICT LOCAL ACT  
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H 99 MARTIN COUNTY LOCAL ACT  
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**MCALLISTER, MARY E.**

BILLS INTRODUCED - 36, \*51, 59, 117, 147, 152, 154, 340, 357, 381,  
478, 500, 527, \*558, \*559, \*586, 603, 604, 605, 606, \*623, 631, 677,  
738, 800, 802, \*823, 827, 844, 859, 861, 867, 917, 1214, \*1220, 1309.  
COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Sub-  
committee on Transportation, **Vice Chair**; Children, Youth and Families;  
Education, **Vice Chair**; Education Subcommittee on Universities, **Chair**;  
Health; Local Government I.  
CONFEREE ON H.B. 963 ..... 1045.  
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**MCCOMAS, DANIEL F.**

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756, \*791, \*792, \*793, \*795, 809, 830, \*831, 863, \*892, \*900, 998,  
\*1070, \*1071, 1101, \*1110, 1125, \*1167, \*1179, \*1180, 1203, \*1205,  
1224, \*1228, \*1247, \*1248, \*1249, \*1252, \*1253, \*1261, \*1262,  
\*1271, \*1290, \*1291, \*1302, \*1314, \*1316, \*1323, \*1340.  
COMMITTEE ASSIGNMENTS - Appropriations; Environment and  
Natural Resources; Ethics; Finance, **Chair**; Legislative Redistricting;  
Public Utilities; Rules, Calendar, and Operations of the House.  
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**MCCOMBS, W. EUGENE**

BILLS INTRODUCED - \*24, 27, 43, 55, 117, 147, 518, \*531, \*552,  
 \*553, 640, 641, 677, \*680, \*681, 702, 809, 830, 939, 986, 1022, 1141.  
 COMMITTEE ASSIGNMENTS - Environment and Natural Resources;  
 Finance; Local Government I; Military, Veterans and Indian Affairs;  
 Pensions and Retirement, **Vice Chair**.  
 CONFEREE ON S.B. 750..... 1322.  
 DISMISSED AS CONFEREE ON S.B. 750..... 1358.  
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 677, 702, 727, 809, 817, 819, 830, \*833, 858, 874, 962, 986, 998, 1075,  
 1196, 1215, 1216, 1217, 1227, 1229, 1326, 1330.  
 COMMITTEE ASSIGNMENTS - Education; Education Subcommittee  
 on Pre-School, Elementary and Secondary Education; Finance;  
 Financial Institutions, **Vice Chair**; Local Government I; Pensions and  
 Retirement.  
 CONFEREE ON H.B. 397..... 722.  
 CONFEREE ON S.B. 384..... 810.  
 EXCUSED ABSENCE ..... NONE.  
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**MCGEE, WILLIAM C.-Contd.**

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**MCHENRY, PATRICK T.**

APPROVAL OF VOTE CHANGE ON H.B. 855 ..... 1247.  
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 567, 636, 670, 677, \*702, 759, 796, 798, 809, 811, 812, 813, 817, 819,  
 830, 833, 845, 847, 850, \*858, 863, 876, 903, 917, \*919, \*947, 962,  
 998, 1010, 1011, 1012, 1013, 1014, 1015, 1022, 1040, 1041, 1089,  
 1141, 1203, 1268, 1277, 1278, 1288, 1330.  
 COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Sub-  
 committee on Natural and Economic Resources; Environment and  
 Natural Resources; Financial Institutions; Judiciary III, **Vice Chair**;  
 Occupational Safety and Health.  
 EXCUSED ABSENCES ..... 174, 311.  
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**MCLAWHORN, MARIAN N.**

APPOINTED TO SELECT COMMITTEE ON UNIVERSITY BOARD  
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 BILLS INTRODUCED - \*18, 52, 56, \*93, \*94, \*95, 117, 171, 172, 207,  
 219, 237, 255, 272, 273, 274, 275, 305, 306, 307, 308, 309, 310, 317,  
 318, 319, 331, \*341, 342, 356, 405, \*421, 477, 478, 527, 530, \*554,  
 555, 577, 631, 667, 744, 800, 831, \*834, \*836, \*841, 845, 846, \*850,  
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 1245, 1271, 1284, 1297, 1316.  
 COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Sub-  
 committee on Education, **Vice Chair**; Education, **Vice Chair**; Education  
 Subcommittee on Community Colleges, **Chair**; Judiciary III; Legis-  
 lative Redistricting; Pensions and Retirement.  
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**MCMAHAN, W. EDWIN**

BILLS INTRODUCED - 7, 8, \*10, 12, 27, 43, 147, 474, 475, 476, 636, 637, 677, 702, 809, \*813, 817, 830, 831, 835, 858, 874, 998, 1010, 1011, 1012, 1013, \*1161, 1220, 1268, \*1271.

COMMITTEE ASSIGNMENTS - Aging; Appropriations; Appropriations Subcommittee on General Government; Education; Education Subcommittee on Pre-School, Elementary and Secondary Education; Science and Technology.

EXCUSED ABSENCES ..... 259, 341, 760, 771, 1051, 1198, 1218.

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H 474 AMEND MECKLENBURG LAW ENFORCEMENT  
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H 652 CENTRAL PIEDMONT COMMUNITY COLLEGE  
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H 391 CHARLOTTE-MECKLENBURG SCHOOLS  
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H 562 CHARLOTTE PHOTO SPEED-MEASURING  
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945, 1022, 1034, 1149, 1403.

H 706 CHARLOTTE TRANSIT PROCUREMENT  
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878, 888, 906, 913, 1039.

H 91 CITY OF CHARLOTTE LOCAL ACT  
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H 139 CITY OF CHARLOTTE LOCAL ACT  
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H 389 CITY OF CHARLOTTE LOCAL ACT  
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H 708 EXTEND SUNSET/HAL MARSHALL CENTER  
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H	138	MECKLENBURG COUNTY LOCAL ACT (Rules, Calendar, and Operations of the House).....	111.
H	390	MECKLENBURG COUNTY LOCAL ACT (Rules, Calendar, and Operations of the House).....	183.
H	395	MECKLENBURG COUNTY LOCAL ACT (Rules, Calendar, and Operations of the House).....	183.
S	389	MECKLENBURG/EXTEND REAL ESTATE SUNSET (Ch. SL 2003-49) .....	347, 762, 791, 794, 804.
H	900	RESTAURANT ABC PERMITS (Ch. SL 2003-135) .....	362, 465, 536, 550, 577, 865, 927.
H	209	TOWN OF CORNELIUS LOCAL ACT (Rules, Calendar, and Operations of the House).....	145.
H	282	TOWN OF DAVIDSON LOCAL ACT (Rules, Calendar, and Operations of the House).....	159.
H	141	TOWN OF HUNTERSVILLE LOCAL ACT (Rules, Calendar, and Operations of the House).....	111.
H	360	TOWN OF HUNTERSVILLE LOCAL ACT (Rules, Calendar, and Operations of the House).....	175.
H	90	TOWN OF MATTHEWS LOCAL ACT (Rules, Calendar, and Operations of the House).....	98.
H	92	TOWN OF MINT HILL LOCAL ACT (Rules, Calendar, and Operations of the House).....	98.

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S	274	BUDGET ADJUSTMENT ACT (Ch. SL 2003-283) .....	255, 1136, 1143, 1147, 1150.
H	1059	GOLDEN L.E.A.F. FUNDS FOR HEALTH (Rules, Calendar, and Operations of the House).....	424.
H	451	MEDICAID COUNTY SHARE (Appropriations).....	201, 1213.
H	233	MEDICAID PRIOR APPROVAL/PRESCRIPTION DRUGS (Ways and Means) .....	148.
H	882	MEDICAID PRIOR AUTHORIZATION (Health) .....	359.
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H	1231	MEDICAID WAIVER/EXPAND PRESCRIPTION DRUG COVERAGE (Appropriations).....	521.

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- H 640 PHASE OUT COUNTY SHARE OF MEDICAID  
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- H 641 PHASE OUT COUNTY SHARE/STATE-COUNTY SPECIAL ASSISTANCE  
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- H 835 PRESCRIPTION DRUG DISCOUNTS/UNINSURED ELDERLY (Health) ..... 335.
- H 410 REDUCE MEDICAID COUNTY SHARE/TIER COUNTIES (Ways and Means)..... 190.

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- H 339 LIFE AND HEALTH INSURANCE OMNIBUS  
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- H 397 2003 BUDGET ACT  
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- H 830 ABORTION-PARENTAL CONSENT NOTARIZED  
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- H 998 ABORTION - WOMAN'S RIGHT TO KNOW  
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- H 241 AMEND DRUG TRAFFICKING LAWS  
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- H 1257 AMEND RESPIRATORY CARE PRACTICE ACT/ FEES (Ch. SL 2003-384) .....590, 1008, 1076, 1088, 1103, 1303, 1313, 1335, 1395.
- H 889 ANALOGUES/SCHEDULE I CONTROLLED SUBSTANCE (Judiciary IV) ..... 360, 759.
- S 694 ANALOGUES/SCHEDULE I CONTROLLED SUBSTANCE (Ch. SL 2003-249) .....717, 759, 932, 995, 1006, 1119.
- H 244 ARSON OFFENSES-SENTENCING COMMISSION  
(Appropriations Subcommittee on Justice and Public Safety) .....152, 458, 572.
- H 278 BOARD OF CHIROPRACTIC EXAMINERS/EXAMINATION  
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- H 859 BOARD OF MORTUARY SCIENCE  
(Senate) .....354, 480, 555, 578, 621, 686, 691, 692.
- S 522 BOARD OF NURSING  
(Ch. SL 2003-146) .....493, 790, 811, 819, 863, 928.
- S 876 CONTROLLED SUBSTANCE/PHYSICIAN  
REGISTRATION (Ch. SL 2003-335) ..... 594, 1041,  
1110, 1178, 1387.
- H 700 CREMATORY ACT CHANGES  
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- S 550 CREMATORY ACT CHANGES  
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1290, 1316, 1330, 1400.
- H 860 DETECTOR DOG TRAINERS  
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1326, 1328, 1364, 1398.
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1222, 1284, 1296, 1306, 1393.
- H 809 ENSURE HEALTH CARE ACCESS  
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- H 923 EXEMPT ALTERNATIVE MEDICINE/PRACTICE  
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- H 462 HEALTH INSURANCE/MARRIAGE AND  
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- H 1043 HEALTH PROVIDER IMMUNITY/TERRORIST  
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- H 1049 LICENSED PSYCHOLOGICAL ASSOCIATES/  
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1140, 1234, 1261, 1272, 1393.
- S 800 LICENSING BOARD CHANGES  
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- H 848 MEDICAL BOARD MEMBERSHIP  
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- H 1142 NATUROPATHIC PHYSICIANS LICENSURE  
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- H 808 NURSING FACULTY FELLOWS PROGRAM  
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- H 835 PRESCRIPTION DRUG DISCOUNTS/UNINSURED  
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- H 1237 RAISE CEILING/DENTAL EXAMINERS' FEES  
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- H 1260 RAISE CEILING/SPEECH PATHOLOGISTS/  
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- S 244 RECOGNIZE RETIRED NURSES/FEES  
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- H 36 REPEAL INVOLUNTARY STERILIZATION  
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- S 137 SPECIAL OBLIGATION DEBT/PURPOSES  
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1342, 1365, 1367, 1381.
- H 1130 SUPERINTENDENT RENAMED SECRETARY  
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- H 978 VETERINARY BOARD AGREEMENTS/IMPAIRED  
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828, 849, 865, 928.
- S 848 VETERINARY BOARD AGREEMENTS/IMPAIRED  
VETS (Occupational Safety and Health) ..... 608.
- H 1177 VOLUNTEER MEDICAL DOCTORS AT  
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- H 397 2003 BUDGET ACT  
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- H 826 AMEND MENTAL HEALTH CONFIDENTIALITY  
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612, 1055, 1139, 1145, 1219.
- H 1074 BUTNER ADVISORY COUNCIL/NASH-ROCKY  
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559, 581, 607, 736, 773, 790, 822, 933,  
955, 978, 1146, 1165, 1186, 1200, 1389.
- S 926 CLARIFY GROUP HOMES LICENSURE  
AND LEA REIMBURSEMENT  
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- S 876 CONTROLLED SUBSTANCE/PHYSICIAN  
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1110, 1178, 1387.

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H	815	DETOX FACILITIES NOT SUBJECT TO CERTIFICATE OF NEED (Ch. SL 2003-390) .....	321, 596, 937, 960, 1301, 1312, 1331, 1396.
S	934	DWI PROVIDER AUTHORIZATION FEES (Ch. SL 2003-396) .....	818, 1048, 1107, 1125, 1132, 1184, 1203, 1206, 1288, 1299, 1331, 1397.
H	27	EXPAND DNA DATABANK/ALL FELONIES (Judiciary I).....	71.
H	593	FAMILY TAX CUT/PROTECT AAA RATING (Rules, Calendar, and Operations of the House).....	248, 460, 475.
H	853	GOVERNOR'S BUDGET BILL (Appropriations).....	345.
H	1123	GUARDIANSHIP AMENDMENTS (Ch. SL 2003-236) .....	436, 651, 715, 947, 971, 987, 1069.
H	462	HEALTH INSURANCE/MARRIAGE AND FAMILY THERAPISTS (Ch. SL 2003-117) .....	202, 278, 337, 402, 813, 872.
H	271	JOB SHARING FOR SCHOOL COUNSELORS/ STUDY (Senate).....	157, 330, 566, 633.
H	1049	LICENSED PSYCHOLOGICAL ASSOCIATES/ INSURANCE PAYMENTS (Ch. SL 2003-368) .....	422, 916, 1048, 1106, 1140, 1234, 1261, 1272, 1393.
S	701	LOCAL FLEXIBILITY REGARDING JOB SHARING IN SCHOOLS (Ch. SL 2003-358) .....	626, 1081, 1201, 1253, 1292, 1335, 1392.
H	883	MENTAL HEALTH REFORM WAIVER (Ch. SL 2003-178) .....	359, 606, 637, 689, 861, 880, 909, 913, 1037.
H	654	MENTAL HEALTH/CHEMICAL DEPENDENCY PARITY (Insurance).....	262.
S	251	PROHIBIT REBIRTHING (Ch. SL 2003-205) .....	353, 832, 893, 962, 1052.
S	63	PRO TEM AND SPEAKER APPOINTMENTS BILL (Senate) .....	1358, 1373, 1374.

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998, 1099, 1138, 1144, 1219.

H 961 PSYCHIATRIC HOSPITAL FINANCING  
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H 36 REPEAL INVOLUNTARY STERILIZATION  
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H 80 REPORTS TO MENTAL HEALTH OVERSIGHT  
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H 1154 SCHOOL COUNSELORS' SALARY SCHEDULE  
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**MICHAUX, HENRY M., JR.**

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381, 500, 527, \*548, \*549, 605, 606, 623, 631, \*650, \*651, \*674,  
\*676, \*732, \*733, \*734, \*735, 737, 738, \*756, 805, 819, 825, 827,  
\*836, \*842, 844, \*848, 859, 861, \*936, \*937, \*938, 1037, 1055,  
\*1175, 1220, 1239, 1309.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Sub-  
committee on Natural and Economic Resources; Education; Education  
Subcommittee on Universities; Election Law and Campaign Finance  
Reform, **Chair**; Judiciary III, **Vice Chair**; Science and Technology.

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**MILLER, PAUL**

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603, 604, \*632, \*633, \*650, \*651, \*665, \*674, \*676, 677, \*734, \*735,  
\*736, \*737, \*738, \*819, \*820, 861, 901, \*940, \*941, \*942, 948,  
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**MILLER, PAUL-Contd.**

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Natural and Economic Resources; Financial Institutions; Judiciary I; Rules, Calendar, and Operations of the House; Science and Technology, **Chair**.

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**MINER, DAVID M.**

APPOINTED TO SELECT COMMITTEE ON UNIVERSITY

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COMMITTEE ASSIGNMENTS - Education; Education Subcommittee on Universities; Finance, **Chair**; Insurance; Public Utilities; Rules, Calendar, and Operations of the House.

CONFEREE ON H.B. 397 ..... 722.

CONFEREE ON S.B. 819 (Chair)..... 1295.

CONFEREE ON S.B. 934 (Chair)..... 1206.

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H 483 CHANGE OFFENSIVE PLACE-NAMES (Ch. SL 2003-211) .....206, 621, 677, 917, 949, 962, 1066.

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- H 938 CLOSE ACHIEVEMENT GAP FUNDS  
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- H 1175 FAIR HOUSING COMPLAINTS  
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- H 745 INDIAN CULTURAL CENTER CHANGES  
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875, 988, 1011, 1020, 1035, 1121.
- H 710 OCCANEECHI BAND OF SAPONI/INDIAN  
CULTURAL CENTER  
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- S 63 PRO TEM AND SPEAKER APPOINTMENTS BILL  
(Senate) .....1358, 1373, 1374.
- H 355 REDESIGNATE INDIANS OF PERSON COUNTY  
AS SAPPONY  
(Ch. SL 2003-87)..... 174, 229, 267, 787, 869.
- H 861 REVIEW STATE GOVERNMENT/UNC  
EMPLOYMENT (State Government) ..... 355.

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- H 830 ABORTION-PARENTAL CONSENT NOTARIZED  
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- S 577 ADJUST COURT JURISDICTION  
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- H 478 AMBER ALERT  
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- S 486 AMBER ALERT  
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- H 202 AMEND CHILD SUPPORT ENFORCEMENT LAWS  
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- S 423 AMEND CHILD SUPPORT ENFORCEMENT LAWS  
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- H 203 AMEND CHILD WELFARE LAWS  
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- S 421 AMEND CHILD WELFARE LAWS  
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1028, 1058, 1094, 1154.
- S 718 AMEND DOMESTIC VIOLENCE LAWS/  
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H	1037	AMEND JUVENILE LAW (Ch. SL 2003-297) .....	420, 624, 688, 709, 1010, 1075, 1079, 1154.
H	1092	AN ACT TO SAFEGUARD CHILDREN (Finance) .....	430.
S	993	AN ACT TO SAFEGUARD CHILDREN (Ch. SL 2003-408) .....	718, 845, 857, 1071, 1166, 1194, 1230, 1399.
H	926	ASSAULT IN PRESENCE OF MINOR/ENHANCE PENALTY (Ch. SL 2003-409) .....	371, 643, 677, 1010, 1075, 1102, 1108, 1139, 1141, 1184, 1266, 1279, 1295, 1307, 1399.
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H	797	ASSISTANCE TO LEAS ON IMPLEMENTATION OF NO CHILD LEFT BEHIND ACT (Included Ch. SL 2003-284) (Ch. SL 2003-419) .....	312, 502, 583, 1306, 1400.
S	877	CHILD CARE FACILITIES/PENALTIES (Ch. SL 2003-192) .....	697, 796, 851, 902, 1039.
H	1033	CHILD CUSTODY/GUARDIANSHIP JURISDICTION (Judiciary IV) .....	419.
H	1209	CHILD ENDANGERMENT AND DRIVING WHILE IMPAIRED (Rules, Calendar, and Operations of the House) .....	452.
H	354	CHILD LEAD POISONING PREVENTION PROGRAM AMENDMENTS (Senate) .....	172, 352, 402, 526.
S	519	CHILD LEAD POISONING PREVENTION PROGRAM AMENDS (Ch. SL 2003-150) .....	504, 841, 856, 863, 929.
S	926	CLARIFY GROUP HOMES LICENSURE AND LEA REIMBURSEMENT (Ch. SL 2003-294) .....	697, 945, 1032, 1064, 1153.
H	925	COUNTY APPEALS OF CERTAIN JUVENILE ORDERS (Ch. SL 2003-171) .....	371, 607, 657, 914, 1036.
H	1135	EDUCATION INSTEAD OF LONG-TERM SUSPENSION (Rules, Calendar, and Operations of the House) .....	438, 596, 678, 1011.
H	379	EDUCATIONAL CONDITIONS TO PUNISHMENT (Senate) .....	178, 278, 327.
H	932	ESTABLISHING REGIONAL INTERAGENCY COORDINATING COUNCIL (Ch. SL 2003-391) .....	372, 539, 1178, 1197, 1215, 1348, 1396.

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H	1106	FETAL HOMICIDE (Judiciary I).....	433.
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H	822	HEALTH INSURANCE COVERAGE/EARLY INTERVENTION (Appropriations) .....	323, 711.
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H	950	JUVENILE COMMITMENT TO DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION (Ch. SL 2003-53) .....	376, 623, 687, 787, 824.
S	315	MINOR'S ENTERTAINMENT AND SPORTS CONTRACTS (Ch. SL 2003-207) .....	522, 832, 894, 925, 1066.
H	1303	NONPROFITS EXEMPT FROM ADMISSIONS TAX (Calendar Pursuant to Rule 36(b)) .....	777, 1070, 1158, 1358.
S	721	POST-ADOPTION PRIVILEGES (Judiciary II).....	718.
H	152	PREVENT SUDDEN INFANT DEATH SYNDROME/ CHILD CARE/INVESTIGATIONS (Ch. SL 2003-407) .....	115, 385, 515, 990, 1044, 1046, 1061, 1124, 1155, 1181, 1199, 1399.
S	63	PRO TEM AND SPEAKER APPOINTMENTS BILL (Senate).....	1358, 1373, 1374.
H	682	PUBLIC SCHOOLS/HEALTHY KIDS (Rules, Calendar, and Operations of the House).....	275.
S	753	QUALIFICATIONS FOR MAGISTRATES/JUVENILE CUSTODY PILOT (Ch. SL 2003-381) .....	608, 932, 996, 1015, 1305, 1395.
H	243	RECLASSIFY STATUTORY RAPE/SEX OFFENSE (Judiciary IV).....	152, 479, 554.
H	254	REDUCE YOUTH SMOKING: RAISE TOBACCO TAXES (Finance) .....	154.

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- S 555 SCHOOL SAFETY OFFICERS-STUDENTS/SEX  
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- H 943 SCHOOLS CAN'T RECOMMEND SOME  
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- H 180 STATE HEALTH PLAN/DEPENDENT CHILD  
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- H 1063 SUMMARY REQUIREMENTS/CHILD CARE  
FACILITIES (Ch. SL 2003-196) .....425, 567, 662,  
879, 909, 914, 1039.
- S 886 SUN SAFETY FOR SCHOOL CHILDREN  
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- S 657 TANNING SALONS/RESTRICTIONS ON USE  
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- H 663 TOBACCO-FREE SCHOOLS  
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- S 357 MAYLAND COMMUNITY COLLEGE  
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- H 300 MITCHELL COUNTY LOCAL ACT  
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- H 301 MITCHELL COUNTY LOCAL ACT  
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- H 343 MITCHELL RIVER-RAFTING USER TAX  
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**MITCHELL, W. FRANKLIN**

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- BILLS INTRODUCED - 7, 8, 12, 24, 25, 38, 43, 52, 55, \*60, 100, 131,  
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1011, 1012, 1022, 1141, 1143, 1268, 1328.

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COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropriations Subcommittee on Justice and Public Safety; Local Government II; Ways and Means.

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H 1196 AUTOMOBILE GLASS INSURANCE COVERAGE (Judiciary III).....	449.
H 1088 CONSUMERS' RIGHT-TO-KNOW ACT (Senate).....	430, 643, 716.
S 109 MOTOR VEHICLE GLASS REPAIR (Judiciary III).....	592.
H 1216 MOTOR VEHICLE GLASS REPAIRS (Judiciary III).....	453.
H 1007 NO MOTOR FUEL SALES LIMITS (Agriculture).....	415.
S 963 PREVENT PRICE GOUGING DURING DISASTERS (Ch. SL 2003-412) ..	654, 1072, 1166, 1196, 1251, 1399.
S 799 TELEPHONE SOLICITATIONS/CONSENT TO CHARGE (Public Utilities).....	524.
H 999 TONER/INKJET CARTRIDGES (Ch. SL 2003-386) .....	413, 542, 658, 1221, 1236, 1251, 1396.
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H 769 TROY DRUG DEALER LICENSING TAX (Finance).....	303.
H 697 TROY QUICK TAKE/PEACHLAND/POLKTON CHARTERS/HICKORY WHEEL LOCKS (Ch. SL 2003-328) .....	290, 484, 630, 672, 698, 1233, 1259, 1281, 1307, 1365.

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H 695 TROY RED LIGHT CAMERAS  
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S 652 AIRPORT FINANCING AND LEASES/  
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S 317 CERTAIN COUNTIES ANNEXATION MORATORIUM  
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1262, 1285, 1331, 1364.  
H 361 MOORE COUNTY LOCAL ACT  
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H 362 MOORE COUNTY LOCAL ACT  
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H 363 MOORE COUNTY LOCAL ACT  
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**MOORE, TIM**

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543, \*578, 636, 637, 677, 702, 759, \*798, 819, 830, 833, 845, 858,  
876, \*888, 962, 970, 998, 1010, 1011, 1012, 1013, 1014, \*1017, 1019,  
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COMMITTEE ASSIGNMENTS - Alcoholic Beverage Control; Appropri-  
ations; Appropriations Subcommittee on Education; Education;  
Education Subcommittee on Universities; Judiciary II, **Vice Chair**;  
Transportation.  
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- S 593 EXTEND SWINE MORATORIA  
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AND HIGHWAYS; TRANSPORTATION**

- H 397 2003 BUDGET ACT  
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- H 1299 ABANDONED/JUNKED VEHICLE FUND  
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H	661	ALTERNATIVE FUEL VEHICLE SPECIAL PLATE (Finance) (Included Ch. SL 2003-424) .....	264.
S	777	AMEND DEALER LICENSING LAW (Ch. SL 2003-254) .....	504, 833, 883, 889, 924, 957, 1006, 1120.
H	876	ANTITERRORISM/END RESIDENCY AFFIDAVITS (Rules, Calendar, and Operations of the House).....	358, 540.
H	1002	APPLY LEMON LAW TO RECREATIONAL VEHICLES (Judiciary III) .....	414.
H	692	AUTO AUCTIONEERS-NO DEALER LICENSE NEEDED (Ch. SL 2003-265) .....	276, 353, 404, 1051, 1121.
H	1196	AUTOMOBILE GLASS INSURANCE COVERAGE (Judiciary III) .....	449.
H	255	BLUE RIDGE PARKWAY FOUNDATION LICENSE PLATE (Finance) (Included Ch. SL 2003-424).....	155.
H	26	CAMERA DEFEATING LICENSE COVERS ILLEGAL (Senate).....	70, 312, 338, 464, 535.
H	471	CDL CHANGES/MOPED TAG (Senate).....	204, 655, 783, 932, 952, 976.
S	61	CDL CHANGES/STUDY MOPED TAG IDENTIFICATION (Ch. SL 2003-397).....	522, 924, 1301, 1323, 1326, 1327, 1347, 1397.
H	1209	CHILD ENDANGERMENT AND DRIVING WHILE IMPAIRED (Rules, Calendar, and Operations of the House).....	452.
H	64	"CHOOSE LIFE" LICENSE PLATE (Finance).....	85.
H	934	CLARIFY DMV AUTO THEFT DISCLOSURE (Rules, Calendar, and Operations of the House).....	373.
H	1153	CLARIFY MOTOR VEHICLE DEALER FRANCHISE LAWS (Judiciary III) .....	442.
S	559	CLARIFY MOTOR VEHICLE DEALER FRANCHISE LAWS (Ch. SL 2003-113) .....	593, 753, 766, 802, 872.
H	666	CONTRACT AGENCY COMPENSATION (Appropriations).....	272, 983.
H	1075	DISCLOSURE OF PRIOR MOTOR VEHICLE DAMAGE (Judiciary III).....	428.

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S	38	DOT SAFETY AND LOGO SIGNS (Ch. SL 2003-184) .....	307, 821, 850, 858, 862, 901, 1038.
S	2	DRIVERS LICENSE MEDICAL CERTIFICATION (Ch. SL 2003-14) .....	142, 188, 234, 269, 270, 331, 364, 405, 506.
H	880	DWI BLOOD TEST RESULT-DIRECTLY TO CLERK (Judiciary I).....	359, 480, 559.
S	619	DWI BLOOD TEST RESULT-DIRECTLY TO CLERK (Ch. SL 2003-104) .....	523, 784, 799, 802, 871.
S	449	EVIDENCE - DWI BLOOD WITHDRAWAL VALID (Ch. SL 2003-95) .....	626, 752, 792, 794, 870.
H	1182	EXPAND USURY EXEMPTION (Ch. SL 2003-401) .....	447, 668, 716, 1303, 1322, 1341, 1348, 1398.
H	965	FAILURE TO YIELD CAUSING DEATH OR INJURIES (Senate).....	393, 644, 686.
H	1106	FETAL HOMICIDE (Judiciary I).....	433.
H	344	FORMULA COST-EFFECTIVE VEHICLES REPLACEMENT (Ch. SL 2003-177) .....	171, 488, 554, 867, 1037.
H	842	HELP AMERICA VOTE ACT COMPLIANCE (Ch. SL 2003-226) .....	336, 351, 403, 514, 525, 528, 917, 949, 963, 1067.
H	963	HIT AND RUN - 2 YEAR LICENSE REVOCATION (Ch. SL 2003-394) .....	392, 652, 714, 991, 1045, 1061, 1237, 1248, 1257, 1273, 1397.
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- COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Sub-  
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 COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Sub-  
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 Commerce; Election Law and Campaign Finance Reform; Ways and  
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COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropri-  
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\*1234, 1236, 1246, 1284, \*1288, 1313, 1314, 1317, 1323, \*1331,  
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- COMMITTEE ASSIGNMENTS - Education; Education Subcommittee  
on Universities; Election Law and Campaign Finance Reform;  
Finance; Judiciary I, **Vice Chair**; Local Government I.
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- H 553 76<sup>TH</sup> HOUSE DISTRICT LOCAL ACT  
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- H 680 GRANITE QUARRY CHARTER REVISION  
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- H 224 KANNAPOLIS ANNEXATION  
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- H 499 LANDIS ALDERMEN/MAYORAL TERMS  
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- H 498 ROWAN COUNTY LOCAL ACT  
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- H 351 SALISBURY PARKING ENFORCEMENT  
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- H 784 SALISBURY TREE ORDINANCES  
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- H 1124 LAW ENFORCEMENT OFFICERS' SECURITY  
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- H 1172 MEDICAL MALPRACTICE WITNESSES/  
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- H 936 ADDITIONAL DISTRICT COURT JUDGES/  
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- H 1103 ALLOW TERMINATION OF OPTION ELECTION  
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- H 812 AMEND RETIREES' EARNINGS RESTRICTION  
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- H 503 AMEND STATE HEALTH PLAN  
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- H 543 BROADEN COVERAGE/FIRE AND RESCUE  
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H	822	HEALTH INSURANCE COVERAGE/EARLY INTERVENTION (Appropriations) .....	323, 711.
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H	56	INCREASE FIRE AND RESCUE SQUAD PENSION (Appropriations) (Included Ch. SL 2003-284) .....	84, 329.
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- H 841 RETENTION INCENTIVE PROGRAM  
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- H 305 RETIREMENT CONTRIBUTION RATES  
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- H 331 RETIREMENT SYSTEM TECHNICAL CHANGES  
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- H 504 STATE HEALTH PLAN CHANGES  
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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Sub-  
committee on Education; Commerce, **Vice Chair**; Education; Edu-  
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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Sub-  
committee on Transportation; Financial Institutions, **Vice Chair**; Insurance;  
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**SAUNDERS, DREW P.-Contd.**

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 COMMITTEE ASSIGNMENTS - Finance; Health; Insurance, **Chair**;  
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COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Justice and Public Safety; Education; Education Subcommittee on Community Colleges, <b>Chair</b> ; Judiciary I; Military, Veterans and Indian Affairs; Wildlife Resources.	
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- S 563 UNIFORM ATHLETE AGENTS ACT  
(Ch. SL 2003-375) .....593, 924, 1040,  
1077, 1093, 1110, 1216, 1237, 1305, 1394.
- S 706 UNIVERSITY ATHLETIC FACILITIES EXEMPTION  
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- BILLS INTRODUCED - 8, 9, \*11, 27, 43, 64, 108, 147, \*150, 154, 342,  
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606, 636, 637, 677, \*691, 702, 759, 766, 796, 819, 830, \*842, 867,  
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- COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Sub-  
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Families; Commerce; Election Law and Campaign Finance Reform,  
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- CONFEREE ON H.B. 147 ..... 1101.
- CONFEREE ON S.B. 661 ..... 1360.
- EXCUSED ABSENCE..... NONE.
- EXCUSED VOTE ON S.B. 421 ..... 1059.
- INQUIRY OF CHAIR REGARDING MASON'S  
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- INQUIRY OF CHAIR REGARDING RULES  
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- S 652 AIRPORT FINANCING AND LEASES/  
DAM ASSESSMENTS  
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S	76	INCORPORATE MISENHEIMER (Ch. SL 2003-268) .....	887, 984, 1045, 1057, 1076, 1086, 1118, 1121.
H	187	NORWOOD/ALBEMARLE ABC DISTRIBUTION (Ch. SL 2003-121) .....	139, 465, 533, 868, 892.
H	671	STANLY COUNTY LOCAL ACT (Rules, Calendar, and Operations of the House).....	273.
H	672	STANLY COUNTY LOCAL ACT (Rules, Calendar, and Operations of the House).....	273.
S	122	VARIOUS SATELLITE ANNEXATIONS (Ch. SL 2003-30) .....	399, 531, 549, 575, 694, 729.

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H	397	2003 BUDGET ACT (Ch. SL 2003-284) .....	184, 462, 476, 482, 485, 495, 709, 721, 732, 734, 1126, 1130, 1142, 1147, 1150.
H	154	DNA ANALYSIS/SEX ASSAULT KITS (Finance).....	116, 910.
H	593	FAMILY TAX CUT/PROTECT AAA RATING (Rules, Calendar, and Operations of the House).....	248, 460, 475.
H	1238	FINANCE CANCER CENTER/CIGARETTE TAX (Finance).....	587.
H	1227	FINANCE PARKS AND HERITAGE (Finance).....	492.
S	464	MANAGING DEBT CAPACITY (Rules Calendar and Operations of the House).....	1268.
H	949	PSYCHIATRIC HOSPITAL BONDS (Finance).....	375.

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- H 684 PSYCHIATRIC HOSPITAL FINANCING  
(Ch. SL 2003-314) .....275, 904, 909, 943, 980,  
998, 1099, 1138, 1144, 1219.
- H 961 PSYCHIATRIC HOSPITAL FINANCING  
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- S 137 SPECIAL OBLIGATION DEBT/PURPOSES  
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- H 397 2003 BUDGET ACT  
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- H 856 ADOPT INTERNATIONAL BUILDING CODE  
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- H 273 ADVERSE REACTIONS TO SMALLPOX  
VACCINATION (Ch. SL 2003-169).....157, 329, 379,  
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- S 945 AIR QUALITY PERMITS  
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1215, 1224, 1272, 1402.
- H 1080 AMEND ENVIRONMENTAL LAWS  
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- H 1081 AMEND ENVIRONMENTAL LAWS  
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- S 824 AMEND ENVIRONMENTAL LAWS 2003  
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1170, 1185, 1199, 1202, 1388.
- H 945 AMEND STATE BUILDING CODE  
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- S 274 BUDGET ADJUSTMENT ACT  
(Ch. SL 2003-283) .....255, 1136, 1143, 1147, 1150.
- H 14 BUDGET DEADLINES ENHANCED  
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- H 1234 BULK DRUG PURCHASING  
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- H 318 CHILDREN WITH DISABILITIES/FEDERAL LAW  
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- H 378 CIGARETTE TAX INCREASE FOR PUBLIC  
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- H 1112 CLARIFY FOOD SERVICE LAWS  
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H	1206	CONSOLIDATE ENVIRONMENTAL REGULATORY COMMISSIONS (Environment and Natural Resources) .....	451.
S	991	CONSUMER'S RIGHT TO KNOW AND ACT (State Government).....	727.
H	154	DNA ANALYSIS/SEX ASSAULT KITS (Finance).....	116, 910.
S	38	DOT SAFETY AND LOGO SIGNS (Ch. SL 2003-184) .....	307, 821, 850, 858, 862, 901, 1038.
H	1324	ENVIRONMENT FEES/TRUE COST OF SERVICE (Environment and Natural Resources) .....	781.
H	1082	ENVIRONMENTAL REPORTS CONSOLIDATION (Senate).....	429, 462, 546.
H	1083	ENVIRONMENTAL TECHNICAL CORRECTIONS (Senate).....	429, 462, 546.
S	823	ENVIRONMENTAL TECHNICAL CORRECTIONS (Environment and Natural Resources) .....	504.
H	1113	EXTEND SWINE MORATORIA (Environment and Natural Resources) .....	434.
H	1208	EXTEND SWINE MORATORIA (Environment and Natural Resources) .....	452.
S	593	EXTEND SWINE MORATORIA (Ch. SL 2003-266) ....	523, 959, 1027, 1046, 1051, 1121.
H	593	FAMILY TAX CUT/PROTECT AAA RATING (Rules, Calendar, and Operations of the House).....	248, 460, 475.
H	1238	FINANCE CANCER CENTER/CIGARETTE TAX (Finance).....	587.
H	1227	FINANCE PARKS AND HERITAGE (Finance).....	492.
H	344	FORMULA COST-EFFECTIVE VEHICLES REPLACEMENT (Ch. SL 2003-177) .....	171, 488, 554, 867, 1037.
H	964	FURNITURE REQUIREMENTS CONTRACTS (Senate).....	392, 622, 684.
H	1059	GOLDEN L.E.A.F. FUNDS FOR HEALTH (Rules, Calendar, and Operations of the House).....	424.

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H	853	GOVERNOR'S BUDGET BILL (Appropriations).....	345.
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H	864	GUARANTEED ENERGY SAVINGS CONTRACT EFFICIENCY (Ch. SL 2003-138).....	356, 556, 613, 865, 927.
H	9	HARLAN BOYLES SPENDING CONTROL ACT (Rules, Calendar, and Operations of the House).....	66.
H	852	INCREASE "RAINY DAY" FUNDS (Appropriations).....	345.
H	1176	INFORMATION TECHNOLOGY FUNDS FLEXIBILITY (Appropriations) .....	446, 666.
H	270	INSURANCE TECHNICAL CORRECTIONS (Ch. SL 2003-221) .....	157, 288, 338, 950, 1067.
H	1218	JUDICIAL BRANCH BUDGET REFORM (Appropriations Subcommittee on Justice and Public Safety) .....	454.
H	1189	LAPSED SALARY FUNDS REVERT (Appropriations).....	448.
H	151	LAW OFFICERS' 25-YEAR RETIREMENT (Appropriations).....	115, 543.
H	1192	LEAKING UNDERGROUND STORAGE TANKS CLEANUPS (Environment and Natural Resources) .....	449.
H	12	LIMIT GENERAL FUND SPENDING/PRIOR YEAR'S SPENDING (Appropriations) .....	67.
H	1062	LOCAL WATER SUPPLY PLANS (Ch. SL 2003-387) .....	425, 497, 518, 584, 1123, 1161, 1211, 1228, 1234, 1267, 1273, 1396.
S	464	MANAGING DEBT CAPACITY (Rules Calendar and Operations of the House) .....	1268.
H	1006	MANUFACTURED HOUSING (Ch. SL 2003-400) .....	414, 872, 923, 953, 954, 957, 978, 1221, 1235, 1260, 1272, 1398.
H	933	NC CLEAN VEHICLES (Environment and Natural Resources) .....	373.
H	1287	NC CLEAN VEHICLES/INFRASTRUCTURE FUND (Environment and Natural Resources) .....	774.
H	1045	NC CLIMATE ACTION REGISTRY (Environment and Natural Resources) .....	422.

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H	1091	PENALTY FOR ILLEGAL INDOOR PYROTECHNICS (Appropriations).....	430, 651, 659.
H	1188	PHASE OUT SWINE WASTE LAGOONS AND SPRAYFIELDS (Environment and Natural Resources) .....	448.
S	661	PRISONER HEALTH INFORMATION/EMS CHANGES (Ch. SL 2003-392).....	726, 1268, 1333, 1343, 1359, 1363, 1369, 1376, 1377, 1397.
H	974	PROHIBIT STATE PURCHASE OF RECONSTITUTED MILK (Ch. SL 2003-367) .....	394, 622, 687, 1220, 1236, 1251, 1393.
H	949	PSYCHIATRIC HOSPITAL BONDS (Finance) .....	375.
H	684	PSYCHIATRIC HOSPITAL FINANCING (Ch. SL 2003-314) .....	275, 904, 909, 943, 980, 998, 1099, 1138, 1144, 1219.
H	961	PSYCHIATRIC HOSPITAL FINANCING (Finance) .....	392.
H	802	PURCHASING FLEXIBILITY FOR SCHOOLS (Rules, Calendar, and Operations of the House).....	313, 333, 561, 596, 628.
S	620	PURCHASING FLEXIBILITY FOR SCHOOLS (Ch. SL 2003-147) .....	626, 808, 821, 864, 928.
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H	1069	REGIONAL PUBLIC TRANSPORTATION LIABILITY (Transportation) .....	426.
H	1072	REGULATE TICKET BROKERS (Finance) .....	427, 1050, 1080.
H	1146	RETAINAGE RULES/PUBLIC CONTRACTS (Senate) .....	440, 622, 684.
H	1221	RETURN OVERPAYMENTS OF STATE FUNDS (Ch. SL 2003-263) .....	459, 623, 684, 992, 1026, 1035, 1121.

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- H 930 SMALL AND MEDIUM ANIMAL OPERATIONS PERMITS  
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- S 137 SPECIAL OBLIGATION DEBT/PURPOSES  
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- H 1155 STATE EMPLOYEE PAYROLL DEDUCTION/PARENTAL SAVINGS  
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- S 786 STATE INSTITUTION RESIDENT DAMAGE CLAIMS  
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- S 627 STATE NATURE AND HISTORIC PRESERVE ADDITIONS AND REMOVALS  
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- H 977 STATE PURCHASES OF SUBSTITUTE FOR MILK  
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- H 857 STREAMLINE BUILDING CODE  
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- S 925 STRENGTHEN SECURITY FRAUD ENFORCEMENT LAWS  
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- H 1130 SUPERINTENDENT RENAMED SECRETARY OF EDUCATION (Education) ..... 437.
- S 692 TERROR RESPONSE PLANS  
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- H 1016 UNC/ADD NONSMOKING AREAS  
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- H 897 UNDERGROUND STORAGE TANK PROGRAM AMENDS (Ch. SL 2003-352).....362, 648, 689,  
692, 1203, 1222, 1230, 1390.
- H 583 WETLANDS REIMBURSEMENT/LOCAL TAX BASE (Environment and Natural Resources)..... 242.

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- H 47 ADOPT CAROLINA LILY AS STATE WILDFLOWER  
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- H 694 NC AVIATION HALL OF FAME AND AVIATION MUSEUM (Ch. SL 2003-363).....290, 540, 580, 646,  
671, 1308, 1340, 1348, 1392.

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- S 840 NC'S OFFICIAL INTERNATIONAL FESTIVAL  
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- H 404 FLAG FREEDOM BILL  
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- H 1191 STATE HEALTH PLAN UNDER STATE  
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- H 1130 SUPERINTENDENT RENAMED SECRETARY  
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- H 583 WETLANDS REIMBURSEMENT/LOCAL TAX  
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- H 397 2003 BUDGET ACT  
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- S 6 BAN VIDEO POKER/ALL BUT RESERVATIONS  
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- H 483 CHANGE OFFENSIVE PLACE-NAMES  
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- S 813 CONTROLLER'S FEE  
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- H 1059 GOLDEN L.E.A.F. FUNDS FOR HEALTH  
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- H 853 GOVERNOR'S BUDGET BILL  
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- S 623 INFORMATION TECHNOLOGY GAP ANALYSIS/  
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- H 941 INFORMATION TECHNOLOGY LEGACY  
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- H 1003 INFORMATION TECHNOLOGY SECURITY  
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- S 137 SPECIAL OBLIGATION DEBT/PURPOSES  
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- S 568 SUPERINTENDENT OF PUBLIC INSTRUCTION  
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- H 1130 SUPERINTENDENT RENAMED SECRETARY  
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- APPROVAL OF VOTE CHANGE ON H.B. 684 ..... 981.
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- APPROVAL OF VOTE CHANGE ON H.B. 1062 ..... 585.
- APPROVAL OF VOTE CHANGE ON S.B. 232 ..... 1001.
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- COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Sub-  
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- CONFEREE ON H.B. 48 ..... 1357.
- CONFEREE ON H.B. 397 ..... 723.
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- H 221 STOKES COUNTY LOCAL ACT  
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- H 397 2003 BUDGET ACT  
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- S 34 2003 STUDIES ACT  
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- H 473 ALL-TERRAIN VEHICLE REGISTRATION/  
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- H 990 AMEND SHELLFISH STATUTES  
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- H 1133 AMEND SHELLFISH STATUTES  
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- H 754 AMORTIZATION MORATORIUM  
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- H 747 ARCHAEOLOGICAL COLLECTION STUDY  
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- H 980 AUTOMOBILE PROPERTY TAX  
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- H 1165 BEACH PRESERVATION, RESTORATION AND  
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- H 1027 BLUE RIBBON TASK FORCE ON  
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- H 471 CDL CHANGES/MOPED TAG  
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- S 61 CDL CHANGES/STUDY MOPED TAG  
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- S 648 CERVICAL CANCER ELIMINATION TASK FORCE  
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856, 858, 902, 1037.
- S 669 CIVIL REMEDY FOR ANIMAL CRUELTY  
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- H 1247 COMPARATIVE TAX BURDEN/FUNDS/STUDY  
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- H 1236 COMPENSATION FOR EUGENIC  
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- H 917 CONFORM MORTGAGE LENDING LAWS  
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- H 1137 DATA PROBLEMS AT DEPARTMENT OF PUBLIC  
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- H 1039 DEBT COLLECTION PRACTICES/LRC STUDY  
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- H 956 DETER JUVENILE ESCAPES STUDY  
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- H 960 DIX HOSPITAL PROPERTY STUDY  
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- S 934 DWI PROVIDER AUTHORIZATION FEES  
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- S 944 ECONOMIC INCENTIVES/COMMITTEE  
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- H 1135 EDUCATION INSTEAD OF LONG-TERM  
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- H 1233 EFFICIENCY: SCHOOL BOARD SALES TAX  
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- H 346 EMERGENCY GENERATORS/AGING STUDY  
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S	733	GENERAL NONDISCHARGE PERMITS/ ANIMAL OPERATIONS (Ch. SL 2003-28) .....	503, 519, 560, 603, 694.
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H	1305	HOMEBUILDER RESPONSIBILITY (Judiciary IV).....	778.
H	941	INFORMATION TECHNOLOGY LEGACY SYSTEMS/STUDY (Ch. SL 2003-172) .....	374, 666, 714, 914, 1036.
H	740	JOB GROWTH ACCOUNTABILITY ACT (Rules, Calendar, and Operations of the House).....	298, 457.
H	271	JOB SHARING FOR SCHOOL COUNSELORS/ STUDY (Senate).....	157, 330, 566, 633.
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H	147	LEFT TURN ON RED (Conference Committee).....	112, 229, 268, 645, 683, 708, 1055, 1101, 1210, 1233.

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- H 468 LIVING INCOME STUDY COMMISSION  
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- H 1099 LOCAL ELECTED OFFICIALS VOTING/STUDY  
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- H 309 LONG-TERM CARE REMEDIATION/STUDY  
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- H 989 MARINE FISHERIES STUDIES  
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- S 262 MENTAL HEALTH OVERSIGHT STUDY  
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H	961	PSYCHIATRIC HOSPITAL FINANCING (Finance) .....	392.
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- H 959 TAX PREFERENCES/STUDY  
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- H 1086 TRAFFICKING OF PERSONS/LRC STUDY  
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- S 424 TUITION WAIVER CORRECTION  
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- H 897 UNDERGROUND STORAGE TANK PROGRAM  
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- H 654 MENTAL HEALTH/CHEMICAL DEPENDENCY  
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- H 470 LIBERTY DAY  
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- H 54 MOTORCYCLE AWARENESS MONTH  
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- H 130 SURRY COUNTY LOCAL ACT  
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- H 222 SURRY COUNTY LOCAL ACT  
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- COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Justice and Public Safety; Judiciary III, **Chair**; Legislative Redistricting, **Vice Chair**; Military, Veterans and Indian Affairs, **Vice Chair**; Transportation.
- CONFEREE ON H.B. 382 ..... 270.
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H	749	LOCAL OPTION TAX MENU (Finance) .....	300.
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H 677 REDUCE SALES TAX ON FUNERALS  
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H	1318	REPEAL BILL LEE ACT AND MAKE INCENTIVES WORK (Appropriations).....	781, 1048.
H	1277	REPEAL GIFT TAX IN 2006 (Finance).....	764.
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H	44	STREAMLINED SALES TAX CHANGES (Finance) (Included Ch. SL 2003-284).....	81.
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H	1111	VOLUNTARY STORMWATER EXPENSES CREDIT (Finance).....	434.
S	936	WAIVE DEADLINES FOR TROOPS (Ch. SL 2003-300).....	754, 985, 1049, 1059, 1076, 1111, 1154.
H	583	WETLANDS REIMBURSEMENT/ LOCAL TAX BASE (Environment and Natural Resources).....	242.
H	1108	WINE SHIPPERS PERMITS (Finance).....	434, 930.
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- H 378 CIGARETTE TAX INCREASE FOR PUBLIC  
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- S 582 ESTABLISH COMMISSION ON CHILDHOOD  
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- H 45 EXEMPT TOBACCO PAYMENTS FROM  
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- H 1238 FINANCE CANCER CENTER/CIGARETTE TAX  
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- H 1059 GOLDEN L.E.A.F. FUNDS FOR HEALTH  
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- H 1313 LOCAL OPTION CIGARETTE EXCISE TAX  
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- H 663 TOBACCO-FREE SCHOOLS  
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**TOLSON, JOE P.**

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COMMITTEE ASSIGNMENTS - Agriculture; Appropriations, **Vice Chair**; Appropriations Subcommittee on Education, **Chair**; Education; Education Subcommittee on Community Colleges; Pensions and Retirement; Science and Technology, **Vice Chair**.

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 64, \*71, \*72, \*73, \*74, \*75, \*76, \*77, 100, 131, 147, 170, 171, \*239,  
 255, \*344, 381, 405, \*451, 518, 527, 531, 640, 641, 677, 702, \*743,  
 809, 819, \*820, 825, 830, 845, \*851, \*852, 858, 875, \*901, \*943, 998,  
 1012, 1101, 1216, 1220, \*1256, 1268, 1271, \*1275.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Sub-  
 committee on General Government, **Chair**; Education; Education  
 Subcommittee on Pre-School, Elementary and Secondary Education;  
 Financial Institutions; Judiciary II; Science and Technology.

EXCUSED ABSENCES .....69, 726, 901, 912, 1119,  
 1125, 1271, 1305, 1335, 1371.

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 1330, 1337.

COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropri-  
 ations Subcommittee on Natural and Economic Resources; Education;  
 Education Subcommittee on Pre-School, Elementary and Secondary  
 Education; Local Government I, **Chair**; Local Government II.

EXCUSED ABSENCES ..... 1125, 1371.

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**WARNER, ALEX**

BILLS INTRODUCED - 51, 55, 56, 59, 64, 108, 109, 117, 126, 131, 147, \*271, \*272, \*273, \*274, \*275, 381, 429, 462, 478, \*559, \*586, 759, 797, \*800, \*801, \*802, 809, 830, 845, 847, 850, \*908, 917, \*939, \*963, \*964, \*969, 998, 1022, 1075, 1221, 1235, 1245, 1246, 1259, 1271, 1309, 1316, \*1330.

COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Education; Education, **Chair**; Environment and Natural Resources; Military, Veterans and Indian Affairs; State Government.

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COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropriations Subcommittee on Natural and Economic Resources, **Vice Chair**; Education, **Vice Chair**; Education Subcommittee on Pre-School, Elementary and Secondary Education, **Chair**; Local Government I; Wildlife Resources.

EXCUSED ABSENCES .....69, 237, 286, 650, 1064.

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- H 289 WASHINGTON COUNTY LOCAL ACT  
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 COMMITTEE ASSIGNMENTS - Aging, **Chair**; Children, Youth and  
 Families, **Vice Chair**; Environment and Natural Resources; Finance;  
 Judiciary III, **Vice Chair**.  
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**WEST, ROGER**

BILLS INTRODUCED - 9, 55, 64, 67, 117, 131, 147, \*240, 255, \*267,  
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 1141, 1268, 1271, 1330.  
 COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Sub-  
 committee on Natural and Economic Resources, **Chair**; Commerce;  
 Education; Education Subcommittee on Community Colleges; Judiciary I;  
 Occupational Safety and Health.  
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 COMMITTEE ASSIGNMENTS - Agriculture; Appropriations; Appropriations  
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 COMMITTEE ASSIGNMENTS - Appropriations; Appropriations Subcommittee on Transportation, **Vice Chair**; Legislative Redistricting; Military, Veterans and Indian Affairs; Public Utilities; Transportation, **Vice Chair**.  
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 COMMITTEE ASSIGNMENTS - Commerce, **Chair**; Finance; Health;  
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 COMMITTEE ASSIGNMENTS - Aging; Agriculture; Appropriations;  
 Appropriations Subcommittee on General Government; Local Govern-  
 ment I; Pensions and Retirement, **Chair**.  
 EXCUSED ABSENCES ..... 860, 867, 885, 901, 912, 1125, 1371.  
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COMMITTEE ASSIGNMENTS - Aging, **Vice Chair**; Education; Education Subcommittee on Pre-School, Elementary and Secondary Education; Environment and Natural Resources; Finance; State Government, **Chair**.

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COMMITTEE ASSIGNMENTS - Education, **Chair**; Election Law and Campaign Finance Reform; Finance; Judiciary I; Ways and Means.

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**WRIGHT, THOMAS E.**

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 Public Utilities; Transportation.

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- COMMITTEE ASSIGNMENTS - Agriculture; Appropriations, **Vice Chair**; Appropriations Subcommittee on Education, **Chair**; Ethics; Pensions and Retirement, **Vice Chair**; Rules, Calendar, and Operations of the House.
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