

2003-2004

**SENATE
RULES**

**COMMITTEE
MINUTES**

COMMITTEE ON RULES AND OPERATIONS OF THE SENATE 2003

Sen. Anthony E. Rand – Chairman	300 C LOB	733-9892
Sen. Walter Dalton – Vice Chairman	523 LOB	715-3038
Sen. Wib Gulley – Vice Chairman	623 LOB	715-3036
Sen. Hamilton Horton	1117 LB	733-7850
Sen. Charles Albertson	525 LOB	733-5705
Sen. Patrick Ballantine	1127 LB	715-2525
Sen. Phillip Berger	1121 LB	733-5708
Sen. John Carrington	1026 LB	733-5850
Sen. James Forrester	1129 LB	715-3050
Sen. David Hoyle	300 A LOB	733-5734
Sen. Eleanor Kinnaird	2115 LB	733-5804
Sen. Stephen Metcalf	300 B LOB	733-5707
Sen. Robert Rucho	1113 LB	733-5650
Sen. R. C. Soles	2022 LB	733-5963
Sen. A. B. Swindell	629 LOB	715-3030
Sen. Scott Thomas	300 E LOB	733-6275

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2003 SESSION

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S.B. 1008 Va-NC High Speed Rail Commission
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H.J.R. 1161 NASCAR
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Bill	Introducer	Short Title	Latest Action	In Date	Out Date
H0053	Owens	HONOR VERNON JAMES.	S Ref To Com On Rules and Operations of the Senate	06-27-03	
H0065	Ray	AUTOPSY PHOTOS NOT PUBLIC RECORD.	*S Re-ref Com On Rules and Operations of the Senate	07-18-03	
H0069	Goodwin	HONOR THOMAS B. HUNTER.	SR Ch. Res 2003-24	04-29-03	07-14-03
H0131=	Hilton	CONCEALED HANDGUN RECIPROCITY.	*S Ref To Com On Rules and Operations of the Senate	05-05-03	
H0147	Gulley	LEFT TURN ON RED.	*S Conf Com Appointed	05-08-03	05-12-03
H0182=	L. Allen	NORTHAMPTON/DUPLIN/ FAYETTEVILLE LOCAL ACTS.	*SR Ch. SL 2003-318	06-10-03	06-17-03
H0208	Wright	MANAGED CARE/HLTH BENEFITS CLARIFYING- AB.	*S Re-ref Com On Rules and Operations of the Senate	05-06-03	
H0231	Goodwin	HONOR C.B. DEANE.	SR Ch. Res 2003-25	04-22-03	07-14-03
H0328	Howard	AMEND REAL ESTATE LICENSING LAWS/FEEES.- AB	*S Pres. To Gov. 7/ 19/2003	05-22-03	07-14-03
H0506	Adams	UNC/BOG STUDENT MEMBER VOTE.	S Ref To Com On Rules and Operations of the Senate	04-23-03	
H0566=	Gibson	DISAPPROVE SWIFT CREEK RECLASSIFICATION.	*S Pres. To Gov. 7/ 20/2003	05-05-03	07-17-03
H0606	B. Allen	HONOR CLARENCE LIGHTNER.	*SR Ch. Res 2003-21	04-22-03	06-17-03
H0674=	Luebke	DURHAM NORTHERN LOOP CORRIDOR.	*S Conf Com Appointed	04-23-03	07-17-03
H0693	Brubaker	50TH ANNIVERSARY OF THE ACC.	*S Ref To Com On Rules and Operations of the Senate	05-21-03	
H0694	Brubaker	NC AVIATION HALL OF FAME AND AVIATION MUSEUM.	*S Pres. To Gov. 7/ 19/2003	05-01-03	07-17-03
H0773	Insko	CHAPEL HILL SPRINKLERS.	*SR Ch. SL 2003-247	05-05-03	06-04-03
H0796	B. Allen	PROHIBIT SALE OF DOROTHEA DIX PROPERTY.	*S Ref To Com On Rules and Operations of the Senate	04-30-03	
H0859	Adams	BOARD OF MORTUARY SCIENCE.	*S Ref To Com On Rules and Operations of the Senate	05-05-03	
H0886	Wright	DUE PROCESS FOR PHYSICIANS.	*S Pres. To Gov. 7/ 18/2003	05-22-03	06-25-03

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H0888	Moore	PURCHASE FLEX/SCH TRANSPORTATION.	S	Re-ref Com On Rules and Operations of the Senate	05-06-03	
H0917=	Brubaker	CONFORM MORTGAGE LENDING LAWS.	*S	Pres. To Gov. 7/ 21/2003	04-30-03	07-20-03
H0917=	Brubaker	CONFORM MORTGAGE LENDING LAWS.	*S	Pres. To Gov. 7/ 21/2003	07-20-03	07-20-03
H1047	Hackney	ABOLISH ALIENATION OF AFFECTION/CRIM. CONV.	S	Re-ref Com On Rules and Operations of the Senate	05-12-03	
H1074	Crawford	BUTNER ADV. COUNCIL/ NASH-ROCKY MT./ EDGEcombe.	*S	Pres. To Gov. 7/ 11/2003	06-24-03	06-25-03
H1146	Nesbitt	RETAINAGE RULES/ PUBLIC CONTRACTS.	S	Re-ref Com On Rules and Operations of the Senate	05-08-03	
H1161	Goodwin	NASCAR.	*SR	Ch. Res 2003-11	04-22-03	05-14-03
H1328	Coates	MEM. ADOLPHEUS NUSSMANN AND GOTTFRIED ARENDS.	*SR	Ch. Res 2003-27	06-05-03	07-14-03
H1335	Culpepper	ADJOURNMENT OF 2003 GENERAL ASSEMBLY.	*SR	Ch. Res 2003-31	07-14-03	07-17-03
S0009	Robert Pittenger	MEDICAL MALPRACTICE DAMAGES/ATTORNEYS' FEES.	S	Re-ref Com On Select Committee on Insurance and Civil Justice Reform	02-26-03	04-03-03
013	Kay R. Hagan	DNA ANALYSIS/SEX ASSAULT KITS.	S	Ref To Com On Rules and Operations of the Senate	02-10-03	
S0014	Stan Bingham	33RD SENATORIAL DISTRICT LOCAL ACT-1.	S	Ref To Com On Rules and Operations of the Senate	02-10-03	
S0015	Stan Bingham	33RD SENATORIAL DISTRICT LOCAL ACT-2.	S	Ref To Com On Rules and Operations of the Senate	02-10-03	
S0016	Stan Bingham	33RD SENATORIAL DISTRICT LOCAL ACT-3.	S	Ref To Com On Rules and Operations of the Senate	02-10-03	
S0017	Stan Bingham	33RD SENATORIAL DISTRICT LOCAL ACT-4.	S	Ref To Com On Rules and Operations of the Senate	02-10-03	
S0018	Virginia Foxx	RESOLVING ELECTIONS.	S	Ref To Com On Rules and Operations of the Senate	02-10-03	
\$ S0024	Linda Garrou	BLANK APPROPRIATIONS BILL-1.	S	Ref To Com On Rules and	02-12-03	

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				Operations of the Senate		
	025	Linda Garrou	BLANK APPROPRIATIONS BILL-2.	S Ref To Com On Rules and Operations of the Senate	02-12-03	
	\$ S0026	Linda Garrou	BLANK APPROPRIATIONS BILL-3.	S Ref To Com On Rules and Operations of the Senate	02-12-03	
	S0029	Austin M. Allran	EXTEND DATE RETAILERS EXEMPT. PLUM/HEAT LAWS.	*SR Ch. SL 2003-2	02-13-03	02-13-03
	S0032=	Stan Bingham	MOTORCYCLE AWARENESS MONTH.	S Ref To Com On Rules and Operations of the Senate	02-13-03	
	S0034=	Wib Gulley	HIGHWAY TRUST FUND STUDY COMMITTEE.	*S Conf Com Appointed	02-13-03	03-05-03
	S0034=	Wib Gulley	HIGHWAY TRUST FUND STUDY COMMITTEE.	*S Conf Com Appointed	07-20-03	07-20-03
	S0040	Larry Shaw	21ST SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-13-03	
	S0041	Larry Shaw	21ST SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-13-03	
	042	Larry Shaw	PUBLIC LAWS - 1.	S Ref To Com On Rules and Operations of the Senate	02-13-03	
	S0043	Larry Shaw	PUBLIC LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	02-13-03	
	\$ S0045	Kay R. Hagan	BLANK APPROPRIATIONS BILL-2.	S Ref To Com On Rules and Operations of the Senate	02-13-03	
	\$ S0046	Kay R. Hagan	BLANK APPROPRIATIONS BILL-3.	S Ref To Com On Rules and Operations of the Senate	02-13-03	
	\$ S0047	Kay R. Hagan	BLANK APPROPRIATIONS BILL-1.	S Ref To Com On Rules and Operations of the Senate	02-13-03	
	\$ S0058	Walter H. Dalton	BLANK APPROPRIATIONS BILL-1.	S Ref To Com On Rules and Operations of the Senate	02-17-03	
	\$ S0059	Walter H. Dalton	BLANK APPROPRIATIONS BILL-2.	S Ref To Com On Rules and Operations of the	02-17-03	

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060	Walter H. Dalton	BLANK APPROPRIATIONS BILL-3.	S Ref To Com On Rules and Operations of the Senate	02-17-03	
S0062	Tony Rand	JUDICIAL REFORM/BLANK BILL.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
S0063	Tony Rand	PRO TEM & SPEAKER APPOINTMENTS BILL	*S Re-ref Com On Rules and Operations of the Senate	02-18-03	07-19-03
S0063	Tony Rand	PRO TEM & SPEAKER APPOINTMENTS BILL	*S Re-ref Com On Rules and Operations of the Senate	07-20-03	
S0064	Tony Rand	PRO TEM APPOINTMENTS BILL - 2.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
S0065	Tony Rand	STATE HEALTH PLAN - 3.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
S0066	Tony Rand	STATE HEALTH PLAN - 2.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
067	Tony Rand	APPROPRIATIONS FOR FY 2003-2004 - 1.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
\$ S0068	Tony Rand	APPROPRIATE FUNDS FOR FY 2003-2004 - 2.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
\$ S0069	Tony Rand	APPROPRIATE FUNDS FOR FY 2003-2004 - 3.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
S0070	Tony Rand	19TH SENATORIAL DISTRICT LOCAL ACT - 1.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
S0071	Tony Rand	19TH SENATORIAL DISTRICT LOCAL ACT - 2.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
S0072	Tony Rand	19TH SENATORIAL DISTRICT LOCAL ACT - 3.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
S0073	Tony Rand	19TH SENATORIAL DISTRICT LOCAL ACT - 4.	S Ref To Com On Rules and Operations of the Senate	02-18-03	

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0074	Tony Rand	TOWNSHIP ABC ELECTIONS.	*S Ref To Com On Alcoholic Beverage Control	02-18-03	04-28-03
\$ S0075	Tony Rand	LIFE SCIENCES REVENUE BOND AUTHORITY.	*S Conf Com Appointed	02-18-03	06-05-03
\$ S0075	Tony Rand	LIFE SCIENCES REVENUE BOND AUTHORITY.	*S Conf Com Appointed	07-20-03	07-20-03
S0076	William R. Purce	INCORPORATE MISENHEIMER.	*SR Ch. SL 2003-268	02-18-03	05-20-03
S0077	William R. Purce	25TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
S0078	William R. Purce	25TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
S0079	William R. Purce	25TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
S0080	William R. Purce	PUBLIC LAWS - 1.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
S0081	William R. Purce	PUBLIC LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
0082	William R. Purce	PUBLIC LAWS - 3.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
S0083	A. B Swindell	ROCKY MT. OVERGROWN VEGETATION ORDINANCE.	*SR Ch. SL 2003-80	02-18-03	04-09-03
S0084	A. B Swindell	11TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
S0085	A. B Swindell	11TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
S0086	A. B Swindell	11TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
S0087	Linda Garrou	32ND SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
S0088	Linda Garrou	32ND SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-18-03	

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S0089	Walter H. Dalton	LAKE LURE MARINE COMMISSION.	*SR Ch. SL 2003-332	02-19-03	04-08-03
S0090	Walter H. Dalton	SANITARY DISTRICT COMPENSATION.	*SR Ch. SL 2003-185	02-19-03	04-14-03
S0091	Walter H. Dalton	46TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-19-03	
S0092	Linda Garrou	32ND SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-19-03	
S0098=	Larry Shaw	FUND-RAISING EFFORTS/HIST. BLACK COLL. AND UNIV.	S Re-ref Com On Rules and Operations of the Senate	02-19-03	02-24-03
S0098=	Larry Shaw	FUND-RAISING EFFORTS/HIST. BLACK COLL. AND UNIV.	S Re-ref Com On Rules and Operations of the Senate	02-27-03	
S0101	Hamilton C. Hort	31ST SENATORIAL DISTRICT LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	02-20-03	
S0102	John A. Garwood	SURRY SHERIFF VACANCY	*SR Ch. SL 2003-39	02-20-03	04-15-03
S0103	John A. Garwood	30TH SENATORIAL DISTRICT LOCAL ACT-2.	S Re-ref Com On Finance	02-20-03	05-14-03
S0104	John A. Garwood	30TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-20-03	
S0105	John A. Garwood	30TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	02-20-03	
S0110	Clark Jenkins	3RD SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-20-03	
S0111	Clark Jenkins	3RD SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-20-03	
S0112	Clark Jenkins	3RD SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-20-03	
S0113	Walter H. Dalton	PROMOTE ECONOMIC DEVELOPMENT - 1.	S Ref To Com On Rules and Operations of the Senate	02-20-03	
S0114	Walter H. Dalton	PROMOTE ECONOMIC DEVELOPMENT - 2.	S Ref To Com On Rules and Operations of the Senate	02-20-03	
S0115	Walter H. Dalton	AMEND BILL LEE ACT.	S Ref To Com On	02-20-03	

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S0119	Hamilton C. Hort	EXPAND HISTORIC PRESERVATION CREDIT.	*S Pres. To Gov. 7/11/2003	02-20-03	05-13-03
S0120	Hamilton C. Hort	PUBLIC LAWS - 2.	S Ref To Com On	02-20-03	
			Rules and Operations of the Senate		
S0121	Katie G. Dorsett	28TH SENATORIAL DISTRICT LOCAL ACT.	S Ref To Com On	02-20-03	
			Rules and Operations of the Senate		
S0124	David F. Weinste	LUMBERTON CONSTRUCTION CONTRACTS.	*SR Ch. SL 2003-118	02-24-03	04-28-03
S0125	David F. Weinste	13TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On	02-24-03	
			Rules and Operations of the Senate		
S0126	David F. Weinste	13TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On	02-24-03	
			Rules and Operations of the Senate		
S0127	Katie G. Dorsett	CITY OF HIGH POINT LOCAL ACT.	S Ref To Com On	02-24-03	
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S0128	Katie G. Dorsett	UNINCORP. PORTION OF 28TH SENATORIAL DIST.	S Ref To Com On	02-24-03	
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S0129	Joe Sam Queen	47TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On	02-24-03	
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S0130	Joe Sam Queen	47TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On	02-24-03	
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S0133	Joe Sam Queen	47TH SENATORIAL DISTRICT LOCAL ACT-5.	S Ref To Com On	02-24-03	
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S0134	Joe Sam Queen	47TH SENATORIAL DISTRICT LOCAL ACT-6.	S Ref To Com On	02-24-03	
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\$ S0137	Daniel G. Clodfe	SPECIAL OBLIGATION DEBT/PURPOSES.	*S Conf Com Appointed	07-20-03	07-20-03
S0142=	James Forrester	LRC TO STUDY NURSING SHORTAGE.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0143=	James Forrester	LRC TO STUDY ENVR. CAUSES OF CANCER.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0146	Harris Blake	22ND SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0147	Harris Blake	22ND SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0148	Harris Blake	22ND SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0149	Eleanor Kinnaird	23RD SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0150	Eleanor Kinnaird	23RD SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0151	Eleanor Kinnaird	23RD SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0152	Eleanor Kinnaird	23RD SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0154	R. C. Soles, Jr.	8TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0155	R. C. Soles, Jr.	8TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0156	R. C. Soles, Jr.	8TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0157	R. C. Soles, Jr.	BRUNSWICK COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0158	R. C. Soles, Jr.	PENDER COUNTY LOCAL ACT.	S Ref To Com On Rules and	02-25-03	

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S0159	R. C. Soles, Jr.	COLUMBUS COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0164	Charles W. Alber	HARNETT COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0165	Charles W. Alber	SAMPSON COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0166	Charles W. Alber	DUPLIN COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0167	Fred Smith	PERMIT WEAPONS AT JOHNSTON CC NATURE CTR.	*SR Ch. SL 2003-217	02-25-03	05-01-03
S0168	Fred Smith	ECONOMIC DEVELOPMENT DISTRICT.	*S Pres. To Gov. 7/19/2003	02-25-03	07-08-03
S0169	Fred Smith	12TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0170	Fred Smith	12TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0171	Tony Rand	HONOR HARLAN BOYLES.	SR Ch. Res 2003-5	02-25-03	03-10-03
S0173	Eleanor Kinnaird	ORANGE COUNTY LOCAL ACT-2.	S Re-ref Com On Finance	02-25-03	04-16-03
\$ S0176	William R. Purce	BLANK APPROPRIATIONS - 1.	S Re-ref Com On Appropriations/ Base Budget	02-25-03	04-22-03
\$ S0177	William R. Purce	BLANK APPROPRIATIONS - 2.	S Re-ref Com On State Government, Local Government, and Veterans' Affairs	02-25-03	04-29-03
\$ S0178	William R. Purce	BLANK APPROPRIATIONS - 3.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0179	Jerry W. Tillman	29TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0180	Jerry W. Tillman	29TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0181	Richard Stevens	APEX QUICKTAKE ROADS/ HISTORIC STRUCTURES.	*SR Ch. SL 2003-88	02-26-03	04-08-03

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S0182	Richard Stevens	17TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0183	Richard Stevens	17TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0184	Richard Stevens	WAKE COUNTY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0185	Richard Stevens	WAKE COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0186	Daniel G. Clodfe	26TH JUDICIAL DISTRICT ACT.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0187	Daniel G. Clodfe	26TH JUDICIAL DISTRICT ACT.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0188	Daniel G. Clodfe	CITY OF CHARLOTTE LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0189	Daniel G. Clodfe	CITY OF CHARLOTTE LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0190	Daniel G. Clodfe	CITY OF CHARLOTTE LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0191	Daniel G. Clodfe	MECKLENBURG COUNTY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0192	Daniel G. Clodfe	MECKLENBURG COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0193	Daniel G. Clodfe	CHARLOTTE-MECKLENBURG SCHOOLS.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
\$ S0194	Daniel G. Clodfe	BLANK APPROPRIATIONS - 1.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
\$ S0195	Daniel G. Clodfe	BLANK APPROPRIATIONS - 2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	

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\$ S0196	Daniel G. Clodfe	BLANK APPROPRIATIONS - 3.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0197	Daniel G. Clodfe	PUBLIC LAWS - 1.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0198	Daniel G. Clodfe	PUBLIC LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0199	Daniel G. Clodfe	PUBLIC LAWS - 3.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0200	Daniel G. Clodfe	AMEND REVENUE LAWS.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0201	Daniel G. Clodfe	AMEND REVENUE LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0202	Daniel G. Clodfe	AMEND REVENUE LAWS - 3.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
\$ S0206=	A. B Swindell	LONG-TERM CARE REMEDIATION/STUDY.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0210	Wib Gulley	18TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0211	Wib Gulley	18TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0212	Wib Gulley	18TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0213	Wib Gulley	AMEND LAWS-1.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0214	Wib Gulley	RES AND PRODUCTION SVC. DIST. DEANNEXATION.	*SR Ch. SL 2003-187	02-26-03	04-28-03
S0215	Wib Gulley	AMEND LAWS-3.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
\$ S0216	Wib Gulley	BLANK APPROPRIATIONS-	S Re-ref Com On	02-26-03	04-22-03

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		1.	Appropriations/ Base Budget		
S0217	Wib Gulley	BLANK APPROPRIATIONS- 2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
\$ S0218	Wib Gulley	BLANK APPROPRIATIONS- 3.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0221	Jeanne H. Lucas	PUBLIC SCHOOLS - BLANK BILL 1.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0222	Jeanne H. Lucas	PUBLIC SCHOOLS - BLANK BILL 2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0223	Jeanne H. Lucas	PUBLIC SCHOOLS - BLANK BILL 3.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0224	Jeanne H. Lucas	COMMUNITY COLLEGE LAW- BLANK BILL.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0225	Andrew C. Brock	HONOR PAST MILITARY LDRS/SUPPORT MILITARY TROOPS	*S Ref To Com On Rules, Calendar, and Operations of the House	02-26-03	03-20-03
S0232	Eleanor Kinnaird	BIKEWAY FUNDING.	*SR Ch. SL 2003-256	02-27-03	04-16-03
S0233	Eleanor Kinnaird	CHATHAM COUNTY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-27-03	
S0234	Eleanor Kinnaird	CHATHAM COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-27-03	
S0237	Tony P. Moore	5TH SENATORIAL DISTRICT LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	02-27-03	
S0238	Tony P. Moore	5TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-27-03	
S0239	Tony P. Moore	5TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-27-03	
S0240	Tony P. Moore	5TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	02-27-03	
S0246	David W. Hoyle	43RD SENATORIAL	S Ref To Com On	02-27-03	

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		DISTRICT LOCAL ACT-1.	Rules and Operations of the Senate		
S0247	David W. Hoyle	43RD SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On	02-27-03	
			Rules and Operations of the Senate		
S0248	David W. Hoyle	43RD SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On	02-27-03	
			Rules and Operations of the Senate		
S0249	David W. Hoyle	43RD SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On	02-27-03	
			Rules and Operations of the Senate		
S0257	Austin M. Allran	44TH SEN. DISTRICT LOCAL ACT-1.	S Ref To Com On	03-03-03	
			Rules and Operations of the Senate		
S0258	Austin M. Allran	44TH SEN. DISTRICT LOCAL ACT-2.	S Ref To Com On	03-03-03	
			Rules and Operations of the Senate		
S0259	Austin M. Allran	44TH SEN. DISTRICT LOCAL ACT-3.	S Ref To Com On	03-03-03	
			Rules and Operations of the Senate		
S0260=	Austin M. Allran	44TH SEN. DISTRICT LOCAL ACT-4.	S Ref To Com On	03-03-03	
			Rules and Operations of the Senate		
S0264=	Vernon Malone	HONORING FOUNDERS OF WENDELL/100TH ANNIVERSARY.	*SR Ch. Res 2003-4	03-03-03	03-10-03
S0265	James Forrester	42ND SENATORIAL DISTRICT LOCAL ACT.	S Ref To Com On	03-03-03	
			Rules and Operations of the Senate		
S0269	Cecil Hargett	6TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On	03-03-03	
			Rules and Operations of the Senate		
S0270	Cecil Hargett	6TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On	03-03-03	
			Rules and Operations of the Senate		
S0271	Cecil Hargett	6TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On	03-03-03	
			Rules and Operations of the Senate		
S0272	Cecil Hargett	6TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On	03-03-03	
			Rules and Operations of the Senate		
\$ S0273=	A. B Swindell	GUARDIANSHIP STUDY.	S Ref To Com On	03-03-03	
			Rules and		

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			Operations of the Senate		
S0278	Tom Apodaca	HENDERSON CO. LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0279	Tom Apodaca	HENDERSON CO. LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0280	Tom Apodaca	POLK CO. LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0281	Tom Apodaca	POLK CO. LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0282	Virginia Foxx	ASHE COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0283	Virginia Foxx	ALLEGHANY COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0284	Virginia Foxx	CALDWELL COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0285	Virginia Foxx	WATAUGA COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0286	Virginia Foxx	WILKES COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0287=	Tom Apodaca	INCORPORATE MILLS RIVER.	S Re-ref Com On Finance	03-05-03	05-29-03
S0296	John H. Kerr III	7TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0297	John H. Kerr III	7TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0298	John H. Kerr III	7TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0299	John H. Kerr III	7TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	03-05-03	

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S0300	John H. Kerr III	AMEND TAX LAWS.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0301	John H. Kerr III	SCHOOL ACQUISITION BY COUNTIES STATEWIDE.	*S Pres. To Gov. 7/ 18/2003	03-05-03	05-22-03
S0302	John H. Kerr III	AMEND FINANCE LAWS-2.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0303	John H. Kerr III	FINANCE LAW CHANGES 1.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0304	John H. Kerr III	FINANCE LAW CHANGES 2.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0305	John H. Kerr III	FINANCE LAW CHANGES 3.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0308	Vernon Malone	14TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-06-03	
S0309	Vernon Malone	14TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-06-03	
S0310	Vernon Malone	14TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-06-03	
S0311	Vernon Malone	14TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	03-06-03	
S0312	Vernon Malone	14TH SENATORIAL DISTRICT LOCAL ACT-5.	S Ref To Com On Rules and Operations of the Senate	03-06-03	
S0313	Vernon Malone	14TH SENATORIAL DISTRICT LOCAL ACT-6.	S Ref To Com On Rules and Operations of the Senate	03-06-03	
S0316	James Forrester	42ND SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-06-03	
S0317	Fletcher L. Hart	CABARRUS ANNEXATION MORATORIUM.	*SR Ch. SL 2003-326	03-06-03	05-08-03
S0318	Fletcher L. Hart	36TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-06-03	

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S0319	Fletcher L. Hart	CABARRUS WORK OVER WELFARE CHANGES.	*SR Ch. SL 2003-188	03-06-03	04-28-03
S0320	Fletcher L. Hart	CABARRUS COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-06-03	
S0321	Fletcher L. Hart	ROWAN COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-06-03	
S0332	Scott Thomas	2ND SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-10-03	
S0333	Scott Thomas	2ND SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-10-03	
S0334	Scott Thomas	2ND SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-10-03	
S0335	Scott Thomas	2ND SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	03-10-03	
S0336	Walter H. Dalton	COMMUNITY COLLEGE LAW - BLANK BILL 1.	S Ref To Com On Rules and Operations of the Senate	03-10-03	
S0340	Andrew C. Brock	DAVIE COUNTY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0341	Andrew C. Brock	DAVIE COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0342	Andrew C. Brock	ROWAN COUNTY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0343	Andrew C. Brock	ROWAN COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0344	Andrew C. Brock	YADKIN COUNTY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0345	Andrew C. Brock	YADKIN COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0347	Robert C. Carpen	50TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and	03-11-03	

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			Operations of the Senate		
S0348	Robert C. Carpen	50TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0349	Robert C. Carpen	TOWN OF CASHIERS LOCAL ACT.	S Re-ref Com On Finance	03-11-03	03-27-03
S0350	Robert C. Carpen	TOWN OF FRANKLIN LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0351	Robert C. Carpen	TOWN OF MURPHY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0352	Robert C. Carpen	TOWN OF SYLVA LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0358	A. B Swindell	11TH SENATORIAL DISTRICT LOCAL ACT-5.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0359	Linda Garrou	FORSYTH CHARTER SCH/ RAISE CAP.	*S Ref To Com On Rules and Operations of the Senate	07-17-03	
S0361	Stephen M. Metca	49TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0362	Stephen M. Metca	49TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0363	Stephen M. Metca	49TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0364	Stephen M. Metca	49TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0367	Kay R. Hagan	27TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0368	Kay R. Hagan	27TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0369	Kay R. Hagan	27TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-11-03	

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S0372	Eric Miller Reeve	CITY OF RALEIGH LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0373	Eric Miller Reeve	CITY OF RALEIGH LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0374	Eric Miller Reeve	TOWN OF CARY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0375	Eric Miller Reeve	TOWN OF CARY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0376	Eric Miller Reeve	TOWN OF CARY LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0377	John A. Garwood	WEIGHT LIMIT CHANGES.	*S Re-ref Com On Rules and Operations of the Senate	04-28-03	
S0380	Charles W. Alber	TOWN OF WALLACE LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0381	R. B. Sloan, Jr.	41ST SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0382	R. B. Sloan, Jr.	41ST SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0383	R. B. Sloan, Jr.	41ST SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0385	Clark Jenkins	PROMOTE ECONOMIC DEVELOPMENT - 1.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0386	Clark Jenkins	PROMOTE ECONOMIC DEVELOPMENT - 2.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0392=	Tony Rand	MEMORIALIZING MARY LEWIS WYCHE.	S Re-ref Com On Rules and Operations of the Senate	03-12-03	03-31-03
S0392=	Tony Rand	MEMORIALIZING MARY LEWIS WYCHE.	S Re-ref Com On Rules and Operations of the Senate	04-02-03	

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S0398	Charlie S. Danne	38TH SENATORIAL DISTRICT LOCAL LACT-1.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0399	Charlie S. Danne	38TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0400	Charlie S. Danne	38TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0401	Hugh Webster	24TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0402	Hugh Webster	24TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0403	Hugh Webster	24TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0405	Philip E. Berger	GUILFORD CO. LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0406	Philip E. Berger	GUILFORD CO. LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0407	Philip E. Berger	GUILFORD CO. LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0408	Philip E. Berger	EDEN ANNEXATION CONTRACTS.	*SR Ch. SL 2003-316	03-13-03	05-28-03
S0409	Philip E. Berger	ROCKINGHAM CO. LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0410	Philip E. Berger	ROCKINGHAM CO. LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0413=	Eric Miller Reev	DIX HOSPITAL PROPERTY STUDY.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0430	Robert Lee Hollo	WARREN COUNTY TELECOMMUNICATIONS.	*S Re-ref Com On Finance	03-17-03	04-15-03
S0431	Robert Lee Hollo	4TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref to Education/ Higher Education. If fav, re-ref to Appropriations/	03-17-03	04-15-03

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			Base Budget		
432	Robert Lee Hollo	4TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-17-03	
S0433	Robert Lee Hollo	4TH SENATORIAL DISTRICT LOCAL ACT-4.	S Re-ref Com On Health & Human Resources	03-17-03	04-15-03
S0438	Fletcher L. Hart	TOWN OF MIDLAND LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-17-03	
S0446	Fred Smith	TOWN OF CLAYTON LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-17-03	
S0447	Fred Smith	TOWN OF CLAYTON LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-17-03	
S0452	Fern Shubert	UNION COUNTY LOCAL ACT-1.	*SR Ch. SL 2003-321	03-18-03	05-06-03
S0453	Fern Shubert	UNION COUNTY OCCUPANCY TAX.	*SF Failed 2nd Reading	03-18-03	06-23-03
S0454	Fern Shubert	35TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-18-03	
S0455	Fern Shubert	35TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-18-03	
S0456	Fern Shubert	35TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	03-18-03	
S0457	Fern Shubert	MECKLENBURG COUNTY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-18-03	
S0458	Fern Shubert	MECKLENBURG COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-18-03	
S0514	Charles W. Alber	PUBLIC LAWS -1.	S Ref To Com On Rules and Operations of the Senate	03-24-03	
S0515	Harris Blake	PUBLIC LAWS - 1.	S Ref To Com On Rules and Operations of the Senate	03-24-03	
S0516	Harris Blake	PUBLIC LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	03-24-03	

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S0518	Charles W. Alber	PUBLIC LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	03-24-03	
S0520=	Walter H. Dalton	REVENUE LAWS PROPERTY TAX STUDY.	S Ref To Com On Rules and Operations of the Senate	03-25-03	
S0525=	Fletcher L. Hart	HONORING 250TH ANNIV. ROWAN COUNTY/MATTHEW ROWAN	S Ref To Com On Rules and Operations of the Senate	03-25-03	
S0538	Robert Lee Hollo	MEMORIALIZING ELMER "E.V." WILKINS.	S Ref To Com On Rules and Operations of the Senate	03-26-03	
S0541	Fletcher L. Hart	PUBLIC LAWS - 1.	S Ref To Com On Rules and Operations of the Senate	03-26-03	
S0542	Fletcher L. Hart	PUBLIC LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	03-26-03	
S0543	Fletcher L. Hart	PUBLIC LAWS - 3.	S Ref To Com On Rules and Operations of the Senate	03-26-03	
S0544	Charlie S. Danne	PUBLIC LAWS - 1.	S Ref To Com On Rules and Operations of the Senate	03-26-03	
S0545	Charlie S. Danne	PUBLIC LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	03-26-03	
S0546	Charlie S. Danne	PUBLIC LAWS - 3.	S Ref To Com On Rules and Operations of the Senate	03-26-03	
S0547	Charlie S. Danne	PUBLIC LAWS - 4.	S Ref To Com On Rules and Operations of the Senate	03-26-03	
S0553	Charles W. Alber	LRC STUDY IMMIGRATION ISSUES.	S Ref To Com On Rules and Operations of the Senate	03-27-03	
S0554	Linda Garrou	QUALITY TEACHERS = QUALITY EDUCATION.	S Ref To Com On Rules and Operations of the Senate	03-27-03	
S0562	Eric Miller Reev	RURAL INFRASTRUCTURE.	S Ref To Com On Rules and Operations of the Senate	03-27-03	

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S0564	Charles W. Alber	ESTABLISH NC FISHERMEN'S FUND.	S Ref To Com On Rules and Operations of the Senate	03-27-03	
S0565	Wib Gulley	PUBLIC LAWS.	S Ref To Com On Rules and Operations of the Senate	03-27-03	
S0579	Larry Shaw	PUBLIC LAWS - 3.	S Ref To Com On Rules and Operations of the Senate	03-31-03	
S0580	Larry Shaw	PUBLIC LAWS - 4.	S Ref To Com On Rules and Operations of the Senate	03-31-03	
S0581	Larry Shaw	PUBLIC LAWS - 5.	S Ref To Com On Rules and Operations of the Senate	03-31-03	
S0597	Robert C. Carpen	LICENSURE REQUIREMENTS FOR AUTO REPAIR SHOPS.	S Ref To Com On Rules and Operations of the Senate	03-31-03	
S0598	Robert C. Carpen	LICENSE AUTOMOBILE WINSHIELD INSTALLERS.	S Ref To Com On Rules and Operations of the Senate	03-31-03	
S0608	Tony Rand	MEMORIALIZING TIM MCLAURIN.	*SR Ch. Res 2003-23	03-31-03	06-25-03
S0611	Tony Rand	ASSISTANCE TO ARMED SERVICE MEMBERS.	S Ref To Com On Rules and Operations of the Senate	03-31-03	
S0621	Walter H. Dalton	QUALITY TEACHERS = QUALITY EDUCATION.	S Ref To Com On Rules and Operations of the Senate	03-31-03	
S0623	Eric Miller Reeve	IT GAP ANALYSIS "HACK ATTACK."	*S Ref To Com On Science and Technology	04-01-03	04-16-03
S0625	Eric Miller Reeve	CONTROLLED SUBSTANCE ACCOUNTABILITY ACT.	S Ref To Com On Rules and Operations of the Senate	04-01-03	
S0629	Daniel G. Clodfe	CLARIFY SUBORDINATION AGREEMENT REQUIREMENTS.	*SR Ch. SL 2003-219	04-01-03	04-09-03
S0634	James Forrester	LRC STUDY MEDICAL ERRORS.	S Ref To Com On Rules and Operations of the Senate	04-01-03	
S0636	James Forrester	LRC/EDUC. PUB./ OVARIAN CANCER RISKS & PREVENT.	S Ref To Com On Rules and Operations of the Senate	04-01-03	

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Bill	Introducer	Short Title	Latest Action	In Date	Out Date
S0646	Wib Gulley	PUBLIC LAWS.	S Ref To Com On Rules and Operations of the Senate	04-01-03	
S0653	Stephen M. Metca	DIVESTITURE OF PROPERTY: MH/DD/SA .	S Ref To Com On Rules and Operations of the Senate	04-01-03	
S0679	David W. Hoyle	MODIFY STATE FINANCING LAWS.	*S Pres. To Gov. 7/ 18/2003	04-02-03	04-23-03
S0681	David W. Hoyle	ECONOMIC INITIATIVES.	S Ref To Com On Rules and Operations of the Senate	04-02-03	
S0689	Scott Thomas	PUBLIC LAWS - 1.	S Ref To Com On Rules and Operations of the Senate	04-02-03	
S0690	Scott Thomas	PUBLIC LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	04-02-03	
S0696	Stephen M. Metca	INITIATIVES TO ADDRESS TEACHER SHORTAGES.	S Ref To Com On Rules and Operations of the Senate	04-02-03	
\$ S0703	Stephen M. Metca	LEGISLATIVE STUDY COMMISSION ON RURAL SCHOOLS.	S Ref To Com On Rules and Operations of the Senate	04-02-03	
S0713	David W. Hoyle	WORKERS COMP./RESTORE INTEGRITY.	S Ref To Com On Rules and Operations of the Senate	04-02-03	
S0734	Jeanne H. Lucas	PUBLIC LAWS -3.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0735	Jeanne H. Lucas	PUBLIC LAWS -4.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0739	Jeanne H. Lucas	PUBLIC LAWS -1.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0740	Jeanne H. Lucas	PUBLIC LAWS -2.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
\$ S0742	Jeanne H. Lucas	LIVING INCOME STUDY COMMISSION.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0744	Jeanne H. Lucas	REPEAL FELONY MURDER RULE.	S Re-ref Com On Rules and	04-14-03	

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Bill	Introducer	Short Title	Latest Action	In Date	Out Date
			Operations of the Senate		
S0746	Jeanne H. Lucas	MEM. BARTLETT DURHAM/ DURHAM'S 150TH ANNIVERSARY.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
\$ S0747=	Jeanne H. Lucas	STATE EMPLOYEE PAY EQUITY.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0752	Clark Jenkins	ECONOMIC INITIATIVES.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0768	Stan Bingham	STUDY SCHOOL BUSES/ ALTERNATIVE FUELS.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0779	Charlie S. Danne	SCHOOLS BEGIN AFTER LABOR DAY.	*S Re-ref Com On Rules and Operations of the Senate	05-01-03	
S0788	Eric Miller Reev	STATE PERSONNEL ACT CHANGES.	S Ref to State Government, Local Government, and Veterans' Affairs. If fav, re-ref to Appropriations/ Base Budget	04-03-03	04-16-03
S0790	Joe Sam Queen	MOUNTAIN TROUT ENHANCEMENT STUDY.	S Re-ref Com On Rules and Operations of the Senate	04-22-03	
S0792	Joe Sam Queen	INCENTIVES TO KEEP TOP STUDENTS IN STATE.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0809=	Tony Rand	CONSIDER SALE OR LEASE OF STATE PROPERTY.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0814	Tony Rand	CLARIFY COMPET. TELECOMMUNICATIONS STATUTES.	*SR Ch. SL 2003-91	04-03-03	04-14-03
S0815	Tony Rand	AMEND PUBLIC LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0816	Tony Rand	STATE HEALTH PLAN - 1.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0818	Tony Rand	ECONOMIC INITIATIVES.	S Ref To Com On Rules and Operations of the	04-03-03	

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				Senate		
821	Tony Rand	GOVERNOR'S EFFICIENCY COMMISSION.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0832	Charles W. Alber	LRC STUDY DAIRY FARMERS ASSISTANCE.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0838	Charles W. Alber	MARINE FISHERIES STUDIES.	*S	Re-ref Com On Rules and Operations of the Senate	06-05-03	
S0840	Joe Sam Queen	NC'S OFFICIAL INTERNATIONAL FESTIVAL.	*SR	Ch. SL 2003-315	04-03-03	04-30-03
S0844	Wib Gulley	MAGISTRATE SUPERVISION STUDY.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0854	Stephen M. Metca	MANUFACTURED HOUSING.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0855	Stephen M. Metca	AMEND UNC LAWS.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
\$ S0860	Daniel G. Clodfe	SIMPLIFIED BUSINESS ENTERPRISE TAXATION.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0865	Kay R. Hagan	LEGISLATIVE BUILDING QUADRANTS NAMED.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0874	Stan Bingham	OSH INVESTIGATIONS/ VIOLATIONS.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0875	Stan Bingham	AMEND PUBLIC LAWS.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0888	Robert A. Rucho	ALTER WATERFLOW/ IMPACT ON ADJACENT PROPERTY.	*S	Re-ref Com On Agriculture/ Environment/ Natural Resources	04-03-03	04-30-03
S0889	Joe Sam Queen	WIND ENERGY STUDY.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0891	Joe Sam Queen	SAFE CHILD CARE IN NC.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	

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Bill	Introducer	Short Title	Latest Action	In Date	Out Date
S0892	Joe Sam Queen	ALTERNATIVE HEALING ARTS.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0893	Joe Sam Queen	AFFORDABLE HOUSING.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0894	Joe Sam Queen	HOUSING EQUITY GAP STUDY.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0895	Joe Sam Queen	FACILITATE NC ARCHITECTURE.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
\$ S0896	Joe Sam Queen	NC COMMISSION FOR URBAN CORES.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0924=	Tony Rand	REDUCE SCOPE/SIZE BOARDS & COMMISSIONS/ STUDY.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0931	Fern Shubert	NO PORTFOLIO REQUIRED/ TEACHER CERTIFICATION.	*S Re-ref Com On Rules and Operations of the Senate	06-09-03	
S0937	John H. Kerr III	AMEND WATER AND SEWER LAWS.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0968	Eleanor Kinnaird	LRC STUDY STATE PURCHASE/ PHAMACEUTICALS	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0974	Clark Jenkins	NOTIFICATION OF PRIVATE ROADS.	*S Ref To Com On Judiciary IV	04-03-03	04-28-03
S0976	Katie G. Dorsett	PROTECT CONSUMERS SEEKING DEBT ASSISTANCE.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0978	Katie G. Dorsett	GOV'S ADVOCACY COUNCIL/PERSONS/ DISABILITIES.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0984=	Robert Pittenger	LOWER TAXES BY CUTTING WASTE & INCENTIVES.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0998	Larry Shaw	SMALL BUSINESS UNEMPLOYMENT.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S1000	Larry Shaw	FSU-SCHOOL OF ENGINEERING.	S Re-ref Com On Rules and	04-28-03	

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Bill	Introducer	Short Title	Latest Action	In Date	Out Date
			Operations of the Senate		
S1001	Patrick J. Balla	STUDY TOTAL TEACHER PROGRAM.	S Ref To Com On	04-03-03	
			Rules and Operations of the Senate		
S1008	Wib Gulley	VA-NC HIGH SPEED RAIL COMMISSION.	*S Re-ref Com On	04-16-03	04-30-03
			Rules, Calendar, and Operations of the House		
S1014	Philip E. Berger	STUDY/CHRONICALLY ILL AND DISABLED IN PRISON.	S Ref To Com On	04-03-03	
			Rules and Operations of the Senate		
S1019	Tom Apodaca	MEM. FORMER SUP./ HENDERSON CO. EDUC. FOUNDATION.	SR Ch. Res 2003-10	04-21-03	04-23-03
S1022	R. C. Soles, Jr.	MEMORIALIZING SAMUEL KOONCE.	SR Ch. Res 2003-26	05-22-03	07-16-03
S1023	Tony P. Moore	MEMORIALIZING EDWARD NELSON WARREN.	SR Ch. Res 2003-19	05-28-03	06-16-03
S1025	Eleanor Kinnaird	ROCKY RIVER FRIENDS CHURCH 250TH ANNIVERSARY.	S Ref To Com On	06-12-03	
			Rules and Operations of the Senate		
S1028	Clark Jenkins	MEMORIALIZING ROBERT LAFAYETTE "BOB" MARTIN.	S Ref To Com On	06-26-03	
			Rules and Operations of the Senate		

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COMMITTEE ON RULES AND OPERATIONS OF THE SENATE

MINUTES

March 5, 2003

The Senate Committee on Rules and Operations of the Senate met at 12:00 Noon in the 300 Legislative Office Building Conference Room on Wednesday, March 5, 2003. Nine members of the committee were present.

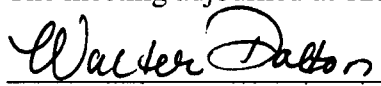
Senator Walter Dalton, Vice Chairman, presided.

SB 34 – AN ACT TO REESTABLISH THE HIGHWAY TRUST FUND STUDY COMMITTEE

Senator Gulley was recognized to explain SB 34. The bill adds one representative appointed by the Speaker of the House, and one Senator appointed by the President Pro Tempore of the Senate to the Study Committee, bringing its total membership to 20 (was 18).

Senator John Carrington moved for a favorable report of SB 34 – An Act to Reestablish the Highway Trust Fund. This motion was seconded by Senator Hoyle and SB 34 was given a favorable report by the committee.

The meeting adjourned at 12:30 p.m.


Sen. Walter Dalton, Co-Chairman


Evelyn Costello, Committee Ass't

**NORTH CAROLINA GENERAL ASSEMBLY
SENATE**

**RULES AND OPERATIONS OF THE SENATE COMMITTEE REPORT
Senator Tony Rand, Chair**

Wednesday, March 05, 2003

SENATOR DALTON,
submits the following with recommendations as to passage:

FAVORABLE

S.B.	34	Highway Trust Fund Study Committee.	
		Sequential Referral:	None
		Recommended Referral:	None

TOTAL REPORTED: 1

Committee Clerk Comments:

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

S

1

SENATE BILL 34

Short Title: Highway Trust Fund Study Committee. (Public)

Sponsors: Senators Gulley; Carpenter and Shubert.

Referred to: Rules and Operations of the Senate.

February 13, 2003

A BILL TO BE ENTITLED
AN ACT TO REESTABLISH THE HIGHWAY TRUST FUND STUDY
COMMITTEE.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Study Committee Established. – There is established a Highway Trust Fund Study Committee to report to the Joint Legislative Transportation Oversight Committee.

SECTION 1.(b) Membership. – The Study Committee shall be composed of 18 members as follows:

- (1) The Chairs of the Joint Legislative Transportation Oversight Committee.
- (2) Four Representatives and four public members appointed by the Speaker of the House of Representatives.
- (3) Four Senators and four public members appointed by the President Pro Tempore of the Senate.

The appointing authorities shall make their appointments to reflect the urban-rural diversity of the population of the State.

SECTION 1.(c) Duties of the Study Committee. – The Committee may study all aspects of the Highway Trust Fund. The study shall include the examination of all the following:

- (1) The current status, cost estimates, and feasibility of Highway Trust Fund projects currently listed in Article 14 of Chapter 136 of the General Statutes.
- (2) Unanticipated problems with the structure of the Highway Trust Fund.
- (3) The gap between transportation funding structures and the actual transportation needs of the State.
- (4) Allocation issues raised by the structure of the transportation funding equity distribution formula in G.S. 136-17.2A.

- 1 (5) The feasibility of altering the project eligibility requirements of the
2 Highway Trust Fund, including permitting the Department of
3 Transportation to add projects as long as adding those projects does
4 not delay projects already to be funded by the Highway Trust Fund,
5 projects scheduled under the 2002-2008 Transportation Improvement
6 Program, and does not impair the cash-flow provisions of G.S.
7 136-176(a1).
8 (6) The feasibility of altering the funding allocation structure of the
9 Highway Trust Fund, including the possible use of the Highway Trust
10 Fund to provide the State match for available federal aid highway
11 funds as long as using the funds in this manner does not delay projects
12 already funded by the Highway Trust Fund, projects scheduled under
13 the 2002-2008 Transportation Improvement Program, and does not
14 impair the cash-flow provisions of G.S. 136-176(a1).
15 (7) Any other issue related to the Highway Trust Fund or transportation
16 funding.

17 **SECTION 1.(d) Vacancies.** – The appointing authority shall fill any
18 vacancy on the Study Committee.

19 **SECTION 1.(e) Cochairs.** – Cochairs of the Study Committee shall be the
20 cochairs of the Joint Legislative Transportation Oversight Committee. The Study
21 Committee shall meet upon the call of the Chairs. A quorum of the Study Committee
22 shall be nine members.

23 **SECTION 1.(f) Expenses of Members.** – Members of the Study Committee
24 shall receive per diem, subsistence, and travel allowances in accordance with G.S.
25 120-3.1, 138-5, or 138-6, as appropriate.

26 **SECTION 1.(g) Staff.** – The Legislative Services Office shall assign
27 professional and clerical staff to the assist the Study Committee in its work.

28 **SECTION 1.(h) Consultants.** – The Study Committee may hire consultants
29 to examine specific issues and subjects related to the study, in accordance with G.S.
30 120-32.02.

31 **SECTION 1.(i) Meetings During Legislative Session.** – The Study
32 Committee may meet during a regular or extra session of the General Assembly.

33 **SECTION 1.(j) Meeting Location.** – The Study Committee may meet at
34 various locations around the State in order to promote greater public participation in its
35 deliberations. The Legislative Services Commission shall grant adequate meeting space
36 to the Study Committee in the State Legislative Building or the Legislative Office
37 Building.

38 **SECTION 1.(k) Report.** – The Committee may make interim reports, and
39 shall make a final report to the Joint Legislative Transportation Oversight Committee no
40 later than November 1, 2004. Regardless of whether it has filed an interim or final
41 report, the Committee shall terminate on November 1, 2004.

42 **SECTION 1.(l) Funding.** – The Study Committee shall be funded from
43 funds available to the Joint Legislative Transportation Oversight Committee, in
44 accordance with G.S. 120-70.52.

1

SECTION 2. This act is effective when it becomes law.

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 34. HIGHWAY TRUST FUND STUDY COMMITTEE. Intro. 2/13/03. Senate amendments make the following changes to 1st edition. Add one Representative appointed by the Speaker of the House, and one Senator appointed by the President Pro Tempore of the Senate, to the Study Committee, bringing its total membership to 20 (was, 18).

S 307. CONTAGIOUS ANIMAL DISEASES/EXTEND SUNSET. Intro. 3/5/03. Senate committee substitute makes the following changes to 1st edition. Instead of deleting sunset provision from SL 2001-12, extends sunset to Oct. 1, 2005. Makes act effective April 1, 2003.

HOUSE BILLS

H 29. BLADENBORO SATELLITE ANNEXATIONS. Intro. 2/17/03. House committee substitute makes the following changes to 1st edition. Achieves same result as original bill, by amending GS 160A-58.1(b)(5) exemption to add Bladenboro to that subdivision's coverage.

Senate Select Committees

Senator Basnight announced the appointment of the following select committees:

Select Committee on Military Affairs: Hargett, Chair; Thomas, Kerr, Rand, Dannelly, Dorsett, Ballantine, Forrester, Carrington, Sloan.

Select Committee on Insurance and Civil Justice Reform: Rand, Hoyle, Clodfelter, Chairs; Thomas, Purcell, Hagan, Queen, Swindell, Holloman, Soles, Lucas, Horton, Berger, Bingham, Forrester, Hartsell, Apodaca, Pittenger, Gulley.

NEXT SESSIONS

March 12, 2003

HOUSE convenes at 4:00 p.m.

SENATE convenes at 3:00 p.m.

VISITOR REGISTRATION SHEET

RULES AND OPERATIONS OF THE SENATE

March 5, 2003

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Dallas Baker

Intern for Sen. Gulley

Betsy Bailey

NC NC Public Transportation

Bill CARSTADTHER

CHARLOTTE AREA TRANSIT SYSTEM

Caroline Hinton

Senate Page

John Williamson

Senate Page

Cressy Porter

Smith Anderson

Kevin V. Howell

Interns

Chad Hinton

Intern

Amy Dobson

NC State Watch

COMMITTEE ON RULES AND OPERATIONS OF THE SENATE

MINUTES

March 20, 2003

The Senate Committee on Rules and Operations of the Senate met on March 20, 2003 at 11:05 a.m. at Senator Tony Rand's Chamber Desk. Ten members of the committee were present.

Senator Rand presided.

SR 225 – A SENATE RESOLUTION EXPRESSING SUPPORT FOR THE ARMED SERVICES FIGHTING THE WAR AGAINST TERRORISM.

Senator Rand presented the committee with SJR Committee Substitute for the above bill- A JOINT RESOLUTION HONORING THE MEMORY OF PAST MILITARY LEADERS RICHARD CASWELL, FRANCIS NASH, SAMSON L.FAISON, AND EDSON D. RAFF AND EXPRESSING SUPPORT FOR THE ARMED SERVICES FIGHTING THE WAR AGAINST TERRORISM.

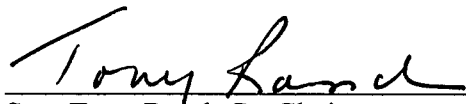
Senator Dalton moved for the adoption of the Committee Substitute.

Senator Rand stated that the Senate Joint Resolution honored the memory of past military leaders as indicated in the title of the bill and support for our armed forces fighting the war on terrorism.

Senator Dalton moved for the adoption of the SJR Committee Substitute.

Senator Hoyle moved for a favorable report for SJR Committee Substitute for SR 225. The committee gave the SJR for SR 225 a favorable report.

The meeting adjourned at 11:15 a.m.


Sen. Tony Rand, Co-Chairman


Evelyn Costello, Committee Ass't.

**NORTH CAROLINA GENERAL ASSEMBLY
SENATE**

**RULES AND OPERATIONS OF THE SENATE COMMITTEE REPORT
Senator Tony Rand, Chair**

Thursday, March 20, 2003

SENATOR RAND,
submits the following with recommendations as to passage:

**UNFAVORABLE AS TO ADOPTION OF SENATE RESOLUTION, BUT FAVORABLE AS TO
SENATE COMMITTEE SUBSTITUTE JOINT RESOLUTION**

S.R. 225	Support Military Troops.	
	Draft Number:	PCS 15130
	Sequential Referral:	None
	Recommended Referral:	None
	Long Title Amended:	Yes

TOTAL REPORTED: 1

Committee Clerk Comments:

Change from Senate Simple Resolution to Senate Joint Resolution.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2003

S

1

SENATE RESOLUTION 225

Sponsors: Senators Brock; Albertson, Apodaca, Berger, Bingham, Blake, Carpenter, Carrington, Clodfelter, Forrester, Garwood, Hargett, Hartsell, Horton, Kerr, Lucas, Malone, Metcalf, Moore, Pittenger, Queen, Rucho, Shaw, Shubert, Sloan, Smith, Stevens, Tillman, Webster, and Weinstein.

Referred to: Rules and Operations of the Senate.

February 26, 2003

1 A SENATE RESOLUTION EXPRESSING SUPPORT FOR THE ARMED
2 SERVICES FIGHTING THE WAR AGAINST TERRORISM.

3 Whereas, the State of North Carolina takes great pride in the military
4 personnel stationed at Fort Bragg, Pope Air Force Base, Camp Lejeune Marine Corps
5 Base, Seymour Johnson Air Force Base, Cherry Point Marine Corps Air Station, Cherry
6 Point Naval Aviation Depot, New River Marine Corps Air Station, Elizabeth City Coast
7 Guard Air Station, the Coast Guard Aircraft Repair and Service Center, and Coast
8 Guard Cape Hatteras; and

9 Whereas, the State is also proud of the many North Carolinians who are
10 members of the reserve components of the armed services and of the North Carolina
11 National Guard; and

12 Whereas, as these brave men and women prepare to carry out their missions
13 in the war against terrorism, it is crucial to remember the sacrifices they are undertaking
14 in making our world a safer place; and

15 Whereas, the North Carolina Senate pledges to continue its support of our
16 troops and their loved ones and encourages the citizens of North Carolina to do the
17 same; Now, therefore,
18 Be it resolved by the Senate:

19 **SECTION 1.** The North Carolina Senate wishes to express its support for
20 our military troops and their families living in North Carolina.

21 **SECTION 2.** The Principal Clerk shall transmit a certified copy of this
22 resolution to the commanding officer at each military installation in North Carolina.

23 **SECTION 3.** This resolution is effective upon adoption.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2003

S

D

SENATE JOINT RESOLUTION 225
PROPOSED COMMITTEE SUBSTITUTE S225-PCS15130-LG-6

Sponsors:

Referred to:

February 26, 2003

1 A JOINT RESOLUTION HONORING THE MEMORY OF PAST MILITARY
2 LEADERS RICHARD CASWELL, FRANCIS NASH, SAMSON L. FAISON,
3 AND EDSON D. RAFF AND EXPRESSING SUPPORT FOR THE ARMED
4 SERVICES FIGHTING THE WAR AGAINST TERRORISM.

5 Whereas, the State of North Carolina takes great pride in the military
6 personnel stationed at Fort Bragg, Pope Air Force Base, Camp Lejeune Marine Corps
7 Base, Seymour Johnson Air Force Base, Cherry Point Marine Corps Air Station, Cherry
8 Point Naval Aviation Depot, New River Marine Corps Air Station, Elizabeth City Coast
9 Guard Air Station, the Coast Guard Aircraft Repair and Service Center, and Coast
10 Guard Cape Hatteras; and

11 Whereas, the State is also proud of the many North Carolinians who are
12 members of the reserve components of the armed services and of the North Carolina
13 National Guard; and

14 Whereas, as these brave men and women prepare to carry out their missions
15 in the war against terrorism, it is crucial to remember the sacrifices they are undertaking
16 in making our world a safer place; and

17 Whereas, these courageous men and women exemplify the tradition and spirit
18 of North Carolinians who have so bravely served our State in times gone by; and

19 Whereas, Richard Caswell (1727-1789) was a member of the first Continental
20 Congress, a Major General during the Revolutionary War, where he emerged as a hero
21 during the Battle of Moore's Creek Bridge, and the first Governor of North Carolina;
22 and

23 Whereas, Francis Nash (1742-1777), a close ally of George Washington, was
24 a lawyer, legislator, Clerk of the Superior Court in Hillsborough, North Carolina, and a
25 militia officer who was mortally wounded during the Battle of Germantown; and

26 Whereas, Samson L. Faison (1860-1940), a native of Duplin County, was a
27 Brigadier General in the United States Army during World War I; and

28 Whereas, Edson D. Raff (1907-2003), a pioneering paratrooper of the United
29 States Army, who passed away on March 11, 2003, led the first airborne combat
30 invasion into North Africa during World War II and, in 1954, had members of the

1 Special Forces unit he commanded at Fort Bragg wear green berets to boost morale, and
2 that symbol came to represent pride and bravery and was adopted by all Special Forces
3 units; and

4 Whereas, North Carolina and our nation have been blessed with these and
5 many other men and women who have chosen to defend our freedoms with great valor
6 and patriotism; and

7 Whereas, the General Assembly pledges to continue its support of our troops
8 and their loved ones and encourages the citizens of North Carolina to do the same; Now,
9 therefore,

10 Be it resolved by the Senate, the House of Representatives concurring:

11 **SECTION 1.** The General Assembly wishes to honor the memory of
12 Richard Caswell, Francis Nash, Samson L. Faison, Edson D. Raff, and all other North
13 Carolina men and women who have so bravely and ably served their State and their
14 nation with honor and dignity so that we might fully enjoy the freedoms granted by the
15 United States and North Carolina Constitutions.

16 **SECTION 2.** The General Assembly wishes to express its support for the
17 brave men and women who will soon embark on the war against terrorism, as well as
18 the families and loved ones they will leave behind.

19 **SECTION 3.** The Secretary of State shall transmit a certified copy of this
20 resolution to the commanding officer at each military installation in North Carolina.

21 **SECTION 4.** This resolution is effective upon ratification.

MINUTES

RULES AND OPERATIONS OF THE SENATE

APRIL 30, 2003

The Committee on Rules and Operations of the Senate met on Wednesday, April 30, 2003 at 10:30 a.m. in the 300-C Legislative Office Building Conference Room. Senator Rand presided. There were 7 members of the Committee Present

SB 840 – FOLKMOOT USA.

Senator Rand presented the committee with a proposed Committee Substitute for the above bill.

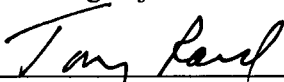
Senator Hoyle moved to bring the proposed Committee Substitute before the committee for consideration by the committee. The committee voted to adopt the proposed Committee Substitute. Senator Queen explained his bill. Senator Albertson moved for a favorable report of the proposed Committee Substitute. The Committee gave the proposed Committee Substitute a 'favorable report'.

SB 1008 – VA-NC HIGH-SPEED RAIL COMMISSION.

Senator Rand presented the committee with a proposed Committee Substitute for the above bill. He stated that the only change in the bill was moving the date of reporting to the Governor and General Assembly by November 30, 2004 and may make an interim report to the Governor and General Assembly upon the convening of the 2004 Regular Session of the 2003 General Assembly. The commission shall terminate on November 30, 2004.

Senator Kinnaird moved that the committee accept the proposed Committee Substitute. Senator Berger moved for a 'favorable report' of the proposed Committee Substitute and the committee gave the proposed Committee Substitute a 'favorable report'.

The meeting adjourned at 11:00 a.m.



Senator Tony Rand, Chairman



Evelyn Costello, Committee Ass't

**NORTH CAROLINA GENERAL ASSEMBLY
SENATE**

**RULES AND OPERATIONS OF THE SENATE COMMITTEE REPORT
Senator Tony Rand, Chair**

Wednesday, April 30, 2003

SENATOR RAND ,
submits the following with recommendations as to passage:

UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO COMMITTEE SUBSTITUTE BILL

S.B. 840	Folk moot USA.	
	Draft Number:	PCS 65285
	Sequential Referral:	None
	Recommended Referral:	None
	Long Title Amended:	No
S.B. 1008	Va-NC High Speed Rail Commission.	
	Draft Number:	PCS 85229
	Sequential Referral:	None
	Recommended Referral:	None
	Long Title Amended:	Yes

TOTAL REPORTED: 2

Committee Clerk Comments:

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

S

1

SENATE BILL 840

Short Title: Folkmoot USA.

(Public)

Sponsors: Senators Queen, Carpenter; Albertson, Allran, Apodaca, Ballantine, Basnight, Berger, Bingham, Blake, Brock, Carrington, Clodfelter, Dalton, Dannelly, Dorsett, Forrester, Foxx, Garrou, Garwood, Gulley, Hagan, Hargett, Hartsell, Holloman, Horton, Hoyle, Jenkins, Kerr, Kinnaid, Lucas, Malone, Metcalf, Moore, Pittenger, Purcell, Rand, Reeves, Rucho, Shaw, Shubert, Sloan, Smith, Soles, Stevens, Swindell, Thomas, Tillman, Webster, and Weinstein.

Referred to: Rules and Operations of the Senate.

April 3, 2003

A BILL TO BE ENTITLED
AN ACT TO ADOPT FOLKMOOT USA AS NORTH CAROLINA'S OFFICIAL
INTERNATIONAL FESTIVAL.

Whereas, Folkmoot USA is an annual international festival held in Western North Carolina by North Carolina International Folk Festival, Inc., to promote the cultural exchange of traditional dance and music; and

Whereas, the name "Folkmoot" is an old English word meaning "meeting of the people"; and

Whereas, the first Folkmoot festival was held in 1984 and has grown to one of the largest folk festivals of its kind; and

Whereas, most of Folkmoot's participants are not professional dancers and musicians, but ordinary people who are proud of their culture and enjoy sharing it with others; and

Whereas, these diverse performers wear native costumes, play unique instruments, and perform authentic folk dances; and

Whereas, over the years, 190 folk groups representing 95 countries have participated in Folkmoot; and

Whereas, Folkmoot has been named a "Top 20 Event in the Southeast" by the Southeast Tourism Society for 16 years, a 2003 "Top 100 Event in America" by the North American Bus Association, and one of North Carolina's "Most Outstanding Festivals"; and

Whereas, Folkmoot's 70,000 annual visitors come from more than 40 states and from more than half of North Carolina's cities and towns; and

Whereas, Folkmoot creates a positive economic impact of almost four million dollars in the State; and

Whereas, Folkmoot is a great cultural resource that provides entertainment and education and promotes tourism in North Carolina; and

Whereas, adopting Folkmoot USA as North Carolina's official international folk festival will enhance the exchange of international culture and increase tourism in North Carolina; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 145 of the General Statutes is amended by adding a new section to read:

"§ 145-19. State International Folk Festival.

Folkmoot USA is adopted as the official international folk festival of the State of North Carolina."

SECTION 2. The title of Chapter 145 reads as rewritten:

"Chapter 145.

~~State Flower, Bird, Tree, Shell, Mammal, Fish, Insect, Stone, Reptile and Rock, Beverage, Historical Boat, Language, Dog, Military Academy, Tartan, Watermelon Festival, Symbols and Other Official Adoptions."~~

SECTION 3. This act is effective when it becomes law.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

S

1

SENATE BILL 1008

Short Title: Va-NC High Speed Rail Commission.

(Public)

Sponsors: Senator Gulley.

Referred to: Transportation.

April 3, 2003

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A BILL TO BE ENTITLED

**AN ACT TO REESTABLISH THE VIRGINIA-NORTH CAROLINA INTERSTATE
HIGH SPEED RAIL COMMISSION.**

The General Assembly of North Carolina enacts:

SECTION 1. The Virginia-North Carolina Interstate High Speed Rail
Commission is hereby reestablished.

SECTION 2. This act is effective when it becomes law.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

S

D

**SENATE BILL 840
PROPOSED COMMITTEE SUBSTITUTE S840-PCS65285-LG-12**

Short Title: NC's Official International Festival.

(Public)

Sponsors:

Referred to:

April 3, 2003

A BILL TO BE ENTITLED
AN ACT TO ADOPT FOLKMOT USA AS NORTH CAROLINA'S OFFICIAL
INTERNATIONAL FESTIVAL.

Whereas, Folkmoot USA is an annual international festival held in Western North Carolina by North Carolina International Folk Festival, Inc., to promote the cultural exchange of traditional dance and music; and

Whereas, the name "Folkmoot" is an old English word meaning "meeting of the people"; and

Whereas, the first Folkmoot festival was held in 1984 and has grown to one of the largest folk festivals of its kind; and

Whereas, most of Folkmoot's worldwide participants are not professional dancers and musicians, but ordinary people who are proud of their culture and enjoy sharing it with others; and

Whereas, these diverse, international performers wear native costumes, play unique instruments, and perform authentic folk dances; and

Whereas, over the years, 190 folk groups representing 95 countries have participated in Folkmoot; and

Whereas, Folkmoot has been named a "Top 20 Event in the Southeast" by the Southeast Tourism Society for 16 years, a 2003 "Top 100 Event in America" by the North American Bus Association, and one of North Carolina's "Most Outstanding Festivals"; and

Whereas, Folkmoot's 70,000 annual visitors come from more than 40 states and from more than half of North Carolina's cities and towns; and

Whereas, Folkmoot creates a positive economic impact of almost four million dollars in the State; and

Whereas, Folkmoot is a great cultural resource that provides entertainment and education and promotes tourism in North Carolina; and

1 Whereas, adopting Folkmoot USA as North Carolina's official international
2 festival will enhance the exchange of international culture and increase tourism in North
3 Carolina; Now, therefore,

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Chapter 145 of the General Statutes is amended by adding a
6 new section to read:

7 **"§ 145-19. State International Festival.**

8 **Folkmoot USA is adopted as the official international festival of the State of North**
9 **Carolina."**

10 **SECTION 2.** The title of Chapter 145 reads as rewritten:

11 **"Chapter 145.**

12 **~~State Flower, Bird, Tree, Shell, Mammal, Fish, Insect, Stone, Reptile and Rock,~~**
13 **~~Beverage, Historical Boat, Language, Dog, Military Academy, Tartan,~~**
14 **~~Watermelon Festival, Symbols and Other Official Adoptions."~~**

15 **SECTION 3.** This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2003

S

D

SENATE BILL 1008

PROPOSED COMMITTEE SUBSTITUTE S1008-CSRW-19 [v.5]

4/15/2003 5:11:36 PM

Short Title: VA-NC High-Speed Rail Commission.

(Public)

Sponsors:

Referred to:

April 3, 2003

A BILL TO BE ENTITLED

AN ACT TO REESTABLISH AND EXTEND THE VIRGINIA-NORTH CAROLINA INTERSTATE HIGH-SPEED RAIL COMMISSION, DIRECT THE COMMISSION TO STUDY ESTABLISHMENT OF AN INTERSTATE HIGH-SPEED RAIL COMPACT, AND AUTHORIZE THE COMMISSION TO HOLD REGULARLY SCHEDULED MEETINGS IN BOTH NORTH CAROLINA AND VIRGINIA.

The General Assembly of North Carolina enacts:

SECTION 1. Section 2 of S.L. 2001-266, as amended by Section 2.22 of S.L. 2001-486, reads as rewritten:

"SECTION 2. In conducting its study, the Commission shall hold regularly scheduled meetings in this State and in Virginia, tours of inspection, and public hearings as appropriate to determine the desirability and feasibility of establishing high-speed passenger rail service between Virginia and North Carolina. The Commission shall also study the establishment of an interstate high-speed rail compact between North Carolina, Virginia and other states. If it appears to the Commission that establishment of such service or compact is desirable and feasible, the Commission shall consider and recommend to the Governor and General Assembly those legislative actions necessary to do so, including the identification of the necessary levels of funding and the sources of those funds."

SECTION 2. Section 4 of S.L. 2001-266, as amended by Section 2.22 of S.L. 2001-486, reads as rewritten:

"SECTION 4. The Commission shall report its findings and any recommendations to the Governor and the General Assembly by ~~October 20, 2002,~~ November 30, 2004, and may make an interim report to the Governor and General Assembly upon the convening of the ~~2002~~ 2004 Regular Session of the ~~2004~~ 2003 General Assembly. The commission shall terminate on November 30, 2004."

SECTION 3. This act is effective when it becomes law.

VISITOR REGISTRATION SHEET

RULES AND OPERATIONS OF THE SENATE

April 30, 2003

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

NAME

FIRM OR AGENCY AND ADDRESS

KBF

Asteville Citizen - Times

Julie Allen

NC Statewatch

Dallas Baker

Intern - Sen. Gulley

LYMAN COOPER

CSX RAILROAD

COMMITTEE ON RULES AND OPERATIONS OF THE SENATE

MINUTES

MAY 15, 2003

The Committee on Rules and Operations of the Senate met at 3:30 p. m. at Senator Rand's Chamber Desk during a recess of the Senate. Thirteen members of the committee were present.

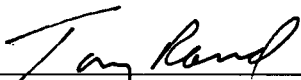
HJR 1161 - NASCAR.

Senator Rand presented the committee with a proposed Senate Committee Substitute for the above bill.

Senator Carrington moved for adoption of the proposed Senate Committee Substitute.

Upon motion by Senator Horton, the committee gave the proposed Senate Committee Substitute for HJR 1161 a favorable report.

The meeting adjourned at 3:35 p.m.



Senator Tony Rand, Chairman



Evelyn Costello, Committee Ass't

**NORTH CAROLINA GENERAL ASSEMBLY
SENATE**

**RULES AND OPERATIONS OF THE SENATE COMMITTEE REPORT
Senator Tony Rand, Chair**

Wednesday, May 14, 2003

SENATOR RAND,
submits the following with recommendations as to passage:

**UNFAVORABLE AS TO JOINT RESOLUTION, BUT FAVORABLE AS TO SENATE
COMMITTEE SUBSTITUTE JOINT RESOLUTION**

H.JR. 1161

NASCAR.

Draft Number:	PCS 60346
Sequential Referral:	None
Recommended Referral:	None
Long Title Amended:	Yes

TOTAL REPORTED: 1

Committee Clerk Comments:

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

H

1

HOUSE JOINT RESOLUTION 1161

Sponsors: Representatives Goodwin, McMahan, L. Johnson, Barnhart (Primary Sponsors); Creech, Ray, K. Williams, Moore, and Luebke.

Referred to: Rules, Calendar, and Operations of the House.

April 10, 2003

1 A JOINT RESOLUTION ENCOURAGING NASCAR TO RETAIN THE CURRENT
2 FIVE WINSTON CUP RACES IN THIS STATE, TWO AT NORTH CAROLINA
3 SPEEDWAY AND THREE AT LOWE'S MOTOR SPEEDWAY, AND
4 COMMEMORATING NASCAR AND ITS PIONEERS AS NORTH CAROLINA
5 IS THE STOCK CAR RACING CAPITAL OF THE WORLD.

6 Whereas, "The Rock", the local name of The North Carolina Speedway,
7 began as a dream of several local businessmen in the early 1960s; and

8 Whereas, North Carolina Speedway opened October 31, 1965, and was
9 rebuilt in 1969; and

10 Whereas, today, the 1.017-mile superspeedway has become one of the most
11 popular stops on the NASCAR Winston Cup Series and NASCAR Busch Series Grand
12 National Division schedules; and

13 Whereas, The Rock currently hosts two NASCAR Winston Cup Series races:
14 the Subway 400 in February and the Pop Secret Microwave Popcorn 400 in November;
15 and

16 Whereas, located in the heart of stock car country, North Carolina Speedway
17 is most noted for its fan-friendly atmosphere and Southern hospitality; and

18 Whereas, Richmond County, site of The Rock, is the fifth most economically
19 depressed county in the State; and

20 Whereas, loss of a single NASCAR Winston Cup race at the North Carolina
21 Speedway would reduce the speedway's economic impact on the region a minimum of
22 \$25 million per year; and

23 Whereas, the net decrease in tax revenue collections for the State and local
24 governments would be significant; and

25 Whereas, Lowe's Motor Speedway opened in June of 1960 as Charlotte
26 Motor Speedway; and

27 Whereas, that year saw the first running of the World 600 (now the
28 Coca-Cola 600) and the National 500 (now the UAW-GM Quality 500); and

Whereas, those two races have been run at Lowe's Motor Speedway every year since; and

Whereas, the Winston All Star race has been run at Lowe's Motor Speedway every year since 1987; and

Whereas, loss of a single NASCAR Winston Cup race at Lowe's Motor Speedway would reduce the speedway's economic impact on the State of North Carolina a minimum of \$80 million per year; and

Whereas, this loss would also result in a significant decrease in jobs and tax revenue collections for the State and local governments, in addition to the speedway itself; and

Whereas, job losses would occur in the local hotel, restaurant, retail and racing-related businesses in the vicinity of Lowe's Motor Speedway, estimated at 600 positions; and

Whereas, the net decrease in tax revenue collections for the State and local governments would be in excess of \$3.2 million per year; and

Whereas, motorsports is becoming big business and its need for engineering professionals is increasing, and to that end the State of North Carolina has funded the William States Lee College of Engineering at UNC Charlotte to offer a concentration in Motorsports Engineering; and

Whereas, more NASCAR teams are located in North Carolina than in any other state, and North Carolina is the auto-racing capital of the United States; and

Whereas, after World War II, stock car racing evolved as a sport in the foothills and Piedmont of North Carolina, quickly becoming one of the deepest traditions in North Carolina popular culture; and

Whereas, several world-class tracks stretch across the State and provide fans a chance to watch the legends of the sport every year; and

Whereas, North Carolina was the birthplace or home of such NASCAR legends as the late Dale Earnhardt and the late Lee Petty, and the General Assembly desires to commemorate their memory; and

Whereas, NASCAR has expanded to a national sport; and

Whereas, discussions have been had about moving one or more NASCAR races out of North Carolina; and

Whereas, to be true to its roots, NASCAR should maintain a maximum racing presence in North Carolina; Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

SECTION 1. The North Carolina General Assembly encourages NASCAR to retain the two Winston Cup Series races at North Carolina Speedway and the three Winston Cup Series races at Lowe's Motor Speedway.

SECTION 2. The North Carolina General Assembly commemorates the pioneers of NASCAR, such as the late Lee Petty and the late Dale Earnhardt.

SECTION 3. The Secretary of State shall transmit a certified copy of this resolution to the governing body and officers of NASCAR.

SECTION 4. This resolution is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2003

H

D

HOUSE JOINT RESOLUTION 1161

PROPOSED SENATE COMMITTEE SUBSTITUTE H1161-PCS60346-LG-15

Sponsors:

Referred to:

April 10, 2003

1 A JOINT RESOLUTION HONORING NASCAR, ITS PIONEER RACING
2 FAMILIES AND DRIVERS, AND NORTH CAROLINA MOTOR RACING.

3 Whereas, North Carolina takes great pride in its position as the stock car
4 racing capital of the United States and the world; and

5 Whereas, North Carolina is the home of NASCAR, which staged its first
6 sanctioned "purely stock car" race at the Charlotte Speedway on June 19, 1949; and

7 Whereas, since that time, NASCAR and motorsports events have become and
8 remain hugely popular with the people of North Carolina, with more than one million
9 people attending motorsports events in North Carolina each year, thereby substantially
10 enhancing the tourism industry in and economy of North Carolina; and

11 Whereas, North Carolina currently hosts five NASCAR Winston Cup events,
12 with two being held at the North Carolina Speedway in Rockingham and three at the
13 Lowe's Motor Speedway, near Charlotte, and is thus the stock car racing capital of the
14 world; and

15 Whereas, these Winston Cup races materially affect North Carolina's
16 economy, and the loss of any Winston Cup event would have a tremendous negative
17 impact on jobs and tax revenues in the Rockingham and Charlotte areas and the tourism
18 industry in North Carolina in general; and

19 Whereas, North Carolina has established the William States Lee College of
20 Engineering at the University of North Carolina at Charlotte which offers an
21 undergraduate program concentrating on motorsports engineering; and

22 Whereas, after World War II, stock car racing evolved as a sport in the
23 foothills, the pinewoods, and the piedmont of North Carolina, quickly becoming one of
24 the deepest traditions in North Carolina popular culture; and

25 Whereas, more NASCAR teams are located in North Carolina than in any
26 other state; several world-class tracks stretch across North Carolina and provide racing
27 enthusiasts with a chance each year to watch the legends of stock car racing; and North
28 Carolina has produced more Winston Cup champions than any other state; and

29 Whereas, no one who ever saw them will forget the legendary pioneer
30 stockcar drivers who were native or adopted Tar Heels, such as Curtis Turner, Fireball

1 Roberts, Lee Petty, Speedy Thompson, Herb Thomas, Banjo Matthews, Junior
2 Johnston, Ralph Earnhardt, Wendell Scott, Tim and Fonty Flock, Buck Baker, and
3 others too numerous to mention; and

4 Whereas, the Pettys, the Earnhardts, and the Jarretts of North Carolina are
5 among the most famous racing families in the world and still call North Carolina home;
6 and

7 Whereas, it is in the best interests of North Carolina and of NASCAR to
8 continue the extremely close relationships that have developed and to continue to
9 cooperate and work together to provide and retain the current Winston Cup races held at
10 Rockingham and Charlotte; and

11 Whereas, in 1996, a study prepared by the North Carolina Department of
12 Commerce found that the motorsports industry contributed \$392 million to the State's
13 economy and employed more than 4,000 people, and in 2003, that economic impact
14 figure has climbed to over \$1.5 billion and more than 10,000 jobs; Now, therefore,
15 Be it resolved by the House of Representatives, the Senate concurring:

16 **SECTION 1.** The North Carolina General Assembly celebrates, commends,
17 and commemorates NASCAR for the many valuable contributions it has made to the
18 sporting scene and popular culture in North Carolina and its important support of and
19 contributions to North Carolina's economy.

20 **SECTION 2.** The North Carolina General Assembly celebrates and honors
21 the memory of the Pettys, the Earnhardts, and the Jarretts, North Carolina's famous
22 racing families, as well as the memory of the courageous pioneer stock car drivers, who
23 made NASCAR and North Carolina motorsports the legends that they are today.

24 **SECTION 3.** The Secretary of State shall transmit a certified copy of this
25 resolution to the governing body and officers of NASCAR, to the owner of the North
26 Carolina Speedway, and to the owner of the Lowe's Motor Speedway.

27 **SECTION 4.** This resolution is effective upon ratification.

**COMMITTEE ON RULES AND OPERATIONS OF THE
SENATE**

MINUTES

Tuesday, June 17, 2003

The Committee on Rules and Operations of the Senate met on Tuesday, June 17, 2003 at 3:00 p.m. in Room 415 of the Legislative Office Building. Eight members of the committee were present. Senator Tony Rand, Chairman presided.

HOUSE BILL 182- HALIFAX-NORTHAMPTON AIRPORT AUTHORITY

Senator Rand presented the committee with a Committee Substitute for the House Bill 182. Senator Gulley moved for the adoption of the Committee Substitute.

Rep. Lucy Allen, the introducer of HB182, spoke in favor of the Committee Substitute.

Senator Berger moved for a favorable report for the Committee Substitute and the Committee gave the Committee Substitute a favorable report.

HOUSE BILL 866 - DUE PROCESS FOR PHYSICIANS

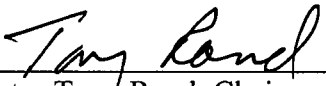
Rep. Wright explained the bill and stated that everyone had agreed to it in the House.

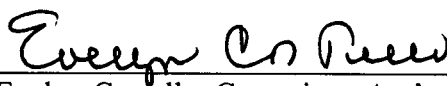
Discussion followed among members of the committee regarding the make up and membership of the North Carolina Medical Board, the North Carolina Medical Society and the Old North State Medical Society .

Senator Horton stated that he had a problem defining the term "Integrative Medicine" and where could it be found in statute? The Medical Society stated they would try to develop a definition. After some discussion on this matter, a sub-committee was appointed by Senator Rand to develop a more definitive explanation of the term "Integrative Medicine". They are : Chairman, Senator Horton, Senator Forrester, Senator Gulley and Senator Metcalf. The sub-committee would work with The Medical Society to resolve this issue.

Senator Soles offered an amendment to the bill on Page 3, Line 10 to delete the phrase "that the facts satisfy" deleting both commas setting off the phrase. The amendment was adopted by the committee.

The meeting adjourned at 12:45 p.m.


Senator Tony Rand, Chairman


Evelyn Costello, Committee Ass't.

**NORTH CAROLINA GENERAL ASSEMBLY
SENATE**

**RULES AND OPERATIONS OF THE SENATE COMMITTEE REPORT
Senator Tony Rand, Chair**

Tuesday, June 17, 2003

SENATOR RAND,
submits the following with recommendations as to passage:

**UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO SENATE COMMITTEE
SUBSTITUTE BILL**

H.B. 182	Halifax-Northampton Airport Authority.
	Draft Number: PCS 50292
	Sequential Referral: None
	Recommended Referral: None
	Long Title Amended: Yes

TOTAL REPORTED: 1

Committee Clerk Comments:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2003

H

1

HOUSE BILL 182

Short Title: Halifax-Northampton Airport Authority.

(Local)

Sponsors: Representatives L. Allen and Hunter (Primary Sponsors).

Referred to: Local Government II.

March 4, 2003

A BILL TO BE ENTITLED

AN ACT TO NAME THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT
AUTHORITY.

The General Assembly of North Carolina enacts:

SECTION 1. Section 1 of S.L. 1997-275, as rewritten by Section 1 of S.L. 1998-130, reads as rewritten:

"**Section 1.** There is hereby created the '~~Halifax~~Halifax-Northampton Regional Airport Authority' (for brevity hereinafter referred to as the 'Airport Authority'), which shall be a body both corporate and politic, having the powers and jurisdiction hereinafter enumerated and such other and additional powers as shall be conferred upon it by general law and future acts of the General Assembly. For purposes of this act the word 'City' when used alone shall mean the City of Roanoke Rapids and the word 'County' when used alone shall mean either Halifax County or Northampton County."

SECTION 2. Section 15 of S.L. 1997-275, as rewritten by Section 8 of S.L. 1998-130, reads as rewritten:

"**Section 15.** The powers granted to the Airport Authority shall not be effective until the members of the Airport Authority have been appointed by the Halifax County Board of Commissioners, the Northampton County Board of Commissioners, and the Roanoke Rapids City Council, and nothing in this act shall require the Board of Commissioners or City Council to make the initial appointments. It is the intent of this act to enable but not to require the formation of the ~~Halifax~~Halifax-Northampton Regional Airport Authority."

SECTION 3. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2003

H

3

HOUSE BILL 886

Committee Substitute Favorable 4/28/03

Third Edition Engrossed 4/30/03

Short Title: Due Process for Physicians.

(Public)

Sponsors:

Referred to:

April 7, 2003

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.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-2 reads as rewritten:

"§ 90-2. Medical Board.

(a) ~~In order to properly regulate the practice of medicine and surgery for the
benefit and protection of the people of North Carolina, there is established the North
Carolina Medical Board.~~ There is established the North Carolina Medical Board to

1 regulate the practice of medicine and surgery for the benefit and protection of the people
2 of North Carolina. The Board shall consist of 12 members.

3 (1) Seven of the members shall be duly licensed physicians elected and
4 nominated to the Governor by the North Carolina Medical Society.

5 (2) Of the remaining five members, all to be appointed by the Governor,
6 one shall be a duly licensed physician who is a doctor of osteopathy or
7 a full-time faculty member of one of the medical schools in North
8 Carolina who utilizes integrative medicine in their clinical practice or a
9 member of The Old North State Medical Society, at least three shall be
10 public members and at least one shall be a physician assistant as
11 defined in G.S. 90-18.1 or a nurse practitioner as defined in G.S.
12 90-18.2. A public member shall not be a health care provider nor the
13 spouse of a health care provider. For purposes of board membership,
14 "health care provider" means any licensed health care professional and
15 any agent or employee of any health care institution, health care
16 insurer, health care professional school, or a member of any allied
17 health profession. For purposes of this section, a person enrolled in a
18 program to prepare him to be a licensed health care professional or an
19 allied health professional shall be deemed a health care provider. For
20 purposes of this section, any person with significant financial interest
21 in a health service or profession is not a public member.

22 (a1) Each appointing and nominating authority shall ensure, insofar as possible,
23 that its appointees and nominees to the Board reflect the composition of the State with
24 regard to gender, ethnic, racial, and age composition.

25 (b) ~~No member appointed to the Board on or after November 1, 1981, shall serve~~
26 ~~more than two complete consecutive three-year terms, except that each member shall~~
27 ~~serve until his a successor is chosen and qualifies.~~

28 (c) ~~In order to establish regularly overlapping terms, the terms of office of the~~
29 ~~members shall expire as follows: two on October 31, 1993; four on October 31, 1994;~~
30 ~~four on October 31, 1995; and two on October 31, 1996.~~

31 (d) Any member of the Board may be removed from office by the Governor for
32 good cause shown. Any vacancy in the physician membership of the Board shall be
33 filled for the period of the unexpired term by the Governor from a list of physicians
34 submitted by the North Carolina Medical Society Executive Council. Any vacancy in
35 the public, physician assistant, or nurse practitioner membership of the Board shall be
36 filled by the Governor for the unexpired term.

37 (e) The North Carolina Medical Board shall have the power to acquire, hold,
38 rent, encumber, alienate, and otherwise deal with real property in the same manner as
39 any private person or corporation, subject only to approval of the Governor and the
40 Council of State as to the acquisition, rental, encumbering, leasing, and sale of real
41 property. Collateral pledged by the Board for an encumbrance is limited to the assets,
42 income, and revenues of the Board."

43 **SECTION 2.** G.S. 90-14(a)(11) reads as rewritten:

44 "..."

(11) Lack of professional competence to practice medicine with a reasonable degree of skill and safety for patients. In this connection the Board may consider repeated acts of a physician indicating the physician's failure to properly treat a patient. The Board may, upon reasonable grounds, require a physician to submit to inquiries or examinations, written or oral, by members of the Board or by other physicians licensed to practice medicine in this State, as the Board deems necessary to determine the professional qualifications of such licensee. In order to annul, suspend, deny, or revoke a license of an accused person, the Board shall find that the facts satisfy, by the greater weight of the evidence, that the care provided was not in accordance with the standards of practice for the procedures or treatments administered."

SECTION 3. G.S. 90-14 is amended by adding a new subsection to read:

"(g) 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, the Board shall consult with a licensee who practices integrative medicine."

SECTION 4. G.S. 90-14.6 reads as rewritten:

"§ 90-14.6. Evidence admissible.

(a) In proceedings held pursuant to this Article the Board shall admit and hear evidence in the same manner and form as prescribed by law for civil actions. A complete record of such evidence shall be made, together with the other proceedings incident to such hearing.

(b) Subject to the North Carolina Rules of Civil Procedure and Rules of Evidence, in proceedings held pursuant to this Article, the licensee under investigation may call witnesses, including medical practitioners licensed in the United States, with expertise in the same field of practice as the licensee under investigation, and the Board shall consider this testimony. Witnesses shall not be restricted to experts certified by the American Board of Medical Specialties.

(c) Subject to the North Carolina Rules of Civil Procedure and Rules of Evidence, statements contained in medical or scientific literature shall be competent evidence in proceedings held pursuant to this Article."

SECTION 5. This act becomes effective October 1, 2003.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

H

D

HOUSE BILL 182
PROPOSED SENATE COMMITTEE SUBSTITUTE H182-CSSW-49 [v.3]

6/17/2003 11:33:06 AM

Short Title: Northampton/Duplin/Fayetteville Local Acts.

(Local)

Sponsors:

Referred to:

March 4, 2003

A BILL TO BE ENTITLED

AN ACT TO NAME THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT
AUTHORITY, TO ALLOW DUPLIN COUNTY TO USE THE SINGLE-PRIME
BIDDING METHOD FOR THE CONSTRUCTION OF DUPLIN COMMONS
WITHOUT COMPLYING WITH CERTAIN STATUTORY REQUIREMENTS,
AND CONCERNING THE INVESTMENT OF CERTAIN RETIREMENT AND
EMPLOYEE BENEFIT FUNDS BY THE CITY OF FAYETTEVILLE.

The General Assembly of North Carolina enacts:

SECTION 1. Section 1 of S.L. 1997-275, as rewritten by Section 1 of S.L.
1998-130, reads as rewritten:

"**Section 1.** There is hereby created the '~~Halifax~~Halifax-Northampton Regional
Airport Authority' (for brevity hereinafter referred to as the 'Airport Authority'), which
shall be a body both corporate and politic, having the powers and jurisdiction
hereinafter enumerated and such other and additional powers as shall be conferred upon
it by general law and future acts of the General Assembly. For purposes of this act the
word 'City' when used alone shall mean the City of Roanoke Rapids and the word
'County' when used alone shall mean either Halifax County or Northampton County."

SECTION 2. Section 15 of S.L. 1997-275, as rewritten by Section 8 of S.L.
1998-130, reads as rewritten:

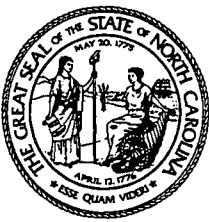
"**Section 15.** The powers granted to the Airport Authority shall not be effective until
the members of the Airport Authority have been appointed by the Halifax County Board
of Commissioners, the Northampton County Board of Commissioners, and the Roanoke
Rapids City Council, and nothing in this act shall require the Board of Commissioners
or City Council to make the initial appointments. It is the intent of this act to enable but
not to require the formation of the ~~Halifax~~Halifax-Northampton Regional Airport
Authority."

SECTION 3. Duplin County may contract for the design and construction of
the Duplin Commons project using the single-prime contract method described in G.S.

1 143-128(d) without requiring that all bidders identify on their bids the contractors they
2 have selected for the subdivisions for heating, ventilating, and air conditioning,
3 plumbing, electrical, and general. However, the lowest responsible, responsive bidder
4 shall provide to the county the names of the contractors selected for the subdivisions
5 within seventy-two hours after this act is ratified. Nothing in this act prohibits Duplin
6 County from rejecting any and all bids for the design and construction of the Duplin
7 Commons project.

8 **SECTION 4.** Notwithstanding the provisions of G.S. 159-30, the City of
9 Fayetteville, any governing body, agency, person, or other corporation that contracts
10 with the City of Fayetteville for the investment, care, or administration of monies of the
11 Supplemental Employees' Retirement Plan of the Public Works Commission of the City
12 of Fayetteville, or of employee benefit funds as may be designated from time to time by
13 the City of Fayetteville City Council, may invest and reinvest those monies in one or
14 more of the types of securities or other investment authorized by State law for the State
15 Treasurer in G.S. 147-69.2.

16 **SECTION 5.** Section 3 of this act is effective April 29, 2003 and applies to
17 bids advertised and submitted for the Duplin Commons project. Otherwise, this act is
18 effective when it becomes law.



HOUSE BILL 886: Due Process for Physicians

BILL ANALYSIS

Committee: Senate Rules
Date: June 17, 2003
Version: Third Edition

Introduced by: Rep. Wright and Howard
Summary by: Dianna Jessup
Committee Counsel

SUMMARY: *House Bill 886 would amend various provisions relating to the North Carolina Medical Board under the laws regulating the practice of medicine. The act would become effective October 1, 2003.*

CURRENT LAW: The North Carolina Medical Board is charged with regulating the practice of medicine and surgery in this State. The Board is comprised of 12 members who serve for three-year terms. The Governor appoints all members of the Board. Of the terms of the current members, four are due to expire in October 2003.

Currently, the North Carolina Medical Society (an association of physicians) nominates seven members for appointment to the Board by the Governor. Nominees from the Society's Executive Council fill any vacancies in these positions.

The Board is authorized to adopt rules governing applicants for license, admission, and the conduct of examinations for licensure and admission and to deny, annul, suspend, or revoke the license or other authority to practice medicine in this State. The Board conducts both informal meetings to inquire into matters (called investigative meetings) and formal hearings.

The president and the secretary of the Board may administer oaths and issue subpoenas for the appearance of witnesses to testify concerning any matter before the Board. The Board may also order pertinent documents, including patient records, to be produced for inspection.

The Board can deny, annul, suspend, or revoke a license for a variety of reasons enumerated by statute, including lack of professional competence to practice medicine with a reasonable degree of skill and safety for patients.

Before the Board can revoke, restrict or suspend a license, the licensee must be given notice and an opportunity to be heard. At the hearing, the physician and cross-examine witnesses and present evidence. The rules of procedure and evidence for civil actions apply.

BILL ANALYSIS:

Section 1 would amend the statute related to the appointment and removal of members of the North Carolina Medical Board to provide that of the five members of the Board not nominated by the Medical Society, one must be a duly licensed physician who is a doctor of osteopathy or a full-time faculty member of one of the medical schools in North Carolina who utilizes integrative medicine in their clinical practice or a member of The Old North State Medical Society. New language in this section would require the nominating and appointing authorities to ensure, insofar as possible, that its appointees and nominees to the Board reflect the composition of the State with regard to gender, ethnic, racial, and age composition. The section also makes technical changes to the statute.

Sections 2 and 3 would amend the law relating to the grounds for denying, annulling, suspending, or revoking a license as follows:

HOUSE BILL 886

Page 2

- In order to annul, suspend, deny, or revoke a license of an accused person for lack of professional competence, the Board must find that the facts satisfy, by the greater weight of the evidence that the care provided was not in accordance with the standards of practice for the procedures or treatments administered.
- 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, the Board must consult with a licensee who practices integrative medicine.¹

Section 4 would add language to the statute governing admissibility of evidence at Board hearings to provide:

- Licensees would be able to call witnesses, with expertise in the same field of practice as the licensee under investigation, and witnesses shall not be restricted to experts certified by the American Board of Medical Specialties.²
- Statements contained in medical or scientific literature would be competent evidence.

Section 5 would make the act effective October 1, 2003.

H866-SMSW-003

¹ The practice of integrative medicine involves the utilization of both conventional and alternative medical techniques, including conventional medications, herbal supplements, Oriental medicine and acupuncture, physical therapy, and nutritional therapy.

² The American Board of Medical Specialties is an organization of 24 medical specialty boards.

VISITOR REGISTRATION SHEET

RULES AND OPERATIONS OF THE SENATE

JUNE 17, 2003

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

NAME	FIRM OR AGENCY AND ADDRESS
<i>[Signature]</i>	NCRA
<i>W. M. Sasser</i>	<i>Capt. [Signature]</i>
<i>Jan Ramgobin</i>	NCIMS
<i>Crissy Porter</i>	<i>John Anderson</i>
<i>John [Signature]</i>	NCFPC
<i>Shawn Doorhy</i>	Senator Forrester
<i>Fran Cockleman</i>	NC Statewatch
<i>Gary Salamido</i>	GSF
<i>Joanne Stevens</i>	<i>turning</i> (TCHS)
<i>Ann [Signature]</i>	NCMS
<i>W. M. H. Potter, Jr.</i>	NCDS & NCPTA

COMMITTEE ON RULES AND OPERATIONS OF THE SENATE

MINUTES

June 25, 2003

The Committee on Rules and Operations of the Senate met on Wednesday, June 25, 2003 at 10:30 a.m. in the 300 Legislative Office Building Conference Room. Eight members of the committee were present.

SJR – 608 – MEMORIALIZING TIM MCLAURIN

Senator Rand presented the committee with a proposed committee substitute for SJR – Memorializing Tim McLaurin.

Senator Rand mentioned that Tim McLaurin was the author of KEEPER OF THE MOON and several other books. He was a snake handler and a real individual.

Senator Albertson moved for a favorable report for the proposed Committee Substitute for SJR – Memorializing Tim McLaurin. The committee gave it a favorable report.

HOUSE BILL 886 – DUE PROCESS FOR PHYSICIANS –

Senator Rand presented the committee with a proposed committee substitute. Senator Horton moved for the adoption of the proposed committee substitute. The committee substitute was adopted by the committee.

Rep. Wright and Rep. Howard were present to explain the bill. Questions arose regarding the make-up of the Board of the Medical Society. Rep. Wright stated that there were 3 minorities and one Indian on the present board.

Senator Horton had a problem with the term “Integrative Medicine” stating that if he were trying a case he would need a more definitive explanation.

Senator Rand appointed a sub-committee to work on this explanation in the bill and report back to the full committee on their findings. Senator Horton would be the chairman of this subcommittee. Other members of the subcommittee are: Senators Gulley, Forrester and Metcalf.

Senator Soles offered an amendment to the bill which will be rolled into the committee substitute after the subcommittee meets with their recommendations.

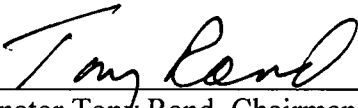
HB 1074 – BUTNER ADVISORY COUNCIL

Senator Swindell was recognized. He presented the committee with a Proposed Committee Substitute for HB 1074. He then moved for the adoption of the Committee Substitute.

Senator Swindell stated that the committee substitute clarifies the boundary lines between the Nash-Rocky Mount School Administrative Unit and the Edgecombe County Public School System.

Senator Swindell moved for a favorable report of the committee substitute and asked that it be referred to the Finance Committee. The committee gave the bill a favorable report with a referral to the Finance Committee.

The meeting adjourned at 11:30 a.m.



Senator Tony Rand, Chairman



Evelyn Costello, Committee Ass't.

**NORTH CAROLINA GENERAL ASSEMBLY
SENATE**

**RULES AND OPERATIONS OF THE SENATE COMMITTEE REPORT
Senator Tony Rand, Chair**

Wednesday, June 25, 2003

SENATOR RAND,
submits the following with recommendations as to passage:

**UNFAVORABLE AS TO COMMITTEE SUBSTITUTE BILL NO. 1, BUT FAVORABLE AS TO
SENATE COMMITTEE SUBSTITUTE BILL**

H.B.(CS #1) 886	Due Process for Physicians.	
	Draft Number:	PCS 60384
	Sequential Referral:	None
	Recommended Referral:	None
	Long Title Amended:	Yes

**UNFAVORABLE AS TO SENATE COMMITTEE SUBSTITUTE BILL NO. 1, BUT
FAVORABLE AS TO SENATE COMMITTEE SUBSTITUTE BILL NO. 2**

H.B.(SCS #1) 1074	Butner Advisory Council.	
	Draft Number:	PCS 80341
	Sequential Referral:	None
	Recommended Referral:	Finance
	Long Title Amended:	Yes

**UNFAVORABLE AS TO JOINT RESOLUTION, BUT FAVORABLE AS TO COMMITTEE
SUBSTITUTE JOINT RESOLUTION**

S.JR. 608	Memorializing Tim McLaurin.	
	Draft Number:	PCS 40065
	Sequential Referral:	None
	Recommended Referral:	None
	Long Title Amended:	Yes

TOTAL REPORTED: 3

Committee Clerk Comments:

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

S

1

SENATE JOINT RESOLUTION 608

Sponsors: Senator Rand.

Referred to: Rules and Operations of the Senate.

March 31, 2003

- 1 **A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF TIM**
2 **MCLAURIN.**
3 **Be it resolved by the Senate, the House of Representatives concurring:**
4 **SECTION 1. The General Assembly honors the life and memory of Tim**
5 **McLaurin.**
6 **SECTION 2. This resolution is effective upon ratification.**

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

H

3

HOUSE BILL 886
Committee Substitute Favorable 4/28/03
Third Edition Engrossed 4/30/03

Short Title: Due Process for Physicians.

(Public)

Sponsors:

Referred to:

April 7, 2003

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
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MEDICAL OR SCIENTIFIC LITERATURE SHALL BE COMPETENT
EVIDENCE IN PROCEEDINGS HELD BEFORE THE BOARD.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-2 reads as rewritten:

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benefit and protection of the people of North Carolina, there is established the North
Carolina Medical Board.~~ There is established the North Carolina Medical Board to

1 regulate the practice of medicine and surgery for the benefit and protection of the people
2 of North Carolina. The Board shall consist of 12 members.

3 (1) Seven of the members shall be duly licensed physicians elected and
4 nominated to the Governor by the North Carolina Medical Society.

5 (2) Of the remaining five members, all to be appointed by the Governor,
6 one shall be a duly licensed physician who is a doctor of osteopathy or
7 a full-time faculty member of one of the medical schools in North
8 Carolina who utilizes integrative medicine in their clinical practice or a
9 member of The Old North State Medical Society, at least three shall be
10 public members and at least one shall be a physician assistant as
11 defined in G.S. 90-18.1 or a nurse practitioner as defined in G.S.
12 90-18.2. A public member shall not be a health care provider nor the
13 spouse of a health care provider. For purposes of board membership,
14 "health care provider" means any licensed health care professional and
15 any agent or employee of any health care institution, health care
16 insurer, health care professional school, or a member of any allied
17 health profession. For purposes of this section, a person enrolled in a
18 program to prepare him to be a licensed health care professional or an
19 allied health professional shall be deemed a health care provider. For
20 purposes of this section, any person with significant financial interest
21 in a health service or profession is not a public member.

22 (a1) Each appointing and nominating authority shall ensure, insofar as possible,
23 that its appointees and nominees to the Board reflect the composition of the State with
24 regard to gender, ethnic, racial, and age composition.

25 (b) ~~No member appointed to the Board on or after November 1, 1981, shall serve~~
26 ~~more than two complete consecutive three-year terms, except that each member shall~~
27 ~~serve until his a successor is chosen and qualifies.~~

28 (c) ~~In order to establish regularly overlapping terms, the terms of office of the~~
29 ~~members shall expire as follows: two on October 31, 1993; four on October 31, 1994;~~
30 ~~four on October 31, 1995; and two on October 31, 1996.~~

31 (d) Any member of the Board may be removed from office by the Governor for
32 good cause shown. Any vacancy in the physician membership of the Board shall be
33 filled for the period of the unexpired term by the Governor from a list of physicians
34 submitted by the North Carolina Medical Society Executive Council. Any vacancy in
35 the public, physician assistant, or nurse practitioner membership of the Board shall be
36 filled by the Governor for the unexpired term.

37 (e) The North Carolina Medical Board shall have the power to acquire, hold,
38 rent, encumber, alienate, and otherwise deal with real property in the same manner as
39 any private person or corporation, subject only to approval of the Governor and the
40 Council of State as to the acquisition, rental, encumbering, leasing, and sale of real
41 property. Collateral pledged by the Board for an encumbrance is limited to the assets,
42 income, and revenues of the Board."

43 **SECTION 2.** G.S. 90-14(a)(11) reads as rewritten:

44 "..."

1 (11) Lack of professional competence to practice medicine with a
2 reasonable degree of skill and safety for patients. In this connection the
3 Board may consider repeated acts of a physician indicating the
4 physician's failure to properly treat a patient. The Board may, upon
5 reasonable grounds, require a physician to submit to inquiries or
6 examinations, written or oral, by members of the Board or by other
7 physicians licensed to practice medicine in this State, as the Board
8 deems necessary to determine the professional qualifications of such
9 licensee. In order to annul, suspend, deny, or revoke a license of an
10 accused person, the Board shall find that the facts satisfy, by the
11 greater weight of the evidence, that the care provided was not in
12 accordance with the standards of practice for the procedures or
13 treatments administered."

14 **SECTION 3.** G.S. 90-14 is amended by adding a new subsection to read:

15 "(g) Prior to taking action against any licensee who practices integrative medicine
16 for providing care not in accordance with the standards of practice for the procedures or
17 treatments administered, the Board shall consult with a licensee who practices
18 integrative medicine."

19 **SECTION 4.** G.S. 90-14.6 reads as rewritten:

20 "**§ 90-14.6. Evidence admissible.**

21 (a) In proceedings held pursuant to this Article the Board shall admit and hear
22 evidence in the same manner and form as prescribed by law for civil actions. A
23 complete record of such evidence shall be made, together with the other proceedings
24 incident to such hearing.

25 (b) Subject to the North Carolina Rules of Civil Procedure and Rules of
26 Evidence, in proceedings held pursuant to this Article, the licensee under investigation
27 may call witnesses, including medical practitioners licensed in the United States, with
28 expertise in the same field of practice as the licensee under investigation, and the Board
29 shall consider this testimony. Witnesses shall not be restricted to experts certified by the
30 American Board of Medical Specialties.

31 (c) Subject to the North Carolina Rules of Civil Procedure and Rules of
32 Evidence, statements contained in medical or scientific literature shall be competent
33 evidence in proceedings held pursuant to this Article."

34 **SECTION 5.** This act becomes effective October 1, 2003.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

H

4

HOUSE BILL 1074
Committee Substitute Favorable 4/23/03
Committee Substitute #2 Favorable 6/9/03
Senate Finance Committee Substitute Adopted 6/23/03

Short Title: Butner Advisory Council.

(Public)

Sponsors:

Referred to:

April 10, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO REVISE A STATUTE TO CREATE A BUTNER ADVISORY
3 COUNCIL SO AS TO ELECT ALL MEMBERS AT LARGE IN ONE
4 MULTISEAT RACE AND ELIMINATE STAGGERED TERMS; TO DEFINE
5 THE ELECTORAL JURISDICTION OF THE COUNCIL AND THE
6 JURISDICTION OF SPECIAL POLICE OF THE DEPARTMENT OF CRIME
7 CONTROL AND PUBLIC SAFETY; AND TO AMEND THE LEGISLATION IN
8 OTHER NEEDED WAYS.

9 The General Assembly of North Carolina enacts:

10 SECTION 1. G.S. 122C-413 reads as rewritten:

11 "§ 122C-413. Butner Advisory Council; created.

12 (a) There is created a Butner Advisory Council to consist of seven members, to
13 be elected by the residents of the territorial jurisdiction established by G.S.
14 122C-408(a), Butner Advisory Council Jurisdiction. The Butner Advisory Council
15 Jurisdiction shall consist of the property shown on a map produced May 20, 2003, by
16 the Information Systems Division of the North Carolina General Assembly and kept on
17 file in the office of the Butner Town Manager and in the office of the Granville County
18 Board of Elections. The Butner Advisory Council shall be elected at a nonpartisan
19 election pursuant to G.S. 163-292 administered by the Granville County Board of
20 Elections to be set after preclearance from the federal Department of Justice, held in the
21 first odd-numbered year after preclearance under section 5 of the Voting Rights Act of
22 1965 is obtained. The Granville County Board of Elections may change the dates of the
23 candidate-filing period for the first election if preclearance is not obtained before the
24 statutory filing period begins.

25 (a1) Any resident of Butner who is also a resident of Durham County shall vote,
26 as if the voter were a Granville County resident, in any Butner election at a location in
27 the Granville County portion of Butner designated by the Granville County Board of

1 Elections or by absentee ballot if absentee voting is authorized by the Secretary. As
2 soon as possible after the close of registration for the election, the Durham County
3 Board of Elections shall send the Granville County Board of Elections any information
4 necessary to conduct the election, including all of the following:

- 5 (1) A set of mailing labels for all registered voters in Durham County who
6 are eligible to vote in the Butner election.
- 7 (2) A list of all registered voters in Durham County who are eligible to
8 vote in the Butner election.
- 9 (3) An official precinct roster to be used by the Granville County Board of
10 Elections to verify the eligibility to vote of persons presenting
11 themselves to vote in the election.

12 The Granville County Board of Elections shall mark on the official roster provided by
13 Durham County all those voters who vote in the election. Promptly after the election,
14 the Granville County Board of Elections shall return the roster to the Durham County
15 Board of Elections so it can update voter history for the Butner voters who are residents
16 of Durham County.

17 (b) Members—All members of the Butner Advisory Council shall be elected at
18 large, large in one multiseat race, and the election shall be held in accordance with all
19 applicable federal and State constitutional and statutory provisions, including the Voting
20 Rights Act of 1965. For the purpose of elections under this Part, the jurisdiction shall be
21 considered a city under Chapters 160A and 163 of the General Statutes. Statutes, with
22 the Secretary, advised by the Advisory Council, acting as the governing body of the
23 city. Part 4 of Article 5 of Chapter 160A of the General Statutes does not apply to
24 Butner. In accordance with North Carolina law, a candidate for the Butner Advisory
25 Council must be a registered voter and a resident of the territorial jurisdiction
26 established by G.S. 122C-408(a). Butner Advisory Council Jurisdiction, as shown on a
27 map produced May 20, 2003, by the Information Systems Division of the North
28 Carolina General Assembly and kept on file in the office of the Butner Town Manager
29 and in the office of the Granville County Board of Elections.

30 (c) The candidates for the Butner Advisory Council shall file their notices of
31 candidacy and any required campaign finance report with the Granville County Board
32 of Elections. Elections, regardless of whether they live in the Granville or Durham
33 County portion of the jurisdiction. The Secretary, with the advice of the Advisory
34 Council, shall determine whether to authorize Absentee-absentee voting by qualified
35 voters residing in the territorial jurisdiction shall be in accordance with G.S. 163-302.
36 The filing fee shall be ten dollars (\$10.00) for the first election of the Butner Advisory
37 Council. In subsequent elections the Secretary, with the advice of the Advisory Council,
38 shall set the filing fee using the procedure in G.S. 163-294.2(e).

39 (d) The seven candidates receiving the highest numbers of votes shall be elected
40 for the following terms: four-year terms.

- 41 (1) If the election is held in an even-numbered year, the four candidates
42 receiving the highest numbers of votes shall be elected for terms of
43 four years, and the three candidates receiving the next highest numbers
44 of votes shall be elected for terms of two years.

- (2) ~~If the election is held in an odd numbered year, the four candidates receiving the highest numbers of votes shall be elected for terms of five years, and the three candidates receiving the next highest numbers of votes shall be elected for terms of three years.~~

~~Biennially thereafter, in each even numbered year, the members whose terms expire shall be elected to four year terms.~~

(d1) The Department of Health and Human Services shall reimburse the Granville County Board of Elections and, if necessary, the Durham County Board of Elections for the actual cost of administering the election of the Butner Advisory Council according to the provisions of G.S. 163-284 as if Butner were a city. Reimbursement shall not come from General Fund appropriations or federal funds.

(e) The Chair of the Butner Advisory Council shall be elected from among its members, shall serve a one-year term, may be reelected, and shall serve at the pleasure of the council.

(f) The Butner Advisory Council shall comply with the applicable and relevant provisions of Parts 1, 2, and 3 of Article 5 of Chapter 160A of the General Statutes with respect to the filling of vacancies and the organization and procedures of the council as if it were a city. Only those provisions of those Parts that are consistent with an advisory council are applicable and relevant to the Butner Advisory Council.

(g) Neither the Secretary nor the Butner Advisory Council shall have any authority over the Lyons Station Sanitary District, except as relates to matters involving whether to increase, decrease, or terminate the tax applicable to the Fire and Public Safety District defined by G.S. 122C-408, to the extent that the Lyons Station Sanitary District is a part of that Fire and Public Safety District."

SECTION 2. G.S. 122C-408(a) reads as rewritten:

"(a) The Secretary of Crime Control and Public Safety may employ special police officers for the territory of the ~~Camp Butner reservation. Butner Advisory Council Jurisdiction.~~ The territorial jurisdiction of these special police officers shall include: (i) ~~the Camp Butner reservation;~~ (ii) ~~the Lyons Station Sanitary District;~~ and (iii) ~~that part of Granville County adjoining the Butner reservation and the Lyons Station Sanitary District situated north and west of the intersection of Rural Paved Roads 1103 and 1106 and bounded by those roads and the boundaries of the reservation and the sanitary district shall be the Butner Advisory Council Jurisdiction, as defined in G.S. 122C-413(a).~~ The Secretary of Crime Control and Public Safety may organize these special police officers into a public safety department for that territory and may establish it as a division within that principal department as permitted by Chapter 143B of the General Statutes."

SECTION 3. Section 1(a) of Chapter 830 of the 1983 Session Laws reads as rewritten:

"Section 1. (a) The territorial jurisdiction of the Butner Police and Fire Protection District shall include: ~~(i) any property formerly a part of the original Camp Butner reservation, including both those areas currently owned and occupied by the State and its agencies and those which may have been leased or otherwise disposed of by the State;~~ (ii) ~~the Lyons Station Sanitary District;~~ and (iii) ~~that part of Granville County~~

1 ~~adjoining the Butner reservation and the Lyons Station Sanitary District situated north~~
2 ~~and west of the intersection of Rural Paved Roads 1103 and 1106 and bounded by those~~
3 ~~roads and the boundaries of said reservation and said sanitary district.~~ be the Butner
4 Advisory Council Jurisdiction, as defined in G.S. 122C-413(a)."

5 **SECTION 4.** This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2003

S

D

SENATE JOINT RESOLUTION 608
PROPOSED COMMITTEE SUBSTITUTE S608-PCS40065-LG-19

Sponsors:

Referred to:

March 31, 2003

1 A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF TIMOTHY
2 REESE MCLAURIN.

3 Whereas, today we honor Timothy Reese McLaurin, whose seven books of
4 fiction, memoir, and poetry traced the soul of North Carolina in rare and wondrous
5 language. He framed its fields and towns, ponds and woods and rivers, and he captured
6 its people, the plain but never ordinary, rough-hewn, down-home, heroic folk who
7 nurtured and fought and fled and loved each other and the land.

8 All this he did, according to his own prodigious imagination and craft, as a
9 son of North Carolina who traveled widely in the world and deeply at home, but whose
10 every hour was fed, even in his remotest sojourns, by the soil that made him who he
11 was. Clearly he loved everything about North Carolina – the flat fields and woods east
12 of Fayetteville and the forested hills west of Chapel Hill, and all the places in between.

13 We honor a man who grew up in small town North Carolina, worked in
14 tobacco fields and played on his high school basketball team, traveled with his snakes in
15 a carnival, served in both the Peace Corps and the Marine Corps, and graduated from
16 the University of North Carolina with a degree in journalism and a fiery passion for
17 words and story making.

18 We honor a man who joined the creative writing faculty of North Carolina
19 State University in 1989 and who from that time became a powerful presence in the
20 lives of hundreds of students.

21 The things that Tim McLaurin most honored by his living were his family, his
22 craft, his legion of friends, the land that he held a sacred trust, and the young people
23 who, turning to him for instruction, received rigorous honesty, great good humor, and
24 inspiration as well. We in turn honor a man who fought tirelessly for what he believed
25 in and in his last years, with grace and eloquence, fought against the disease of cancer.

26 To mark this battle he wore, on his chest, a tattoo of a Phoenix, a symbol that
27 today recalls to us the stern beauty of his life and his written legacy. We can do no
28 better than to let our last words of honor come from his pen, as he tells us:

29 "We are sons and daughters of the land, our heritage tied to fields and woods,
30 the call of hunt, the spiritual transition of the seed that cracks the hard earth and grows

1 into weed, food, flower, or tree. I have carried in my wallet for seven years a plastic
2 sandwich bag filled with plain dirt scooped from the pasture behind the homeplace. It
3 has traveled with me through Africa, Europe, and much of America, a talisman that
4 whispers to me the song of mourning doves, wind in the longleaf pines, the low rumble
5 of thunder from a summer storm that has recently passed and soaked the dry fields. I
6 hope to waltz slowly to that tune the day I lift above this bright land;". Now, therefore,
7 Be it resolved by the Senate, the House of Representatives concurring:

8 **SECTION 1.** The General Assembly honors the memory of Timothy Reese
9 McLaurin and expresses the appreciation of this State and its citizens for his life and
10 accomplishments.

11 **SECTION 2.** The General Assembly extends its deepest sympathy to the
12 family of Timothy Reese McLaurin for the loss of a beloved family member.

13 **SECTION 3.** The Secretary of State shall transmit a certified copy of this
14 resolution to the family of Timothy Reese McLaurin.

15 **SECTION 4.** This resolution is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

H

D

HOUSE BILL 886
Committee Substitute Favorable 4/28/03
Third Edition Engrossed 4/30/03
PROPOSED SENATE COMMITTEE SUBSTITUTE H886-PCS45168-SW-53

Short Title: Due Process for Physicians.

(Public)

Sponsors:

Referred to:

April 7, 2003

A BILL TO BE ENTITLED
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.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-2 reads as rewritten:

"§ 90-2. Medical Board.

(a) ~~In order to properly regulate the practice of medicine and surgery for the benefit and protection of the people of North Carolina, there is established the North Carolina Medical Board. There is established the North Carolina Medical Board to regulate the practice of medicine and surgery for the benefit and protection of the people of North Carolina.~~ The Board shall consist of 12 members.

(1) Seven of the members shall be duly licensed physicians elected and nominated to the Governor by the North Carolina Medical Society.

(2) Of the remaining five members, all to be appointed by the Governor, one shall be a duly licensed physician who is a doctor of osteopathy or a full-time faculty member of one of the medical schools in North Carolina who utilizes integrative medicine in that person's clinical practice or a member of The Old North State Medical Society, at least three shall be public members and at least one shall be a physician assistant as defined in G.S. 90-18.1 or a nurse practitioner as defined in G.S. 90-18.2. A public member shall not be a health care provider nor the spouse of a health care provider. For purposes of board membership, "health care provider" means any licensed health care professional and any agent or employee of any health care institution, health care insurer, health care professional school, or a member of

any allied health profession. For purposes of this section, a person enrolled in a program to prepare him to be a licensed health care professional or an allied health professional shall be deemed a health care provider. For purposes of this section, any person with significant financial interest in a health service or profession is not a public member.

(a1) Each appointing and nominating authority shall ensure, insofar as possible, that its appointees and nominees to the Board reflect the composition of the State with regard to gender, ethnic, racial, and age composition.

(b) ~~No member appointed to the Board on or after November 1, 1981, shall serve more than two complete consecutive three-year terms, except that each member shall serve until his~~ a successor is chosen and qualifies.

(c) ~~In order to establish regularly overlapping terms, the terms of office of the members shall expire as follows: two on October 31, 1993; four on October 31, 1994; four on October 31, 1995; and two on October 31, 1996.~~

(d) Any member of the Board may be removed from office by the Governor for good cause shown. Any vacancy in the physician membership of the Board shall be filled for the period of the unexpired term by the Governor from a list of physicians submitted by the North Carolina Medical Society Executive Council. Any vacancy in the public, physician assistant, or nurse practitioner membership of the Board shall be filled by the Governor for the unexpired term.

(e) The North Carolina Medical Board shall have the power to acquire, hold, rent, encumber, alienate, and otherwise deal with real property in the same manner as any private person or corporation, subject only to approval of the Governor and the Council of State as to the acquisition, rental, encumbering, leasing, and sale of real property. Collateral pledged by the Board for an encumbrance is limited to the assets, income, and revenues of the Board."

SECTION 2. Article 1 of Chapter 90 of the General Statutes is amended by adding a new section to read:

"§ 90-2.1. Integrative medicine defined.

For purposes of this Article, the term "integrative medicine" means a diagnostic or therapeutic treatment that may not be considered a conventionally accepted medical treatment and that a licensed physician in the physician's professional opinion believes may be of potential benefit to the patient, so long as the treatment poses no greater risk of harm to the patient than the comparable conventional treatments."

SECTION 3. G.S. 90-14(a)(11) reads as rewritten:

"...

(11) Lack of professional competence to practice medicine with a reasonable degree of skill and safety for patients. In this connection the Board may consider repeated acts of a physician indicating the physician's failure to properly treat a patient. The Board may, upon reasonable grounds, require a physician to submit to inquiries or examinations, written or oral, by members of the Board or by other physicians licensed to practice medicine in this State, as the Board

1 deems necessary to determine the professional qualifications of such
2 licensee. In order to annul, suspend, deny, or revoke a license of an
3 accused person, the Board shall find by the greater weight of the
4 evidence that the care provided was not in accordance with the
5 standards of practice for the procedures or treatments administered."

6 **SECTION 4.** G.S. 90-14 is amended by adding a new subsection to read:

7 "(g) Prior to taking action against any licensee who practices integrative medicine
8 for providing care not in accordance with the standards of practice for the procedures or
9 treatments administered, the Board shall consult with a licensee who practices
10 integrative medicine."

11 **SECTION 5.** G.S. 90-14.6 reads as rewritten:

12 **"§ 90-14.6. Evidence admissible.**

13 (a) In proceedings held pursuant to this Article the Board shall admit and hear
14 evidence in the same manner and form as prescribed by law for civil actions. A
15 complete record of such evidence shall be made, together with the other proceedings
16 incident to such hearing.

17 (b) Subject to the North Carolina Rules of Civil Procedure and Rules of
18 Evidence, in proceedings held pursuant to this Article, the licensee under investigation
19 may call witnesses, including medical practitioners licensed in the United States, with
20 expertise in the same field of practice as the licensee under investigation, and the Board
21 shall consider this testimony. Witnesses shall not be restricted to experts certified by the
22 American Board of Medical Specialties.

23 (c) Subject to the North Carolina Rules of Civil Procedure and Rules of
24 Evidence, statements contained in medical or scientific literature shall be competent
25 evidence in proceedings held pursuant to this Article."

26 **SECTION 6.** Section 1 becomes effective October 1, 2003. The remainder
27 of this act is effective when it becomes law.

GS 800. LICENSING BOARD CHANGES. Intro. 4/3/03. House committee substitute makes the following changes to 2nd edition. Specifies that clear proceeds of civil penalties assessed pursuant to GS 90-634.1 are to be paid to Civil Penalty and Forfeiture Fund. Makes fee increases effective August 1, 2003.

HOUSE BILLS

H 79. DNA REGISTRY. Intro. 2/25/03. House amendment makes the following changes to 2nd edition. Provides that if DNA sample has been previously obtained and not expunged an additional sample need not be taken. Requires that person who has been found not guilty by reason of insanity must be committed to mental health facility before being subject to the DNA requirement.

H 886. DUE PROCESS FOR PHYSICIANS. Intro. 4/7/03. Senate committee substitute makes the following changes to 3rd edition. Adds amendment to GS 90-2.1 to define integrative medicine as a diagnostic or therapeutic treatment that may not be considered a conventionally accepted medical treatment and that a licensed physician believes may be of benefit to the patient, so long as the treatment poses no additional risk to the patient. Provides that bill, except for the portion that changes the membership of the NC Medical Board, is effective when it becomes law.

H 1074. BUTNER ADVISORY COUNCIL/NASH-ROCKY MT./EDGECOMBE (NEW). Intro. 4/10/03. House committee substitute makes the following changes to 4th edition. Adds to title *TO CORRECT THE BOUNDARY BETWEEN THE NASH-ROCKY MOUNT SCHOOL ADMINISTRATIVE UNIT AND THE EDGECOMBE COUNTY PUBLIC SCHOOL SYSTEM* and amends bill as title indicates. Describes new boundary line.

H 1301. INTERLOCAL ECONOMIC DEVELOPMENT COOPERATION (NEW). Intro. 5/15/03. House committee substitute makes the following changes to 1st edition. Deletes proposed constitutional amendment related to property tax incentives for redevelopment and deletes new GS 105.277.14 (taxation of improvements in redevelopment areas).

LEGISLATION ENACTED

SL 2003-238 (H 248). WILMINGTON PERSONNEL RECORDS. AN ACT ALLOWING THE CITY OF WILMINGTON TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS. Summarized in *Daily Bulletin* 4/30/03 and 6/9/03. Enacted June 23, 2003. Effective June 23, 2003.

SL 2003-239 (S 706). UNIVERSITY ATHLETIC FACILITIES EXEMPTION. AN ACT TO ALLOW A PUBLIC UNIVERSITY TO ADD BLEACHERS TO AN EXISTING SOFTBALL FIELD WITHOUT HAVING TO CONSTRUCT ADDITIONAL PLUMBING FACILITIES. Summarized in *Daily Bulletin* 4/2/03, 4/16/03, 5/28/03, and 6/4/03. Enacted June 24, 2003. Effective June 24, 2003.

SL 2003-240 (S 57). MUNICIPAL WHEEL LOCK AUTHORIZATION. AN ACT TO ALLOW THE TOWNS OF CAROLINA BEACH, WRIGHTSVILLE BEACH, AND YADKINVILLE TO USE WHEEL LOCKS ON ILLEGALLY PARKED VEHICLES. Summarized in *Daily Bulletin* 2/17/03, 3/26/03, 5/22/03, 6/9/03, and 6/11/03. Enacted June 24, 2003. Effective June 24, 2003.

SL 2003-241 (H 163). KINGS MOUNTAIN ANNEX WATER SYSTEM. AN ACT TO ALLOW THE CITY OF KINGS MOUNTAIN TO ANNEX CERTAIN PROPERTIES OWNED BY THE TOWN. Summarized in *Daily Bulletin* 4/30/03 and 5/27/03. Enacted June 24, 2003. Effective June 24, 2003.

SL 2003-242 (H 232). INCORPORATE MILLS RIVER. AN ACT TO INCORPORATE THE TOWN OF MILLS RIVER. Summarized in *Daily Bulletin* 6/3/03. Enacted June 24, 2003. Effective June 24, 2003.

SL 2003-243 (H 511). ANDREWS SATELLITE ANNEXATION. AN ACT TO EXEMPT CERTAIN TOWN-OWNED PROPERTIES OF THE TOWN OF ANDREWS FROM THE CEILING ON VOLUNTARY SATELLITE ANNEXATIONS. Summarized in *Daily Bulletin* 3/17/03. Enacted June 24, 2003. Effective June 24, 2003.

SL 2003-244 (H 725). CONOVER/CLAREMONT ANNEX/DEANNEX. AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CITY OF CLAREMONT AND THE CITY OF CONOVER AND ANNEXING

H0673 AVERY FIRE PROTECTION. 04-30-03	S PASSED 2ND & 3RD READING
H0705 MATTHEWS/WAXHAW ANNEXATION. 06-18-03, 06-23-03	H CONCURRED ON 2ND READING
#H0725 CONOVER/CLAREMONT ANNEX/DEANNEX. 06-09-03	HR CH. SL 2003-244
H0773 CHAPEL HILL SPRINKLERS. 04-30-03, 06-11-03	H RATIFIED
#S0057 MUNICIPAL WHEEL LOCK AUTHORIZATION. 03-26-03, 05-22-03, 06-09-03, 06-11-03	SR CH. SL 2003-240
S0076 INCORPORATE MISENHEIMER. 05-27-03, 06-11-03	S CONCURRED ON 2ND READING
S0452 UNION COUNTY LOCAL ACT-1. 06-04-03, 06-25-03	HA REPTD FAV COM SUBSTITUTE H CAL PURSUANT RULE 36(B)
S0497 MT. AIRY REVISIONS/BLOWING ROCK OCCUP. TAX 05-07-03, 06-24-03	H PASSED 2ND READING
S0995 SCHOOL CONSTRUCTION/REPAIR FLEXIBILITY. 04-17-03, 04-22-03, 06-17-03	S REC TO CONCUR H COM SUB S PLACED ON CAL FOR 6/26/2003

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 100. STATE GOVT SALES TAX EXEMPT/SCH COOP REFUND (NEW). Intro. 2/19/03. House committee substitute makes the following changes to 2nd edition. Amends GS 105-164.14 (c), which lists governmental entities entitled to annual refund of certain sales taxes they pay, to add joint agencies created by local school administrative units to jointly purchase food service supplies and equipment. Deletes amendment to that same section that would have removed UNC constituent institutions when spending grant money and the UNC Hospitals in Chapel Hill. Amendments effective for taxes paid on or after July 1, 2003.

S 452. UNION COUNTY LOCAL ACT-1. Intro. 3/18/03. House committee substitute makes the following changes to 2nd edition. Adds to requirements for annexation of noncontiguous area that the area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed 20% of the area within the primary corporate limits of the annexing city.

S 608. HONORING TIM MCLAURIN. Intro. 3/31/03. Senate committee substitute makes the following changes to 1st edition. Adds description of Tim McLaurin's life and extends General Assembly's sympathy to McLaurin family.

S 668. WINE SHIPPERS PERMITS AND BREWERY PERMITS (NEW). Intro. 4/2/03. House committee substitute makes the following changes to 3rd edition. Adds amendment to GS 18B-1104 to allow holder of brewery permit under that section to sell at retail and wholesale no more than 50,000 barrels (was 310,000 gallons) per year. Amendment effective when it becomes law.

S 716. REVISED UNIFORM ARBITRATION ACT. Intro. 4/2/03. House committee substitute makes the following changes to 2nd edition. Amends list of specific nonwaivable sections of act. Makes conforming amendment to GS 1-567.64. Provides that Act applies to all agreements to arbitrate made on or after Jan. 1, 2004, but applies to agreements made before that date only if all parties agree in a record that Act applies. Makes technical corrections.

S 774. LIABILITY AT PUBLIC SKATEBOARD PARKS. Intro. 4/3/03. House amendment makes the following changes to 2nd edition. Encourages making land available for skateboarding, inline skating, or freestyle bicycling (was, for hazardous recreational activities). Adds compliance with duties of operators of skateboard parks as a condition for immunity from liability.

VISITOR REGISTRATION SHEET

RULES AND OPERATIONS OF THE SENATE

JUNE 25, 2003

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Jan Rangum	NCIMS
Lu-Ann Coe	NC Psychiatric Assoc
DAVID BARNES	Boyer & Spence
Martha Glen	NETDA-LS
John R. [Signature]	NCFPC
Amy Robson	NC Statewatch
Thomas Mansfield	NC Med Bd
Amy Yonowitz	"
Crisse Porter	Smith Anderson.

COMMITTEE ON RULES AND OPERATIONS OF THE SENATE

MINUTES

JULY 17, 2003

The Committee on Rules and Operations of the Senate met at 9:00 a.m. on Thursday, July 17, 2003 in Room 421. Ten members of the committee were present. Senator Rand presided.

HB 566 – DISAPPROVE SWIFT CREEK RECLASSIFICATION -

Senator Swindell presented the committee with a Proposed Senate Committee Substitute for HB 566 and moved for the adoption of the proposed Senate Committee Substitute.

Senator Swindell stated that this committee substitute was a compromise solution between the environmentalists, home builders and DENR. The committee substitute approves the Environmental Management Comm's regulations covered by act for waters and lands located west of Nash County State Road 1003 (Red Oak Road) and disapproves regulations east of cited road. Directs Comm'n to adopt temporary and permanent rules to incorporate the provisions regarding approval and disapproval of the covered regulations.

Mr. John Alderman, a biologist, spoke about the freshwater mussels and the affect this bill would have on their habitat. It is a functioning system that requires protection.

Several other environmentalists spoke in opposition to the bill.

Mr. Paul Wilms of the Home Builders spoke in favor of the bill.

Senator Kinnaird had several questions about the bill and stated that the bill might set a dangerous precedent.

After a great deal of discussion, Senator Hoyle moved for a favorable report of the proposed Senate Committee Substitute. The committee gave the Senate Committee Substitute a favorable report.

HB 694 – NC AVIATION HALL OF FAME AND AVIATION MUSEUM -

Senator Rand presented the committee with a proposed Senate Committee Substitute for the above bill. Senator Rand stated that the bill makes some technical corrections.

Senator Berger moved for a favorable report of the proposed Senate Committee Substitute and the committee voted to give the proposed Senate Committee Substitute for HB 694 a favorable report.

Page 2.

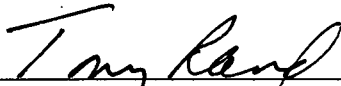
Minutes – July 17, 2003

HB 674 – DURHAM LOOP CORRIDOR – (THE STUDIES ACT of 2003) –

Senator Rand presented the committee with a proposed Senate Committee Substitute. Dianne Jessup of the Research Staff explained that this proposed Committee Substitute contained both Senate and House provisions. Several topics for study amendments were offered for the Legislative Research Commission. **Transportation Issues:** Dangers posed by issuing drivers licenses without verifying identity of residence and commercial driver's license requirements and emergency situations. **Health Issues:** Pain management and palliative care. **Criminal Law Issues:** Judicial approval for pleas in certain cases. **State Employees Issues:** The adequacy and timeliness of public employee benefits plan disclosures. **Other:** Casino nights for nonprofit organizations; soil and water conservation issues and compensation for eugenic sterilizations.

Senator Hoyle moved for a favorable report for the proposed Senate Committee Substitute and the committee gave this legislation a favorable report.

The meeting adjourned at 10:00 a.m.



Senator Tony Rand, Chairman



Evelyn Costello, Committee Ass't.

**NORTH CAROLINA GENERAL ASSEMBLY
SENATE**

**RULES AND OPERATIONS OF THE SENATE COMMITTEE REPORT
Senator Tony Rand, Chair**

Thursday, July 17, 2003

SENATOR RAND,
submits the following with recommendations as to passage:

**UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO SENATE COMMITTEE
SUBSTITUTE BILL**

H.B. 566	Disapprove Swift Creek Reclassification.	
	Draft Number:	PCS 30401
	Sequential Referral:	None
	Recommended Referral:	None
	Long Title Amended:	Yes

H.B. 674	Durham Northern Loop Corridor.	
	Draft Number:	PCS 30418
	Sequential Referral:	None
	Recommended Referral:	None
	Long Title Amended:	Yes

**UNFAVORABLE AS TO COMMITTEE SUBSTITUTE BILL NO. 1, BUT FAVORABLE
AS TO SENATE COMMITTEE SUBSTITUTE BILL**

H.B.(CS #1) 694	NC Aviation Hall of Fame and Aviation Museum.	
	Draft Number:	PCS 80356
	Sequential Referral:	None
	Recommended Referral:	None
	Long Title Amended:	No

TOTAL REPORTED: 3

Committee Clerk Comments:

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

H

2

HOUSE BILL 566
Second Edition Engrossed 5/1/03

Short Title: Disapprove Swift Creek Reclassification. (Public)

Sponsors: Representatives Gibson and Tolson (Primary Sponsors).

Referred to: Rules, Calendar, and Operations of the House.

March 20, 2003

A BILL TO BE ENTITLED

AN ACT TO DISAPPROVE THE ADMINISTRATIVE RULE RECLASSIFICATION
BY THE ENVIRONMENTAL MANAGEMENT COMMISSION OF PORTIONS
OF SWIFT CREEK AND SANDY CREEK IN THE TAR-PAMLICO RIVER
BASIN THAT WOULD HAVE THE EFFECT OF IMPOSING CERTAIN
MANAGEMENT STRATEGIES APPLICABLE TO OUTSTANDING
RESOURCE WATERS (ORW) IN THE WATERSHED OF THESE CREEKS.

The General Assembly of North Carolina enacts:

SECTION 1. Pursuant to G.S. 150B-21.3(b), 15A NCAC 2B.0225
(Outstanding Resource Waters) and 15A NCAC 2B.0316 (Tar-Pamlico River Basin), as
adopted by the Environmental Management Commission on 11 July 2002 and approved
by the Rules Review Commission on 15 August 2002, are disapproved.

SECTION 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

H

1

HOUSE BILL 674*

Short Title: Durham Northern Loop Corridor. (Public)

Sponsors: Representatives Luebke, Michaux, Miller, and Crawford (Primary Sponsors).

Referred to: Transportation.

March 26, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE HIGHWAY TRUST FUND ACT DESCRIPTION OF
3 THE DURHAM NORTHERN LOOP.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 136-180(a) reads as rewritten:

6 "(a) Funds allocated from the Trust Fund for urban loops may be used only for the
7 following urban loops:

8			Affected
9			Counties
10	Loop	Description	
11			
12	Asheville Western	Multilane facility on new	Buncombe
13	Loop	location from I-26 west of	
14		Asheville to US-19/23	
15		north of Asheville for the	
16		purpose of connecting these	
17		roads. The funds may be	
18		used to improve existing	
19		corridors.	
20	Charlotte Outer Loop	Multilane facility on	Mecklenburg
21		new location encircling	
22		City of Charlotte	
23	Durham Northern Loop	The corridor shall be	Durham, Orange Wake
24		identified as a part of the	
25		local long-range	
26		transportation plan as	
27		mutually adopted in 2003 by	
28		the Durham-Chapel Hill	

1 Carrboro metropolitan
2 planning organization and the
3 North Carolina Board of
4 Transportation

5 The projects listed below are
6 eligible for funding under this
7 section as part of the Durham
8 Northern Loop. The priorities
9 for planning and constructing
10 these projects will be
11 established by mutual
12 agreement of the
13 Metropolitan Planning
14 Organization (MPO) and the
15 Department of Transportation
16 through the federally
17 mandated Transportation
18 Improvement Program
19 development process. The
20 cross sections for these
21 projects will be established by
22 mutual agreement of the
23 MPO and the Department of
24 Transportation through the
25 State and federal
26 environmental review
27 process.

28 (1) East end connector, from
29 N.C. 147 to U.S. 70 East.

30 (2) U.S. 70, from Lynn Rd. to
31 the Northern Durham
32 Parkway.

33 (3) I-85, from U.S. 70 to Red
34 Mill Rd.

35 (4) Northern Durham
36 Parkway, Section B, from Old
37 Oxford Rd. to I-85.

38 (5) Northern Durham
39 Parkway, Section A, from
40 I-85 to I-540.

41 (6) Northern Durham
42 Parkway, Section C, from Old
43 Oxford Rd. to Roxboro Rd.

1		<u>(7) Roxboro Rd. from Duke</u>	
2		<u>St. to Goodwin Rd.</u>	
3	Greensboro Loop	Multilane facility on new	Guilford
4		location encircling City	
5		of Greensboro	
6	Raleigh Outer Loop	Multilane facility on	Wake
7		new location from US-1	
8		southwest of Cary	
9		northerly to US-64 in	
10		eastern Wake County	
11	Wilmington Bypass	Multilane facility on new	New Hanover
12		location from US-17	
13		northeast of Wilmington	
14		to US-17 southwest	
15		of Wilmington,	
16		including the Blue Clay Road	
17		interchange	
18	Winston-Salem	Multilane facility on	Forsyth
19	Northbelt	new location from I-40 west	
20		of Winston-Salem northerly	
21		to I-40 in eastern Forsyth	
22		County"	

23 **SECTION 2.** This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

H

2

HOUSE BILL 694
Committee Substitute Favorable 4/29/03

Short Title: NC Aviation Hall of Fame and Aviation Museum.

(Public)

Sponsors:

Referred to:

March 27, 2003

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.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 145 of the General Statutes is amended by adding a
new section to read:

**"§ 145-19. State Aviation Hall of Fame and Museum and State Museum of
Aviation.**

The Asheboro Municipal Airport is designated as the official location of the North
Carolina Aviation Hall of Fame and the North Carolina Aviation Museum. The
Wilmington International Airport is designated as the official location of the North
Carolina Museum of Aviation."

SECTION 2. Nothing in this act shall be construed to obligate the General
Assembly to appropriate funds to implement the provisions of this act.

SECTION 3. Nothing in this act shall be construed to obligate the City of
Asheboro, the City of Wilmington, Randolph County, or New Hanover County to
expend funds for the purposes of this act.

SECTION 4. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

H

3

HOUSE BILL 566

Second Edition Engrossed 5/1/03

Senate Rules and Operations of the Senate Committee Substitute Adopted 7/17/03

Short Title: Swift Creek Reclassification.

(Public)

Sponsors:

Referred to:

March 20, 2003

A BILL TO BE ENTITLED

AN ACT TO APPROVE IN PART AND DISAPPROVE IN PART THE ADMINISTRATIVE RULE RECLASSIFICATION BY THE ENVIRONMENTAL MANAGEMENT COMMISSION OF PORTIONS OF SWIFT CREEK AND SANDY CREEK IN THE TAR-PAMLICO RIVER BASIN.

The General Assembly of North Carolina enacts:

SECTION 1. Pursuant to G.S. 150B-21.3(b), 15A NCAC 2B.0225 (Outstanding Resource Waters) and 15A NCAC 2B.0316 (Tar-Pamlico River Basin), as adopted by the Environmental Management Commission on 11 July 2002 and approved by the Rules Review Commission on 15 August 2002, are approved effective 1 August 2003 with respect to all waters and lands that are located west of Nash County State Road 1003 (Red Oak Road) and are disapproved with respect to waters and lands that are located east of Nash County State Road 1003 (Red Oak Road).

SECTION 2. The Environmental Management Commission shall adopt temporary and permanent rules to amend the North Carolina Administrative Code to incorporate the provisions of Section 1 of this act. Notwithstanding G.S. 150B-21.1, this act shall not be construed to authorize the Environmental Management Commission to adopt a temporary rule related to the subject matter of Section 1 of this act except as specifically provided by this section, and the Environmental Management Commission shall not be required to provide prior notice or a hearing to adopt the temporary rule required by this section. Reference to this section shall satisfy the requirement for a statement of finding of need for a temporary rule set out in G.S. 150B-21.1.

SECTION 3. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

H

D

HOUSE BILL 674*
PROPOSED SENATE COMMITTEE SUBSTITUTE H674-PCS60394-SW-61

Short Title: The Studies Act of 2003.

(Public)

Sponsors:

Referred to:

March 26, 2003

1 A BILL TO BE ENTITLED
2 AN ACT CONCERNING STUDIES.
3 The General Assembly of North Carolina enacts:

4
5 **PART I. TITLE**

6
7 **SECTION 1.** This act shall be known as "The Studies Act of 2003".
8

9 **PART II. LEGISLATIVE RESEARCH COMMISSION**

10
11 **SECTION 2.1.** The Legislative Research Commission may study the topics
12 listed below. When applicable, the bill or resolution that originally proposed the issue or
13 study and the name of the sponsor is listed. Unless otherwise specified, the listed bill or
14 resolution refers to the measure introduced in the 2003 Regular Session of the 2003
15 General Assembly. The Commission may consider the original bill or resolution in
16 determining the nature, scope, and aspects of the study. The following groupings are for
17 reference only:

18 (1) Government Regulatory Issues:

- 19 a. Naturopathic physician licensure (H.B. 1142 – Hill)
20 b. Authorizing local boards of health to impose fees for the
21 regulation of food and lodging facilities (Reeves)
22 c. Landscape/irrigation contractors (H.B. 947 – Gibson, McHenry)
23 d. Fire safety in local confinement facilities (H.B. 1050 – Frye)
24 e. Regulating ticket brokers (H.B. 1072 – Miner, Gibson)

25 (2) Transportation Issues:

- 26 a. Handheld cell phone use while driving (H.B. 623 – Bowie,
27 Luebke, McAllister)
28 b. State ports (H.B. 1249 – McComas)

- c. Purchasing alternative-fuel or low-emission school buses (S.J.R. 768 – Bingham)
- (3) Consumer Issues:
 - a. Debt collection practices (H.B. 1039 – Weiss; Rand)
- (4) Insurance Issues:
 - a. Workers' compensation/agricultural employment (S.B. 632 – Clodfelter; H.B. 922 – Luebke)
- (5) Health Issues:
 - a. Nursing shortage (S.J.R. 142 – Forrester, Purcell)
 - b. Medical errors (S.J.R. 634 – Forrester)
 - c. Environmental causes of cancer (S.J.R. 143 – Forrester, Purcell)
 - d. Educating the public on ovarian cancer risks and prevention (S.J.R. 636 – Forrester)
 - e. Reducing prescription drug costs (H.B. 1234 – Insko, Glazier, Ross)
 - f. Bulk purchasing of pharmaceutical drugs (S.J.R. 968 – Kinnaird)
- (6) Criminal Law Issues:
 - a. Execution delay (S.B. 972 – Kinnaird, Carpenter, Holloman, Shaw, Clodfelter, Dorsett, Malone, Dannelly, Gulley, Lucas; H.B. 1199 – Luebke, Hackney, Miner, Alexander)
 - b. No profit from crime (H.B. 911 – Eddins, Holliman)
 - c. Reclassify statutory rape (H.B. 243 – Haire)
 - d. Amend habitual felon law (H.B. 242 – Haire)
 - e. Restructure prior criminal record points (H.B. 247 – Haire)
 - f. Sentence lengths (H.B. 264 – Haire; S.B. 208 – Gulley)
 - g. Adjust penalties for B1 to E offenses (H.B. 246 – Haire)
 - h. Arson offenses (H.B. 244 – Haire)
 - i. Drug trafficking laws (H.B. 241 – Haire)
 - j. Provide a high felony classification for discharging a weapon on school property (Hackney)
- (7) State Employee Issues:
 - a. Pay equity (H.B. 544 – Alexander, Clary, Weiss, Insko; S.B. 747 – Lucas)
 - b. Job sharing (H.J.R. 958 – Glazier)
 - c. State government employment (H.B. 861 – Earle, Wainwright)
 - d. Reemployment of retirees (H.B. 219 – Glazier; S.B. 10 – Garwood)
- (8) Other:
 - a. Repealing Dillon's Rule in certain circumstances (S.B. 160 – Clodfelter)
 - b. Modernizing city and county planning (S.B. 914 – Clodfelter)
 - c. Trafficking of persons (H.J.R. 1086 – Alexander)

- d. Guardianship (H.B. 156 – Warren, Earle; S.B. 273 – Swindell, Purcell)
- e. Dix Hospital property (H.B. 960 – Ross, Weiss, Munford, Stam; S.B. 413 – Reeves)
- f. Assistance to dairy farmers (H.B. 1143 – Hill; Brubaker; Albertson)
- g. Job growth (H.B. 740 – C. Wilson)
- h. Immigration (S.J.R. 553 – Albertson)
- i. Marine fisheries (S.B. 838 – Albertson; H.B. 989 – Wainwright)

SECTION 2.1.(a) Size/Scope of Boards and Commissions (S.J.R. 924 – Rand; H.J.R. 1067 – Dockham, Owens) – The Commission may study boards and commissions. If this study is undertaken, the Commission shall establish a schedule for reviewing boards and commissions so that approximately twenty-five percent (25%) of the total number of State boards and commissions are reviewed each year for the next four years. In reviewing boards and commissions, the Commission shall consider the following:

- (1) The consolidation of boards and commissions, where appropriate.
- (2) Reducing the number of members serving on boards and commissions.
- (3) Reducing the number of meetings of boards and commissions.
- (4) The scope and authority of boards and commissions.
- (5) The elimination of boards and commissions, where appropriate.

SECTION 2.1.(b) Availability of Health Insurance for Small Businesses and Trade Associations (S.B.758 – Rand, Clodfelter, Soles) – The Commission may study the availability of health insurance for small employers. The Commission shall examine the Small Employer Group Health Insurance Reform Act to determine whether its provisions should be revised to increase the availability of health insurance offered to small employers in North Carolina. The Commission shall also examine whether North Carolina laws conflict with federal law regarding the ability of a trade association to obtain health insurance through a commercial carrier.

SECTION 2.1.(c) Availability of Health Insurance for Uninsurable Individuals (Rand) – The Commission may study ways to make insurance available to individuals who have difficulty obtaining health insurance coverage. In conducting the study, the Commission shall consider methods employed by other states to meet this need, and possible administrative structures, funding mechanisms, and coverages.

SECTION 2.1.(d) Housing Equity Gap (S.B. 894 – Queen, Malone) – The Commission may study the housing equity gap in North Carolina. The study may include the following:

- (1) Reasons for the housing equity gap, including the extent to which certain public policies and rules unnecessarily increase the cost of housing, lack of availability and terms of financing, and any other identifiable barrier to the availability of housing.

- (2) Ways to remove barriers to affordable housing and enhance housing choice while stimulating a viable economic climate and the homebuilding and real estate industries.
- (3) Ways to raise the percentage of people who own their homes in this State.
- (4) Ways to increase the availability of affordable housing in quality neighborhoods, thus enhancing equity growth.
- (5) Input from persons directly affected by the gap.
- (6) Input from public agencies and private nonprofit organizations that have an interest in housing equity, including builders, developers, local government officials, and persons involved in the areas of finance, real estate, development, economic development, and community development.

SECTION 2.1.(e) Wind Energy (Queen) – The Commission may study the economic, environmental, and social issues associated with the development and use of wind energy in the State including, but not limited to, the following:

- (1) The environmental benefits of wind energy development, including the reduction of: (i) emissions such as sulfur dioxides, nitrogen oxides, and mercury and greenhouse gases; (ii) waste ash in landfills; and (iii) water and air quality degradation associated with the extraction and transport of fossil fuels.
- (2) The environmental benefits of conserving rural lands for traditional uses.
- (3) The environmental challenges to wind energy development in the State, including existing laws, aesthetic issues, the impact on birds and the ecology, and secondary development associated with wind energy development.
- (4) The potential for wind energy to support rural economic development by broadening the tax base and creating new jobs.
- (5) Initiatives taken in other states to address wind energy development.
- (6) Options for permitting windmills in the State, including suggestions for public involvement and environmental review.
- (7) Opportunities for wind pilot projects in the State.

In conducting the study, the Commission may solicit input from wind energy industry representatives, utility representatives, the State Energy Office, conservationists, environmentalists, leaders in rural economic development, tourism industry representatives, academics, local elected officials, and legislators from the eastern and western regions of the State.

SECTION 2.1.(f) Centralized Agency to Conduct Criminal Record Checks (Rand) – The Commission may study ways to effectively and efficiently conduct criminal record checks, including legislative, fiscal, and logistical issues related to creating a centralized agency to conduct all criminal record checks for both public and private industry. If it undertakes the study, the Commission shall examine the following:

- (1) Federal and state laws, regulations, and policies governing criminal record checks.
- (2) Approaches taken by other states to effectively and efficiently conduct criminal record checks for public and private industry.
- (3) Costs associated with establishing and implementing a centralized agency or unit to perform this service.
- (4) Available federal and State revenue sources.
- (5) Technical or logistical issues associated with the transition to a centralized approach for performing this service.
- (6) Technical or logistical issues related to compiling and disseminating the information obtained as a result of the checks.
- (7) The appropriate location for the centralized agency and the ability of the agency to disseminate information to nonpublic entities expediently.
- (8) Other issues relevant to establishing a centralized unit for performing criminal background checks.

SECTION 2.1.(g) Pawnbrokers (Glazier, Dickson) – The Commission may study the laws regulating pawnbrokers and those nonregulated retail outlets engaging in similar business and acting as pawnbrokers. If undertaken by the Commission, the study shall include an examination of the advisability, viability, and cost of all of the following modifications to existing law with the goal of more efficiently monitoring pawnshop businesses that are engaging in similar business and to more effectively aid in the speedy recovery of stolen property:

- (1) Picture identification of sellers or pledgers.
- (2) Thumbprints on each pawn or sales receipt.
- (3) Machine printed or otherwise legible pawn and sales receipts.
- (4) Requirements for time and date on pawn or sales receipts.
- (5) Recordation of any visible owner applied numbers or markings on property.
- (6) Prohibition on receipt and sale of new property.
- (7) Authorization of fees to support local pawnbroker related law enforcement.
- (8) Computerization of pawnshop records.
- (9) Requirement that pawnbroker records be made available to law enforcement.

SECTION 2.1.(h) Medicaid funding (H.B. 540 – Daughtridge, Carney) – The Commission may study the feasibility of eliminating county financial participation in the Medicaid program. In conducting the study, the Commission may consider alternative funding methods to ensure that the short and long-term impact on State funds of eliminating county financial participation in Medicaid is revenue neutral when calculated on a statewide basis. The Commission may also consider retaining the county contribution to administrative costs of the Medicaid program. In making its recommendations to the General Assembly, the Commission shall include a fiscal

1 analysis of the impact on State revenue and Medicaid expenses estimated to result from
2 eliminating county participation in the Medicaid program.

3 **SECTION 2.1.(i)** Abandoned junk vehicles (Culpepper) – The Commission
4 may study issues relating to the environmental, aesthetic and other public benefits
5 derived from the abatement and recycling of junked and abandoned automobiles. If it
6 undertakes this study, the Commission shall consider:

- 7 (1) Whether the abatement program can best be undertaken on a
8 county-by-county basis or a central statewide basis.
- 9 (2) The funding method for the abatement program.
- 10 (3) The process whereby junked vehicles might be delivered to scrap
11 processors as expeditiously as possible.
- 12 (4) The merits of use of a tax credit so as to encourage the expedited
13 collection and recycling of used and junked automobiles.
- 14 (5) Determination of the costs to the State and to local governments
15 associated with abandoned and junked automobiles and landfilling of
16 those automobiles.
- 17 (6) Any other related issues.

18 **SECTION 2.1.(j)** Study VoCATS – The Commission may study the
19 VoCATS program, which is the accountability system for vocational education courses.
20 If it undertakes this study, the Commission shall consider the following:

- 21 (1) Whether the State-developed tests are the appropriate means to
22 measure student mastery of the knowledge and skills taught in
23 vocational education courses, with specific focus on the agriculture
24 curriculum.
- 25 (2) The system for development of appropriate tests and methods of
26 measuring student achievement and program performance in
27 vocational and technical education.
- 28 (3) The public school system of measuring student performance in the
29 vocational and technical area as compared to the community college
30 system of measuring student performance in the vocational and
31 technical area.
- 32 (4) Alternatives to the current tests, methods, and techniques provided
33 through VoCATS.

34 **SECTION 2.1.(k)** Availability and delivery of government services to
35 Hispanics (Barnhardt, McComas) – The Commission may study the current State and
36 local policies regarding the availability and delivery of government services to the
37 State's increasing Hispanic population, the issues confronted by governmental agencies
38 in effectively delivering those services, and the issues confronted by members of the
39 Hispanic community in obtaining those services. If it undertakes this study, the
40 Commission shall focus particularly on services in the areas of education, health, and
41 public safety. As part of its study, the Commission may consider how all of the
42 following complicate the delivery and receipt of government services within the State's
43 Hispanic community:

- 44 (1) Cultural differences.

- (2) Language barriers.
- (3) Difficulties encountered by members of the Hispanic community in obtaining the personal identification documents that are often required to obtain government services.
- (4) Difficulties encountered by members of the Hispanic community in obtaining drivers licenses, occupational licenses, professional licenses, and other types of licenses required to qualify for governmental services or to do business in the State.
- (5) Federal immigration laws, the failure to comply with those laws, and how the fear of discovery of noncompliance with federal immigration laws affects the delivery and receipt of services, and in some instance even the willingness to apply for those services.
- (6) The increasing economic, personnel, and time demands placed on State and local government agencies in responding to the growing needs for governmental services.
- (7) Any other issue relevant to this study.

If it undertakes this study, the Commission shall also identify those issues that are best addressed at the local level, those that are best addressed at the State level, and those best addressed at the federal level.

SECTION 2.1.(l) Office of State Energy (Daughtridge) – The Commission may study the functions, duties, and responsibilities of the Office of State Energy and may make a determination of whether these functions, duties, and responsibilities support the legislative purpose for the Office or whether the purpose should be modified in any way.

SECTION 2.1.(m) Comprehensive Statewide Emergency Communications Planning (Culpepper, Clodfelter) – The Commission may study and recommend legislation, funding needs, interoperability, and policy to:

- (1) Enact a comprehensive first and second responder statewide communications goals and plan that includes, at a minimum, law enforcement, fire, medical, utilities, and emergency management agencies.
- (2) Coordinate and assist grant applications from State and local organizations for federal communications funding.

SECTION 2.1.(n) Veterans' Nursing Homes (S.B. 958 – Thomas, Carpenter) – The Commission may study the funding of the construction and operation of veterans' nursing homes, including availability of federal funds, ongoing cost, availability of matching funds for construction needs, and potential savings to the State. If it undertakes this study:

- (1) The Speakers of the House of Representatives shall appoint three members and the President Pro Tempore of the Senate shall appoint three members to the study.
- (2) The Director of Division of Veterans Affairs in the Department of Administration shall serve as an ex officio member.

- (3) The Administrator of the North Carolina State's Veterans Nursing Home in Fayetteville shall serve as an ex officio member.

SECTION 2.1.(o) Begin Schools After Labor Day (S.B. 779 – Dannelly; Thomas; H.B. 863 – C.Wilson, Hill) – The Commission may study whether the first instructional day of the school year should be set after Labor Day. If it undertakes this study:

- (1) The Speakers of the House of Representatives shall appoint five members and the President Pro Tempore of the Senate shall appoint five members to the study.
- (2) The Commission shall consult with representatives of the tourism and hospitality industries and shall consider the following:
 - (a) The economic impact of setting the first instructional day of the school year after Labor Day.
 - (b) The impact on elementary students of setting the first instructional day of the school year after Labor Day.
 - (c) The impact of the school calendar on the quality of education.
 - (d) The performance of students on block schedules as compared to students on traditional schedules.
 - (e) The performance of students who take examinations before Christmas as compared to those who take exams after Christmas.
 - (f) The school calendars of other states.
 - (g) The impact of weather on lost school days.
 - (h) The impact of an early August school start on family economics and culture.

SECTION 2.2. For each Legislative Research Commission committee created during the 2003-2005 biennium, the cochair of the Legislative Research Commission shall appoint the committee membership.

SECTION 2.3. For each of the topics the Legislative Research Commission decides to study under this part or pursuant to G.S. 120-30.17(1), the Commission may report its findings, together with any recommended legislation, to the 2004 Regular Session of the 2003 General Assembly and shall make a final report to the 2005 Regular Session of the 2005 General Assembly upon its convening.

SECTION 2.4. From the funds available to the General Assembly, the Legislative Services Commission may allocate additional monies to fund the work of the Legislative Research Commission.

PART III. STATEWIDE EMERGENCY PREPAREDNESS STUDY COMMISSION (S.B. 615 – Dannelly)

SECTION 3.1. Commission established. – There is established the Statewide Emergency Preparedness Study Commission.

SECTION 3.2. Membership. – The Commission membership shall be representative of the different geographical regions of the State and shall include

1 members from rural areas of the State to the extent practicable. The Commission shall
2 consist of 22 members, as follows:

- 3 (1) The President Pro Tempore of the Senate shall appoint eight members:
4 two members of the Senate, one practicing paramedic, one trauma
5 center surgeon, one State trauma system regional advisory committee
6 coordinator, one volunteer fire or rescue worker, one air medical
7 rescue worker, and one former trauma patient.
- 8 (2) The Speakers of the House of Representatives shall appoint eight
9 members: two members of the House of Representatives, one trauma
10 center nurse, one representative of the North Carolina Medical Care
11 Commission, one career firefighter, one representative of the
12 American College of Surgeons' Committee on Trauma, one 911 or
13 other dispatch worker, and one emergency room department director.
- 14 (3) The Governor shall appoint six members: one representative of the
15 Office of Emergency Medical Services, one trauma center finance or
16 operations director, one representative of a law enforcement agency
17 that is also an EMS first responder, one representative of the State
18 Emergency Medical Services Advisory Council, one trauma center
19 physician recommended by the North Carolina College of Emergency
20 Physicians, and one EMS administrator or educator.

21 **SECTION 3.3.** Duties. – The Commission shall study the delivery of
22 emergency medical services in this State and shall do all of the following:

- 23 (1) Determine the most effective method for the regional distribution of
24 funds provided to the Office of Emergency Medical Services through
25 license restoration fees collected under G.S. 20-16.5(j).
- 26 (2) Analyze impediments to the seamless delivery of care to trauma
27 victims, including legal, administrative, logistical, and other barriers,
28 and determine means of streamlining the delivery of improved and
29 more efficient care.
- 30 (3) Examine ways of improving the quality and delivery of care to trauma
31 and emergency victims in terms of transportation, equipment,
32 education, and personnel needs, as well as the need for additional
33 trauma centers and improved coordination of existing centers.
- 34 (4) Examine methods of improving North Carolina's readiness to handle
35 trauma resulting from massive disasters.
- 36 (5) Study any other matters related to the delivery of emergency medical
37 services.

38 **SECTION 3.4.** Reports. – The Commission shall submit a final written
39 report of its findings and recommendations to the General Assembly not later than the
40 convening of the 2005 General Assembly. The Commission may submit a progress
41 report to the 2004 Regular Session of the 2003 General Assembly. The Commission
42 may include in its progress reports or in its final report recommendations for the best
43 use of funds provided to the Office of Emergency Medical Services through license
44 restoration fees collected under G.S. 20-16.5(j), as well as any recommendations for

1 further streamlining the delivery of care through regional trauma systems. The reports
2 shall also include legislative proposals necessary to implement the Commission's
3 recommendations and an analysis of the fiscal impact of each recommendation. The
4 Commission shall terminate upon the earlier of the filing of its final report or upon the
5 convening of the 2005 General Assembly.

6 **SECTION 3.5.** Expenses of members. – Members of the Commission shall
7 be paid per diem, subsistence, and travel expenses, as follows:

8 (1) Commission members who are members of the General Assembly
9 shall be paid in accordance with G.S. 120-3.1.

10 (2) Commission members who are officials or employees of the State or
11 local government agencies shall be paid in accordance with G.S.
12 138-6.

13 (3) All other Commission members shall be paid in accordance with G.S.
14 138-5.

15 **SECTION 3.6.** Cochairs; meetings. – The Speakers of the House of
16 Representatives shall appoint a cochair and the President Pro Tempore of the Senate
17 shall appoint a cochair for the Commission from their respective appointees. The
18 Commission shall meet upon the call of the chairs. A majority of the Commission
19 members shall constitute a quorum. The Commission may meet during a regular or
20 special session of the General Assembly, subject to the approval of the President Pro
21 Tempore of the Senate and the Speakers of the House of Representatives. The
22 Legislative Services Commission may provide meeting space to the Commission in the
23 State Legislative Building or in the Legislative Office Building.

24 **SECTION 3.7.** Staff. – With the prior approval of the Legislative Services
25 Commission, the Legislative Services Officer shall assign professional staff to assist in
26 the work of the Commission.

27 **SECTION 3.8.** Cooperation by government agencies. – The Commission
28 may call upon any department, agency, institution, or officer of the State or any political
29 subdivision of the State for facilities, data, or other assistance. All State departments and
30 agencies, local governments, and their subdivisions shall cooperate with the
31 Commission and, upon request, shall furnish the Commission and its staff any
32 information in their possession or available to them.

33 **SECTION 3.9.** Part XV of S.L. 2002-180 is repealed.

34 **SECTION 3.10.** From funds appropriated to the General Assembly, the
35 Legislative Services Office shall allocate funds for the expenses of the Commission
36 established by this Part.

37
38 **PART IV. ALCOHOLIC BEVERAGE CONTROL ISSUES STUDY**
39 **COMMISSION (H.B. 1009 – Gibson; H.B. 920 - Sutton)**

40
41 **SECTION 4.1.** Alcoholic Beverage Control Issues Study Commission.
42 Study Commission Established. – There is established a Alcoholic Beverage Control
43 Issues Study Commission.

1 **SECTION 4.2.** Membership. – The Commission shall be composed of
2 members as follows:

- 3 (1) The Chairs of the Alcohol Beverage Control Committee of the House
4 of Representatives and the Commerce Committee of the Senate.
- 5 (2) Five members of the House of Representatives.
- 6 (3) Five members of the Senate.
- 7 (4) Two commissioners from counties where the sale of alcoholic
8 beverages is permitted countywide appointed by the President Pro
9 Tempore of the Senate.
- 10 (5) Two commissioners from counties where the sale of alcoholic
11 beverages is prohibited countywide but where there are municipalities
12 where the sale of alcoholic beverages is permitted appointed by the
13 Speakers of the House of Representatives.
- 14 (6) Two members of local ABC boards appointed by the Speakers of the
15 House of Representatives.
- 16 (7) One member representing the wine industry in North Carolina
17 appointed by the President Pro Tempore of the Senate.
- 18 (8) One member representing the malt beverage industry in North
19 Carolina appointed by the President Pro Tempore of the Senate.
- 20 (9) Two members representing the spirituous liquor industry in North
21 Carolina appointed by the Speakers of the House of Representatives.
- 22 (10) One member representing retail merchants appointed by the Speakers
23 of the House of Representatives.
- 24 (11) One member of the convenience store industry appointed by the
25 President Pro Tempore of the Senate.
- 26 (12) The Chairman of the Alcoholic Beverage Control Commission, the
27 Secretary of Crime Control and Public Safety, and the Secretary of
28 Health and Human Services, or their designees shall serve as ex officio
29 members.

30 **SECTION 4.3.** Duties of the Commission. – The Commission shall study all
31 aspects of alcoholic beverage control in this State. The study shall include an
32 examination of all the following:

- 33 (1) Whether the current method of regulating the sale and distribution of
34 alcoholic beverages, and specifically the sale and distribution of
35 fortified wine and spirituous liquor, in North Carolina is the most
36 efficient and effective method as compared to different systems in
37 other states.
- 38 (2) Whether the current statutory and regulatory scheme contained in
39 Chapter 18B of the General Statutes is legally sufficient in light of
40 recent legal challenges and judicial decisions, and if so, whether or not
41 Chapter 18B should be recodified.
- 42 (3) The effectiveness of enforcement of alcoholic beverage control laws
43 and regulations.

(4) Any other matter relating to alcoholic beverage control in North Carolina.

SECTION 4.4. Vacancies. – Vacancies on the Commission shall be filled by the initial appointing authority.

SECTION 4.5. Cochair. – The Speakers of the House of Representatives shall appoint a cochair and the President Pro Tempore of the Senate shall appoint a cochair for the Commission. The Study Commission shall meet upon the call of the Cochair. A quorum of the Study Commission shall be a majority of the members.

SECTION 4.6. Expenses of Members. – Members of the Study Commission shall receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as appropriate.

SECTION 4.7. Staff. – The Legislative Services Office shall assign professional and clerical staff to assist the Study Commission in its work.

SECTION 4.8. Consultants. – The Study Commission may hire consultants to examine specific issues and subjects related to the study, in accordance with G.S. 120-32.02.

SECTION 4.9. Meetings During Legislative Session. – The Study Commission may meet during a regular or extra session of the General Assembly.

SECTION 4.10. Meeting Location. – The Study Commission 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 Study Commission in the State Legislative Building or the Legislative Office Building.

SECTION 4.11. Report. – The Commission may make interim reports and shall make a final report to the General Assembly no later than January 15, 2005. Regardless of whether it has filed an interim or final report, the Commission shall terminate on January 15, 2005. The final report shall include Commission recommendations for legislation to implement recommendations made by the Commission.

SECTION 4.12. Funding. – From the funds appropriated to the General Assembly, the Legislative Services Commission shall allocate funds for the expenses of the Commission established by this Part.

PART V. NORTH CAROLINA CENTRAL UNIVERSITY STUDY (H.B. 862 – Earle, Wainwright)

SECTION 5.1. North Carolina Central University, in conjunction with its Department of Sociology, may study whether there is an overrepresentation of minority youth in North Carolina youth development centers. If it undertakes the study, the University shall:

- (1) Compile and analyze data of youth development center commitments for the years 1992 to 2002, including data of the race, age, gender, and level of offense of all juveniles committed to youth development centers in all 100 counties of the State during those years;

- (2) Survey all programs throughout the State that serve as prevention programs and alternatives to commitment for juveniles adjudicated delinquent in order to analyze the impact these programs have in deterring minority youth commitment;
- (3) Assess the availability and accessibility of prevention programs and programs that serve as alternatives to commitment to minority and at-risk youth in all 100 counties of the State, including the percentage of minority and at-risk youth adjudicated delinquent who are placed in programs that serve as alternatives to commitment; and
- (4) Test data for variables contributing to minority youth overrepresentation in State youth development centers, including data related to the role of the court system in either committing juveniles to youth development centers or placing them in alternative programs.

SECTION 5.2. If it undertakes this study, North Carolina Central University shall present its findings, including policy recommendations and legislative proposals, to the Department of Juvenile Justice and Delinquency Prevention and the General Assembly on or before May 1, 2005.

PART VI. STUDY COMMISSION ON RESIDENTIAL AND URBAN DEVELOPMENT ENCROACHMENT ON MILITARY BASES AND TRAINING AREAS (Rand)

SECTION 6.1. There is created the Study Commission on Residential and Urban Development Encroachment on Military Bases and Training Areas. The Commission shall consist of 15 members as follows:

- (1) Two county commissioners appointed by the President Pro Tempore of the Senate.
- (2) Two county commissioners appointed by the Speakers of the House of Representatives.
- (3) The commanding generals of Fort Bragg, Pope Air Force Base, Seymour Johnson Air Force Base, Camp Lejeune, and Cherry Point Air Station, or the general's designee.
- (4) Three Senators appointed by the President Pro Tempore of the Senate.
- (5) Three Representatives appointed by the Speakers of the House of Representatives.

The Speakers of the House of Representatives shall appoint a cochair and the President Pro Tempore of the Senate shall appoint a cochair for the Commission. The Commission may meet at any time upon the joint call of the cochairs. Vacancies on the Commission shall be filled by the same appointing authority as made the initial appointment.

SECTION 6.2. The Commission shall study the following concerning residential and urban development encroachment on military bases and training areas:

- (1) Restricting the zoning in the areas around military bases and training areas.

(2) How encroachment affects deed registration.

(3) Protecting the areas around military bases and training areas by purchasing development rights and buffers using all available State trust funds and other available funding mechanisms.

(4) Any other issue the Commission considers relevant.

SECTION 6.3. The Commission, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02.

Subject to the approval of the Legislative Services Commission, the Commission may meet in the Legislative Building or the Legislative Office Building. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Commission in its work. The House of Representatives' and the Senate's Supervisors of clerks shall assign clerical support staff to the Commission, and the expenses relating to the clerical employees shall be borne by the Commission. Members of the Commission shall receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate.

SECTION 6.4. The Commission shall submit a final report of its findings and recommendations, including any legislative recommendations, to the 2004 Regular Session of the 2003 General Assembly upon its convening. The Commission shall terminate upon the convening of the 2004 Regular Session of the 2003 General Assembly.

SECTION 6.5. Of the funds appropriated to the General Assembly, the Legislative Services Commission shall allocate funds for the expenses of the Commission established by this Part.

PART VII. LEGISLATIVE STUDY COMMISSION ON STATE PERSONNEL STATUTES (Reeves, Gibson)

SECTION 7.1. There is established a Legislative Study Commission on State Personnel Statutes to review and recommend changes to Chapter 126 of the North Carolina General Statutes.

SECTION 7.2. The Commission shall consist of 10 members appointed as follows:

(1) Five Senators appointed by the President Pro Tempore of the Senate, and

(2) Five Representatives appointed by the Speakers of the House of Representatives.

SECTION 7.3. The Speakers of the House of Representatives shall appoint a cochair and the President Pro Tempore of the Senate shall appoint a cochair for the Commission. The Commission may meet at any time upon the joint call of the cochairs. Vacancies on the Commission shall be filled by the same appointing authority as made the initial appointment.

1 **SECTION 7.4.** There is also established a Task Force within the Office of
2 State Personnel to prepare background information and make recommendations to the
3 Legislative Study Commission on State Personnel Statutes.

4 **SECTION 7.5.** The Task Force shall consist of 11 members designated as
5 follows:

- 6 (1) Four members, one from each of the four regions within the State
7 Employees Association of North Carolina, designated by the State
8 Employees Association of North Carolina.
- 9 (2) One member from the Executive Committee of the State Employees
10 Association of North Carolina, designated by the State Employees
11 Association of North Carolina.
- 12 (3) One member that is currently employed as a human resource
13 professional in a Cabinet agency, designated by the Governor.
- 14 (4) One member that is currently employed as a human resource
15 professional in a Council of State agency, designated by the Council of
16 State.
- 17 (5) One member that is currently employed in the University System,
18 designated by The Board of Governors of The University of North
19 Carolina.
- 20 (6) Two members currently employed in the Office of State Personnel,
21 designated by the Office of State Personnel.
- 22 (7) One member from the Office of the Attorney General, designated by
23 the Attorney General.

24 **SECTION 7.6.** The Office of State Personnel and the State Employees
25 Association of North Carolina shall jointly designate a chair of the Task Force.
26 Vacancies on the Task Force shall be filled by the same appointing authority as made
27 the initial appointment. The Office of State Personnel shall staff and provide support to
28 the Task Force.

29 **SECTION 7.7.** The Task Force shall prepare background information and
30 make recommendations to the Legislative Study Commission on State Personnel
31 Statutes by January 2004. The Task Force may make recommendations to the
32 Commission on any of the issues within the Study Commission's purview. The Task
33 Force shall terminate upon the convening of the 2004 Regular Session of the 2003
34 General Assembly.

35 **SECTION 7.8.** In conducting its study, the Commission may:

- 36 (1) Review Chapter 126 of the General Statutes to determine the need for
37 recodification or revision of existing laws. Specific areas of study may
38 include: the State Personnel Commission and the need for a separate
39 State Employee Appeal Board; and improvements to the State
40 Employee Incentive Bonus Program.
- 41 (2) Review potential innovations and initiatives including demonstration
42 or pilot projects.
- 43 (3) Review the necessity of the age adjustment factor in the severance
44 wages computation.

(4) Review the recommendations submitted by the Task Force.

(5) Review recommendations submitted by the Office of State Personnel.

SECTION 7.9. The Commission shall submit a final report of its findings and recommendations, including any legislative recommendations, to the 2004 Regular Session of the 2003 General Assembly upon its convening. The Commission shall terminate upon the convening of the 2004 Regular Session of the 2003 General Assembly.

SECTION 7.10. The Commission, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02.

Subject to the approval of the Legislative Services Commission, the Commission may meet in the Legislative Building or the Legislative Office Building. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Commission in its work. The House of Representatives' and the Senate's Supervisors of Clerks shall assign clerical support staff to the Commission, and the expenses relating to the clerical employees shall be borne by the Commission. Members of the Commission shall receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate.

SECTION 7.11. Of the funds appropriated to the General Assembly, the Legislative Services Commission shall allocate funds for the expenses of the Commission established by this Part only.

PART VIII. JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE STUDIES

SECTION 8.1. The Joint Legislative Education Oversight Committee may study the topics listed in this part and report its findings, together with any recommended legislation, to the 2004 Regular Session of the 2003 General Assembly and shall submit a final report to the 2005 Regular Session of the 2005 General Assembly upon its convening.

SECTION 8.2. Teacher assistant salary schedule (Holloman; H.B. 800 – Warner, Pate) – The Committee may study establishing a salary schedule for teacher assistants.

SECTION 8.3. Rural schools (S.B.703 – Metcalf, Swindell, Holloman) – The Committee may study the unique issues that concern the rural schools in this State.

SECTION 8.4. Physical restraints/seclusion in schools (S.B. 977 – Dorsett) – The Committee may study the use of physical restraints and seclusion in public schools.

SECTION 8.5. High school graduation rate incentives (H.B. 1251 – Glazier; S.B. 949 – Lucas) – The Committee may study whether bonuses should be paid to principals for increased graduation rates.

1 **SECTION 8.6.** At-risk students single funding (H.B. 1250 – Glazier; S.B.
2 954 – Lucas) – The Committee may study whether a single funding stream should be
3 targeted to at-risk students.

4 **SECTION 8.7.** Job sharing for school employees other than teachers (H.B.
5 271 – Glazier, Warner, Lucas, Insko) – The Committee may study issues relating to job
6 sharing by public school employees other than teachers. If it undertakes this study, the
7 Committee shall study the need to facilitate job sharing for these employees, the cost to
8 the local school administrative unit to hire employees in job-sharing positions, and the
9 impact of job sharing on the Teachers' and State Employees' Retirement System and the
10 Comprehensive Major Medical Plan.

11 **SECTION 8.8.** Close achievement gap (H.B. 938 – Michaux; S.B. 599 –
12 Lucas) – The Committee may study the best practices and methodologies for closing the
13 achievement gap among children of various demographic groups who are performing
14 below grade level.

15 **SECTION 8.9.** E-textbooks for students (H.B. 940 – Miller) – The
16 Committee may study issues related to the availability and use of electronic copies of
17 textbooks for public school students.

18 **SECTION 8.10.** Attracting teachers to become coaches (Nesbitt) – The
19 Committee may study the need to attract teachers into assuming additional duties of
20 coaching interscholastic athletic teams in middle and high schools. If it undertakes this
21 study, the Committee shall consider the feasibility of establishing a coaching fellowship
22 program to attract students preparing to enter teaching through higher education
23 coursework into coaching.

24 25 **PART IX. REVENUE LAWS STUDY COMMITTEE**

26
27 **SECTION 9.1.** The Revenue Laws Study Committee may study the topics
28 listed in this part and report its findings, together with any recommended legislation, to
29 the 2004 Regular Session of the 2003 General Assembly and shall submit a final report
30 to the 2005 Regular Session of the 2005 General Assembly upon its convening.

31 **SECTION 9.2.** Valuation of Lots in Subdivisions (S.B. 520 – Dalton; H.B.
32 528 – Moore, Clary, England) – The Committee may study the valuation of partially
33 improved, undeveloped lots in subdivisions.

34 **SECTION 9.3.** Simplified Business Entity Taxation (S.B. 860 – Clodfelter)
35 – The Committee may study comprehensive reform and simplification of the existing
36 State taxes on business entities, including corporations, limited liability companies,
37 partnerships, business trusts, associations, and other entities engaged in business.

38 **SECTION 9.4.** Private Activity Bonds (Rand) – The Committee may study
39 private activity bonds.

40 **SECTION 9.5.** Conform Bank Expense Deduction (H.B. 1290 – McComas;
41 H.B. 827 – Weiss, Luebke, Insko, Glazier) – The Committee may study whether the
42 State income tax on banks should be conformed to the federal income tax.

1 **SECTION 9.6.** Subsidiary Dividend Taxes (H.B. 1291 – McComas) – The
2 Committee may study whether the expense attribution law as it applies to deductible
3 dividends should be modified.

4 **SECTION 9.7.** Income Tax Derived from Manufacturing (H.B. 1268 –
5 Blackwood) – The Committee may study whether income derived from manufacturing
6 should be exempt from income taxation.

7 **SECTION 9.8.** Tax Foreclosures (H.B. 981 – A. Williams) – The Property
8 Tax Subcommittee of the Revenue Laws Study Committee may study the issue of
9 foreclosures on tax liens, including proposals for expediting the foreclosure action.

10 **SECTION 9.9.** Comparative Tax Burden (H.B. 1247 – McComas) – The
11 Committee may study the comparative tax burden on residents of South Carolina and
12 residents of North Carolina.

13 **SECTION 9.10.** Tax Incentives to Promote Preservation of Open Spaces
14 (H.B. 887 – G. Allen, Hackney; S.B. 950 – Lucas) – The Committee may study whether
15 tax incentives should be provided to promote the preservation of open spaces.

16 17 **PART X. JOINT LEGISLATIVE HEALTH CARE OVERSIGHT COMMITTEE**

18
19 **SECTION 10.1.** The Joint Legislative Health Care Oversight Committee
20 may study the topics listed in this part and report its findings, together with any
21 recommended legislation, to the 2004 Regular Session of the 2003 General Assembly
22 and shall submit a final report to the 2005 Regular Session of the 2005 General
23 Assembly upon its convening.

24 **SECTION 10.2.** Benefits for State Employee Dependents (Rand) – The
25 Committee may study alternative benefit plans for dependents of State employees.

26 **SECTION 10.3.** Consolidation of State Health Care Services (Rand) – The
27 Committee may study whether a State entity should be established to purchase health
28 care services provided with State funds and to administer data consolidation and claims
29 processing systems in order to enhance quality of care, promote cost containment, and
30 achieve administrative efficiency and effectiveness in the system of services provided
31 by the State.

32 33 **PART XI. STUDY OF VARIOUS WAYS TO PROMOTE GOVERNMENT** 34 **EFFICIENCY AND SAVINGS IN STATE SPENDING (Rand)**

35
36 **SECTION 11.1.** The University of North Carolina (through the Office of the
37 President), the Judicial Branch (through the Administrative Office of the Courts), the
38 Executive Branch (through the Department of Administration), the Legislative Branch
39 (through the Legislative Services Office), the Community College System (through the
40 President's Office), and the Department of Public Instruction shall jointly study various
41 ways to promote government efficiency and savings on State spending, including the
42 following proposals:

- 43 (1) Consolidate Administrative Functions (S.B. 805, S.B. 808 – Rand;
44 H.B. 1052 – Owens, Dockham)

- (2) Statewide Benefit Committee Established (H.B. 1068 – Dockham, Owens)
- (3) DMV-NC DL/Registration Extensions (S.B. 804 – Rand)
- (4) Combine State Safety Programs (S.B. 807 – Rand)
- (5) Increase Use of Public Defenders (S.B. 810 – Rand)
- (6) Controller's Fee – (S.B. 813 – Rand)
- (7) Deferred Retirement Option Program (S.B. 817 – Rand)

SECTION 11.2. The Department of Administration shall report the results of this study to the Legislative Research Commission by February 15, 2004.

PART XII. JOINT LEGISLATIVE GROWTH STRATEGIES OVERSIGHT COMMITTEE STUDY (S.B. 896 – Queen)

SECTION 12.1. The Joint Legislative Growth Strategies Oversight Committee may work with private and public institutions and with individuals to identify the major opportunities and challenges facing the urban cores of this State and to develop practical proposals for meeting these challenges to be submitted to the legislative and executive branches of government.

If it undertakes this study, the Committee shall:

- (1) Study legislation and State programs currently available to support vitality in urban areas, including redevelopment laws and tax incentives, and recommend changes to make them more effective.
- (2) Research tools used in other states to enhance urban core effectiveness.
- (3) Study the role of town centers and medium-size cities as economic engines for their regions and surrounding rural areas.
- (4) Identify examples of successful ways to revitalize distressed quarters of our urban cores and town centers.
- (5) Study organizational models for Statewide assistance to local governments and communities in efforts to improve urban performance.
- (6) Identify existing obstacles that impede the effectiveness of our urban cores and develop legislative proposals for addressing these challenges.

SECTION 12.2. The Committee may include its findings and recommendations on this study in its final report to the General Assembly.

PART XIII. JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE STUDIES

SECTION 13.1. The Joint Legislative Transportation Oversight Committee may study the topics listed in this part and report its findings, together with any recommended legislation, to the 2004 Regular Session of the 2003 General Assembly and shall submit a final report to the 2005 Regular Session of the 2005 General Assembly upon its convening.

1 **SECTION 13.2.** I-95 Tolls (Rand) – The Committee may study the
2 feasibility of establishing tolls on Interstate 95 from the South Carolina to Virginia
3 borders. Section 13.2 of S.L. 2002-180 is repealed.

4 **SECTION 13.3.** Paving of subdivision roads – The Committee may study
5 paving subdivision roads, particularly as it relates to the impact on economic
6 development.

7 **SECTION 13.4.** Registration of all terrain vehicles (H.B. 473 – Baker) –
8 The Committee may study whether all terrain vehicles should be registered and
9 regulated.

10 **SECTION 13.5.** Alternative fuels (Daughtridge) – The Committee may
11 study the use, availability, benefits, and disadvantages of alternative fuels. The study
12 may include consideration of the following issues:

- 13 (1) The existence and availability of federal grants or other incentive
14 programs for alternative fuels and alternative fuel vehicles and the
15 impact of these programs on the need or desirability for a State
16 program.
- 17 (2) The impact of increased alternative fuel vehicle use on the collection
18 of motor fuel taxes and highway use taxes and whether the taxation of
19 alternative fuels or vehicles using nonliquid or hybrid fuels needs to be
20 modified.

21 **SECTION 13.6.** Weight limit changes (S.B. 377 – Garwood) – The
22 Committee may study the issue of adjusting the weight limits and penalties for trucks
23 transporting bulk commodities.

24 **PART XIV. COMMISSION ON CHILDHOOD OBESITY (S.B. 582 – Purcell)**

25 **SECTION 14.1.** There is established the Commission on Childhood
26 Obesity.

27 **SECTION 14.2.** The Commission on Childhood Obesity shall be composed
28 of 27 members who have knowledge and interest in reversing the epidemic of childhood
29 obesity and who are taking steps to prevent obesity. The members shall be appointed as
30 follows:

- 31 (1) The Superintendent of Public Instruction or his or her designee.
- 32 (2) One member of the Health and Wellness Trust Fund Commission
33 appointed by the chair of the Health and Wellness Trust Fund.
- 34 (3) Two parents of public school children and one public high school
35 student appointed by the Governor after receiving recommendations
36 from the North Carolina State Parent Teacher Association.
- 37 (4) Two members of the Senate appointed by the President Pro Tempore
38 of the Senate.
- 39 (5) Two members of the House of Representatives appointed by the
40 Speakers of the House of Representatives.
- 41
- 42

- (6) Two members of a local board of education appointed by the Governor, after receiving recommendations from the North Carolina School Boards Association.
- (7) One public school child nutrition director appointed by the Governor, after receiving recommendations from the Superintendent of Public Instruction.
- (8) One public school nutrition education specialist appointed by the Governor, after receiving recommendations from the Superintendent of Public Instruction.
- (9) One at-large member appointed by the Governor.
- (10) Five members appointed by the President Pro Tempore of the Senate. In making these appointments, the President Pro Tempore shall appoint the following:
- a. One public school health education teacher.
 - b. One representative from the Smart Start Program.
 - c. One pediatrician.
 - d. One psychiatrist, specializing in obesity.
 - e. One school administrator.
- Professional associations representing teachers, school administrators, and the medical community may recommend appointees to the President Pro Tempore of the Senate.
- (11) Five members appointed by the Speakers of the House of Representatives. In making these appointments, the Speakers of the House of Representatives shall appoint the following:
- a. One public school physical education specialist.
 - b. One representative from the More At Four Program.
 - c. One dentist.
 - d. One member of the research community addressing the obesity epidemic.
 - e. One school administrator.
- Professional associations representing teachers, school administrators, and dentists may recommend appointees to the Speakers of the House of Representatives.
- (12) One representative of the vending machine industry, who is appointed by the Health and Wellness Trust Fund Commission, after receiving recommendations from the North Carolina Citizens for Business and Industry.
- (13) One nutritionist, who is appointed by the Health and Wellness Trust Fund Commission, after receiving recommendations from professional associations.
- (14) One economist, with expertise in the socioeconomic issues associated with obesity, who is appointed by the Health and Wellness Trust Fund Commission, after receiving recommendations from the research community.

Each of the following organizations or agencies may select a representative from its organization or agency to advise the Commission. These members shall provide information to the Commission about the obesity epidemic in North Carolina: North Carolina Department of Health and Human Services, Division of Public Health; North Carolina Department of Public Instruction, Child Nutrition Services; Be Active North Carolina, Inc.; NC Prevention Partners; American Cancer Society Inc.; American Heart Association Inc.; Action for Healthy Kids NC; Healthy Weight Initiative; and the Office of the Governor.

SECTION 14.3. The Speakers of the House of Representatives shall appoint a cochair and the President Pro Tempore of the Senate shall appoint a cochair for the Commission from their appointees. The Commission shall meet at any time upon the joint call of the cochairs. Vacancies on the Commission shall be filled by the same appointing authority as made the initial appointment.

SECTION 14.4. The study shall include the following:

- (1) The causes of obesity in North Carolina's children.
- (2) The socioeconomic issues associated with childhood obesity.
- (3) How the State should deal with childhood obesity.
- (4) The steps that should be taken to prevent obesity in North Carolina.

SECTION 14.5. The Commission shall make recommendations that include the following:

- (1) Nutritional guidelines for food served in public schools outside of the National School Lunch and School Breakfast Programs.
- (2) Physical education in public schools.
- (3) Physical activities in public schools.
- (4) Healthy and nutritional behavior by North Carolina students and, when possible, their families.

The Commission is encouraged to explore different settings for its recommendations, including families, schools, child care, communities, health care, social marketing, and surveillance and research.

SECTION 14.6. The Commission, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02.

Subject to the approval of the Legislative Services Commission, the Commission may meet in the Legislative Building or the Legislative Office Building. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Commission in its work. The House of Representatives' and the Senate's Supervisors of Clerks shall assign clerical support staff to the Commission, and the expenses relating to the clerical employees shall be borne by the Commission. Members of the Commission shall receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate.

SECTION 14.7. The Commission shall submit a final written report of its findings and recommendations to the Joint Legislative Health Care Oversight Committee, the Joint Legislative Education Oversight Committee, and the Health and

Wellness Trust Fund Commission no later than Friday, May 7, 2004. The final report may contain a summary of recommendations for changes to any law, rule, and policy that would lower or eradicate the obesity rates in North Carolina and our schools. Upon the earlier of the filing its final report or May 7, 2004, the Commission shall terminate.

SECTION 14.8. Subject to the provisions of G.S. 120-32.03, the Commission may apply for, receive, or accept grants and contributions from any source to support the work of the Commission established by this Part. The Legislative Services Commission may allocate not more than fifteen thousand dollars (\$15,000) to support the Commission established by this Part.

PART XV. ENVIRONMENTAL REVIEW COMMISSION STUDIES

SECTION 15.1. The Environmental Review Commission may study the topics listed in this part and report its findings, together with any recommended legislation, to the 2004 Regular Session of the 2003 General Assembly or to the 2005 Regular Session of the 2005 General Assembly upon its convening.

SECTION 15.2. Clean Air Trust Fund (S.B. 981 – Metcalf) – The Commission may study establishing a Clean Air Trust Fund.

SECTION 15.3. Enable revocation of contracts under certain circumstances (S.B. 878 – Horton)

SECTION 15.4. Water restriction guidelines (Gibson) – The Commission may study water restriction guidelines created by the Department of Environment and Natural Resources and implemented by local governments. If it undertakes this study, the Commission shall consider the State's role and authority to regulate water usage during times of drought conditions and shall also consider:

- (1) The economic impact of water conservation measures.
- (2) The balance between protecting water supply and economic impact on local communities.
- (3) Recommendations on establishing consistency across the State with respect to Classes of Water use, specifically the use of the terms essential and nonessential use.

SECTION 15.5. Plan to Share Floodplain Mapping Information (H.J.R. 1157 – Daughtridge) – The Commission may study whether the information compiled on a regular basis by the Statewide Floodplain Mapping Unit would be useful and relevant to dam operators, local agencies, and State agencies with regard to making decisions about coordinating and controlling water releases from dams, flood control, floodplain management, and emergency evacuation procedures. If it undertakes this study, the Commission may consider the type of information compiled by the Statewide Floodplain Mapping Unit and the value of that information in assisting with decisions regarding flood control techniques, floodplain management, and the time, frequency, and manner of water releases from dams. The Commission may also consider the feasibility of making that information readily available to dam operators, appropriate local agencies, and appropriate State agencies. The Commission may also consider whether it is appropriate to incorporate the information available from the Statewide

1 Floodplain Mapping Unit into local emergency management plans and downstream
2 inundation maps. The Commission may also study any other issues relevant to this
3 topic.

4 **SECTION 15.6.** Effectiveness of Environmental Programs – The
5 Commission may study the overall effectiveness of the State's efforts to protect the
6 environment and conserve the natural resources of North Carolina. This study should
7 include a comprehensive evaluation of the implementation of existing legal mandates
8 and of the organizational structure of the Department of Environment and Natural
9 Resources. This study should also consider:

- 10 (1) The adequacy of current funding levels, additional funding needs, and
11 funding options, including increasing fees to cover the cost of
12 permitting, inspections, and enforcement.
- 13 (2) Options to improve efficiency and reduce costs, including the
14 consolidation of permitting, inspection, and enforcement functions.
- 15 (3) The adequacy of current staffing levels.
- 16 (4) Options to improve coordination among programs.
- 17 (5) The adequacy of current inspection and enforcement activities and
18 options to improve compliance with environmental laws and rules,
19 including improvements in the use of civil penalties.

20 **SECTION 15.7.** Deterrents to stormwater runoff (Horton) – The
21 Commission may study the feasibility of encouraging permeable surfaces as a deterrent
22 to stormwater runoff.

23 **SECTION 15.8.** Protecting property owners adjacent to activities for which
24 a stormwater permit is issued (S.B. 888 – Rucho) – The Commission may study ways to
25 protect a property owner whose land is adjacent or downstream from a site on which
26 alterations of the existing flow of stormwater will occur.

27 **PART XVI. UNC BOARD OF GOVERNORS STUDY COMMISSION**

28 **SECTION 16.1.** There is created the UNC Board of Governors Study
29 Commission. The Commission shall consist of 10 members appointed as follows: five
30 by the President Pro Tempore of the Senate and five by the Speakers of the House of
31 Representatives. The Speakers of the House of Representatives shall appoint a cochair
32 and the President Pro Tempore of the Senate shall appoint a cochair for the
33 Commission. Vacancies on the Commission shall be filled by the appointing authority.
34 The Commission shall meet upon the call of the chairs. A majority of the members of
35 the Commission shall constitute a quorum.

36 **SECTION 16.2.** The Commission shall study the method of election or
37 appointment of members of the Board of Governors, the length of members' terms, the
38 number of terms a member may serve, and the size of the Board of Governors. As part
39 of the study, the Commission may examine the governing boards of other states'
40 institutions of higher education. The Commission shall report its findings and any
41 recommendations to the 2005 Regular Session of the General Assembly.
42
43

1 **SECTION 16.3.** Members of the Commission shall receive per diem,
2 subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as
3 appropriate.

4 **SECTION 16.4.** Subject to the approval of the Legislative Services
5 Commission, the Commission may meet in the State Legislative Building or the
6 Legislative Office Building. The Legislative Services Commission, through the
7 Legislative Services Officer, shall assign professional staff to assist in the work of the
8 Commission. The House of Representatives' and the Senate's Supervisors of Clerks
9 shall assign clerical staff to the Commission, and the expenses relating to the clerical
10 employees shall be borne by the Commission. All State departments and agencies and
11 local governments and their subdivisions shall furnish the Commission with information
12 in their possession or available to them. Of the funds appropriated to the General
13 Assembly, the Legislative Services Commission shall allocate funds for the expenses of
14 the Commission established by this Part.

15 **SECTION 16.5.** Part XXXI of S.L. 2001-491 is repealed.

16 **SECTION 16.6.** The Commission shall terminate upon the filing of its final
17 report.

18
19 **PART XVII. WILDLIFE RESOURCES COMMISSION STUDY (S.B. 790 –**
20 **Queen)**

21
22 **SECTION 17.1.** The Wildlife Resources Commission may study the current
23 state of trout fishing in Western North Carolina and determine methods for:

- 24 (1) Expanding the management of, and access to, trout water resources for
25 trout production, environmental improvements, and water trails and
26 greenway improvements.
27 (2) Promoting trout as an important aspect of the region's identity.
28 (3) Otherwise enhancing trout fishing in the streams of Western North
29 Carolina.

30 **SECTION 17.2.** If it undertakes this study, the Wildlife Resources
31 Commission shall report its findings and recommendations to the 2004 Regular Session
32 of the 2003 General Assembly.

33
34 **PART XVIII. GENERAL STATUTES COMMISSION STUDY (H.B. 1198 –**
35 **Alexander)**

36
37 **SECTION 18.1.** The General Statutes Commission may recommend
38 legislation to amend the General Statutes to delete the words "handicap" and
39 "handicapped" whenever they appear and substitute the appropriate phrase to describe
40 persons with disabilities, unless the words are required by federal law or describe some
41 other situation. If undertaken, the report shall be made to the General Assembly no later
42 than April 1, 2004.
43

PART XIX. DEPARTMENT OF ADMINISTRATION STUDY (H.B. 1146 – Nesbitt)

SECTION 19.1. The Department of Administration may study retainage from payment on public construction projects. If it undertakes this study, the Department shall consider the following:

- (1) Retainage by public owners from payment to contractors and retainage by those contractors from payment to subcontractors.
- (2) Retainage from periodic progress payments and final payment, including a maximum allowable amount of retainage.
- (3) A time certain for the owner's release of retainage, based upon the owner's occupancy, substantial completion of the work, or the owner's use of the improvements for the purposes intended.
- (4) A time certain for the contractor's release of retainage to a subcontractor, based upon the contractor's receipt of retainage.
- (5) Conditions permitting withholding of retention beyond the date of release, including those stated in G.S. 143-134.1(d), and limits on the amount of retainage for a condition permitting withholding.
- (6) Interest on wrongfully withheld retainage and conditions for the payment of attorneys' fees for the collection of wrongfully withheld retainage.
- (7) Line-item release of retainage, based upon a schedule of values, for specific work that has been completed by the contractor and approved by the owner.
- (8) Any other matters relating to the withholding and release of retainage on public construction projects.

SECTION 19.2. The Department shall report the results of its study to the 2004 Regular Session of the 2003 General Assembly upon its convening.

PART XX. WORKFORCE NEEDS STUDY COMMISSION (Lucas of Durham)

SECTION 20.1. There is created the Workforce Needs Study Commission ("Commission"). The Commission shall consist of 15 members appointed as follows:

- (1) Five members appointed by the Governor, to include:
 - a. One person who is knowledgeable about unemployment insurance laws.
 - b. One person who is knowledgeable about State and federal labor laws.
 - c. One person who is knowledgeable about State and federal taxes.
 - d. One person who represents an organization whose primary purpose is to represent the interests of women.
 - e. One person who is knowledgeable about the State's public education system.
- (2) Five members appointed by the Speakers of the House of Representatives, to include:

- 1 a. Three members of the House of Representatives.
- 2 b. One person who is a working citizen of low- to
- 3 moderate-income.
- 4 c. One person from a private business or firm employing 200 or
- 5 more employees in this State.
- 6 (3) Five members appointed by the President Pro Tempore of the Senate,
- 7 to include:
- 8 a. Three members of the Senate.
- 9 b. One person who represents an organization whose primary
- 10 purpose is to represent the interests of workers.
- 11 c. One person from a private business or firm employing fewer
- 12 than 200 employees in this State.

13 **SECTION 20.2.** The Commission shall:

- 14 (1) Identify a basic needs budget for North Carolina families and
- 15 determine the income and hourly wage needed to support the basic
- 16 needs budget.
- 17 (2) Determine the extent to which current labor market participation and
- 18 wages enable individuals and families to earn the income necessary to
- 19 meet their basic needs.
- 20 (3) Determine how many North Carolinians work and earn an adequate
- 21 basic needs income and study trends in the size, geographic, and
- 22 demographic profiles of these groups. To the extent possible, county
- 23 level data should be used to study trends in counties and regions of the
- 24 State.
- 25 (4) Examine job market factors that contribute to any changes in the
- 26 composition and numbers of those working but unable to meet their
- 27 basic needs including, but not limited to, shifts from manufacturing to
- 28 service, from full-time to part-time work, from permanent to
- 29 temporary or other contingent employment, and geographic location of
- 30 economic development.
- 31 (5) Examine the impact on the State's economy, employment and wages of
- 32 the decreased barriers to free trade among countries that has resulted
- 33 from NAFTA, GATT and other federal free trade agreements, and
- 34 examine the impact of mass layoffs and plant closings in rural and
- 35 urban counties and assess the future of North Carolina industry in the
- 36 new economy.
- 37 (6) Examine the efficacy of current and proposed economic development
- 38 efforts and evaluate what types of jobs and wages they have brought to
- 39 the State, explore other options for increasing jobs that pay a wage
- 40 adequate to meet families' basic needs budget, and identify future
- 41 industries that may be viable for development in North Carolina.
- 42 (7) Explore other public and private initiatives that could increase
- 43 household income to an amount adequate to support a basic needs
- 44 income budget.

- (8) Evaluate the effectiveness of the public school system to educate students about budgeting and economic literacy skills and about their role as consumers and workers in contemporary society.
- (9) Examine the efficacy of a State-earned income tax credit to enable working families to meet the requirements of a basic needs income budget.
- (10) Examine the wages, benefits, and protections available to part-time and temporary workers, leased employees, independent contractors, and other contingent workers as compared to regular full-time workers.
- (11) Examine the number, household structure, and demographics of workers earning close to the federal minimum wage, the economic effects in North Carolina of the past increases in the federal minimum wage, and economic effects in other states that have implemented minimum wages higher than the federal minimum, including, but not limited to, the impact on public assistance payments, competitiveness of employers, and other employee benefits.
- (12) Consider any other matter that the Commission finds relevant to its charge.

SECTION 20.3. The Speakers of the House of Representatives shall appoint a cochair, and the President Pro Tempore of the Senate shall appoint a cochair for the Commission. The Commission may contract for consultant services as provided by G.S. 120-32.02. Upon approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional and clerical staff to assist in the work of the Commission. Clerical staff shall be furnished to the Commission through the offices of the House of Representatives and Senate Supervisors of Clerks. The Commission may meet in the Legislative Building or the Legislative Office Building upon the approval of the Legislative Services Commission. The Commission, while in discharge of official duties, may exercise all the powers provided under the provisions of G.S. 120-19 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and departments of the State to provide any information, data, or documents within their possession, ascertainable from their records, or otherwise available to them, and the power to subpoena witnesses. Members of the Commission shall receive per diem, subsistence, and travel allowances at the rate established in G.S. 120-3.1, 138-5, or 138-6, as appropriate. Vacancies shall be filled by the appointing authority.

SECTION 20.4. The Commission shall submit an interim report to the 2004 Regular Session of the 2003 General Assembly that contains its recommendations, legislative proposals, and cost analyses. The Commission shall make a final report to the 2005 Regular Session of the 2005 General Assembly and shall terminate upon the earlier of the filing of its final report or January 15, 2005.

SECTION 20.5. From the funds appropriated to the General Assembly, the Legislative Services Commission shall allocate funds for the expenses of the Commission established by this Part.

PART XXI. STUDY COMMISSION ON PROVIDING AN APPROPRIATE EDUCATION FOR STUDENTS ON LONG-TERM SUSPENSION (H.B. 1135 – Preston, L. Johnson, Parmon, Nesbitt; Womble)

SECTION 21.1. There is created a Study Commission on Providing an Appropriate Education for Students on Long-Term Suspension to study the feasibility and cost of developing a State plan to ensure that students recommended for long-term suspension receive an appropriate education. The Commission shall consist of the following members:

- (1) The Chair of the State Board of Education or the Chair's designee.
- (2) The Superintendent of Public Instruction or the Superintendent's designee.
- (3) The Secretary of Juvenile Justice and Delinquency Prevention or the Secretary's designee.
- (4) The Director of the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services or the Director's designee.
- (5) Three educators, appointed by the Chair of the State Board of Education, who have experience dealing with students recommended for long-term suspension.
- (6) Two members of the Senate and two members of the House of Representatives who are members of the Joint Legislative Education Oversight Committee, appointed by the cochairs of that Committee.

In the course of its study, the Commission shall consult with representatives of parents, teachers, students, school boards, county commissioners, or other interested parties. The Commission shall consult with the Communities In Schools Program, the North Carolina Child Advocacy Institute, the North Carolina Justice and Community Development Center, and the Covenant with North Carolina's Children as it undertakes this study.

SECTION 21.2. The Commission shall consider and report on whether and to what extent North Carolina should mandate the following:

- (1) 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.
- (2) Each student recommended for long-term suspension shall receive a multidisciplinary assessment and evaluation to (i) ascertain his or her educational history, needs, and special learning problems and (ii) assess the risk the child poses to staff and other students. The assessment and evaluation shall include feedback and recommendations from local mental health and juvenile justice professionals.
- (3) 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 child's parent or guardian, and any other person the committee

- 1 considers appropriate. The chair of the Juvenile Crime Prevention
2 Council or a designee shall serve as chair of this committee.
- 3 (4) All efforts shall be made to reduce the risk the child poses to staff and
4 other students and to allow the child to continue his or her education in
5 his or her regular school without disruption. These efforts shall include
6 the provision of related services and interventions from other agencies
7 when considered necessary by the committee.
- 8 (5) During the first 10 days of suspension, the local school administrative
9 unit shall place the student recommended for suspension in a
10 diagnostic setting for purposes of ensuring there is no disruption to the
11 student's education and to complete the assessment process.
- 12 (6) The local education agency shall contract with private or public
13 agencies if an appropriate education cannot be provided within the
14 school system. Funds appropriated to a local school administrative unit
15 for the education of the child shall be used to pay for the program in
16 which the child is placed.
- 17 (7) The child's parent or guardian shall have the right to appeal the
18 recommendation for the long-term suspension or any placement
19 decision made by the local school administrative unit.
- 20 (8) No child shall be rejected for education and services by a local school
21 administrative unit unless a district court judge places the child in a
22 juvenile justice program or facility. In that circumstance, the
23 Department of Juvenile Justice and Delinquency Prevention is
24 responsible for providing the child's education.

25 **SECTION 21.3.** The Speakers of the House of Representatives shall appoint
26 a cochair, and the President Pro Tempore of the Senate shall appoint a cochair for the
27 Commission. The Commission may meet at any time upon the joint call of the cochairs.
28 Vacancies on the Commission shall be filled by the same appointing authority as made
29 the initial appointment.

30 The Commission, while in the discharge of its official duties, may exercise all
31 powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The
32 Commission may contract for professional, clerical, or consultant services as provided
33 by G.S. 120-32.02.

34 Subject to the approval of the Legislative Services Commission, the
35 Commission may meet in the Legislative Building or the Legislative Office Building.
36 The Legislative Services Commission, through the Legislative Services Officer, shall
37 assign professional staff to assist the Commission in its work. The House of
38 Representatives' and the Senate's Supervisors of Clerks shall assign clerical support staff
39 to the Commission, and the expenses relating to the clerical employees shall be borne
40 by the Commission. Members of the Commission shall receive subsistence and travel
41 expenses at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate.

42 **SECTION 21.4.** The Commission shall report to the Joint Legislative
43 Education Oversight Committee by April 15, 2004, on the committee's findings and
44 recommendations, which may include a State plan or elements to be included in a State

1 plan, the feasibility and cost of implementing a State plan beginning with the 2004-2005
2 school year, and any statutory changes necessary to implement a State plan.

3 **SECTION 21.5.** Of the funds appropriated to the General Assembly, the
4 Legislative Services Commission shall allocate funds for the expenses of the
5 Commission established by this Part.

6
7 **PART XXII. NORTH CAROLINA BUILDING CODE COUNCIL STUDY**
8 **(Culpepper)**

9
10 **SECTION 22.1.** The General Assembly finds that the affordability of
11 housing is an important issue and that the State should endeavor to ensure that State
12 regulation does not unnecessarily increase the cost of housing. To that end, the North
13 Carolina Building Code Council shall study the Residential Building Code to determine
14 which provisions, if any, are unnecessary, outdated, overly stringent, or otherwise
15 unduly increase the cost of housing.

16 **SECTION 22.2.** The Building Code Council may submit an interim report to
17 the 2004 Regular Session of the 2003 General Assembly and shall submit a final report
18 of the findings of its study, including any recommendations for statutory changes, to the
19 2005 General Assembly upon its convening.

20
21 **PART XXIII. NORTH CAROLINA STUDY COMMISSION ON AGING STUDY**

22
23 **SECTION 23.1.** The North Carolina Study Commission on Aging may
24 study the topic listed in this part and report its findings, together with any recommended
25 legislation, to the 2004 Regular Session of the 2003 General Assembly and shall make a
26 final report to the 2005 Regular Session of the 2005 General Assembly upon its
27 convening.

28 **SECTION 23.2.** Emergency generators (H.B. 346 – Moore) – The
29 Commission may study whether nursing homes licensed under Chapter 131E of the
30 General Statutes and adult care homes licensed under Chapter 131D of the General
31 Statutes should be required to provide emergency electrical service for use in the event
32 of failure of the normal electrical service. If it undertakes this study, the Commission
33 shall consider the following:

- 34 (1) The extent to which electrical service should be provided, both
35 between and within care settings, including how much generator
36 capacity should be required.
37 (2) The logistical and monetary factors that are barriers to requiring
38 emergency electrical power and options to address those barriers,
39 including providing a funding mechanism for purchasing generators.
40 (3) The coordination between facilities and local and State emergency
41 management during power outages.
42 (4) Sources of funding for any mandate.

43 **SECTION 23.3.** Long-term care remediation (S.B. 206 – Swindell, Purcell)
44 – The Commission may study the feasibility of implementing a remediation program for

1 long-term care facilities in this State that is similar to the Collaborative Remediation
2 Project in Michigan.

3
4 **PART XXIV. JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON**
5 **MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE**
6 **ABUSE SERVICES STUDIES**

7
8 **SECTION 24.1.** The Joint Legislative Oversight Committee on Mental
9 Health, Developmental Disabilities, and Substance Abuse Services may study the topics
10 listed in this part and report its findings, together with any recommended legislation, to
11 the 2004 Regular Session of the 2003 General Assembly and shall make a final report to
12 the 2005 Regular Session of the 2005 General Assembly upon its convening.

13 **SECTION 24.2.** Integration of care for children with multiple system
14 service needs (H.B. 169 – Insko; S.B. 262 – Foxx, Metcalf, Allran, Dannelly, Lucas,
15 Purcell) – The Committee shall conduct a comprehensive review of the State's system of
16 care for children with multiple system service needs. The purpose of the comprehensive
17 review is to determine the extent to which children who need services from multiple
18 State and local agencies in this system are or are not receiving those services in a timely
19 manner, the effectiveness of the services provided, the potential long-term impact on the
20 children, their families, and State and local resources of not providing all services in a
21 timely and cost-effective manner, and to make detailed recommendations on the system
22 changes necessary to address the problems identified as quickly as possible.
23 Recommendations on system changes shall include programmatic and funding changes,
24 and an analysis and estimate of implementation costs and projected cost-savings to the
25 State in future years. In order to ensure a dedicated focus and appropriate expertise for
26 the comprehensive review, the Committee shall convene a task force to conduct the
27 review. The task force shall be comprised of the cochairs of the Oversight Committee,
28 the Joint Legislative Education Oversight Committee, the Joint Legislative Corrections,
29 Crime Control, and Juvenile Justice Oversight Committee, the Joint Legislative Health
30 Care Oversight Committee, and other individuals appointed by the cochairs of the
31 Oversight Committee upon recommendation of the other members of the task force.

32 In conducting its review, the task force shall consider thoroughly all of the
33 following:

- 34 (1) State-of-the-art approaches to services to children with multiple
35 system service needs as the basis of reform in North Carolina.
36 (2) Evidence-based best practices in North Carolina and elsewhere for
37 potential systemwide adoption.
38 (3) Barriers to access for developing a uniform access process to
39 implement a "no wrong door" policy such that children and families
40 may enter any service access point but will be afforded seamless
41 access to all necessary services.
42 (4) Initiatives taken or under consideration in other states to ensure a
43 unified approach to system services, including the feasibility of
44 establishing a funding consortium for pooling resources of all involved

1 agencies in order to streamline access to the system by children and
2 involvement in the system by service providers.

3 (5) Ways to improve the multidisciplinary identification and evaluation of
4 children's multiple service needs and the communication of those
5 needs to all appropriate service providers.

6 (6) The extent to which children currently in the juvenile justice system
7 have not received adequate and appropriate educational, mental health,
8 or other health services, and the reasons why the children have not
9 been adequately served.

10 (7) Information from the Department of Public Instruction and other
11 organizations showing the number of children who have been
12 suspended or expelled from public school, the reasons for the
13 suspension or expulsion, the number of these children who have
14 received alternative placements to ensure that they are being
15 adequately and appropriately served by State and local service
16 systems.

17 (8) Necessary changes to North Carolina service systems involving mental
18 health, developmental disabilities, and substance abuse services, social
19 services, education services, juvenile justice, and other related service
20 systems that will enable these systems to work together to ensure
21 effective and timely access to services for children and their families.

22 The Oversight Committee, subject to the provisions of G.S. 120-32.02 may
23 hire a consultant to assist the task force in its comprehensive review. The Oversight
24 Committee shall establish interim and final reporting time lines for the consultant's
25 findings and recommendations, and, subject to the requirements of this section, for
26 meetings and reports of the task force.

27 **SECTION 24.3.** Mental health in prisons (H.B. 1085 – Insko) – The
28 Committee may study the incidence of mental illness and substance abuse problems
29 among inmates in the North Carolina prison and juvenile justice systems.
30

31 **PART XXV. DEPARTMENT OF CULTURAL RESOURCES/COMMISSION**
32 **OF INDIAN AFFAIRS STUDY (H.B. 747 – Sutton)**
33

34 **SECTION 25.1.** The Department of Cultural Resources and the Commission
35 of Indian Affairs of the Department of Administration may jointly study the future of
36 the North Carolina Archaeological Collection, which is currently maintained by the
37 Research Laboratories of Archaeology at the University of North Carolina at Chapel
38 Hill. If the study is undertaken, the Department and the Commission shall consider the
39 steps necessary to ensure the future preservation of the collection and the need to use
40 the collection to its fullest potential as a resource for research, teaching, and other public
41 programs.

42 **SECTION 25.2.** If the study is undertaken, the Department of Cultural
43 Resources and the Department of Administration shall report their findings and
44 recommendations to the 2004 Regular Session of the 2003 General Assembly and shall

1 include a specific recommendation on a permanent home for the collection where it can
2 be safely housed and where a permanent facility can be established in which the
3 collection can be exhibited for the benefit of the public.

4
5 **PART XXVI. JOINT COMMITTEE ON EXECUTIVE BUDGET ACT**
6 **REVISIONS STUDY (Culpepper, Clodfelter)**

7
8 **SECTION 26.1.** The Joint Committee on Executive Budget Act Revisions
9 created in S.L. 2003-284, Sec. 6.12(a), shall consider the issues raised by the provisions
10 contained in House Bill 1218 and Senate Bill 726 and include any recommendations
11 concerning those issues in its report to the General Assembly required under S.L.
12 2003-284, Sec. 6.12(b).

13
14 **PART XXVII. SENATE SELECT COMMITTEE ON INSURANCE AND CIVIL**
15 **JUSTICE REFORM (Basnight)**

16
17 **SECTION 27.1.** The Senate Select Committee on Insurance and Civil
18 Justice Reform that was established during the 2003 Session of the General Assembly
19 by the President Pro Tempore of the Senate, pursuant to Rule 31 of the Senate Rules
20 and G.S. 120-19.6, is hereby confirmed.

21 **SECTION 27.2.** The present membership of the Select Committee shall
22 continue to serve, subject to the provisions of Section 27.8.

23 **SECTION 27.3.** The Select Committee shall continue its study of:

- 24 (1) Improvement of patient care issues, including improved peer review
25 system, errors data collection, and efforts to encourage remediation by
26 health care providers;
- 27 (2) Medical malpractice insurance reforms including the benefits of
28 experience rating, claims reporting, rate stabilization, prior approval of
29 rates, central reporting of claims, and expense reporting;
- 30 (3) Litigation reforms, including itemization of damages, reduction of
31 litigation expenses, appeal bonds, prevention of frivolous litigation,
32 evidentiary issues, collateral source rule, and deferred payment of
33 judgments;
- 34 (4) Limits on personal liability, including caps on noneconomic damages,
35 excess liability funds, shared risk pools, no-fault procedure for certain
36 claims and certain medical providers;
- 37 (5) Improve incentives to enhance medical provider services in rural areas,
38 including tax credits and other incentives;
- 39 (6) Improve medical provider licensure, including strengthening oversight
40 process and governance, and more public disclosure of disciplinary
41 actions;
- 42 (7) Other reform issues, including capping attorneys' fees, shortening
43 statutes of limitations, and modifying joint and several liability; and
- 44 (8) Any other matters or issues the Committee determines to be relevant.

1 **SECTION 27.4.** The Select Committee may report on the results of its
2 study, including any proposed legislation to the members of the Senate, periodically.
3 The Select Committee is specifically authorized to report to the 2004 Regular Session of
4 the 2003 General Assembly and shall issue its final report to the members of the Senate
5 not later than December 31, 2004.

6 **SECTION 27.5.** The Select Committee is authorized to meet during sessions
7 of the General Assembly, during recesses, and in the interim periods between sessions,
8 upon the call of its chair.

9 **SECTION 27.6.** Members of the Select Committee shall receive per diem,
10 subsistence, and travel allowance at the rate established in G.S. 120-3.1.

11 **SECTION 27.7.** The expenses of the Select Committee including per diem,
12 subsistence, travel allowances, and contracts for professional or consultant services shall
13 be paid upon the written approval of the President Pro Tempore of the Senate pursuant
14 to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the Senate for its
15 operations.

16 **SECTION 27.8.** The members of the Select Committee serve at the pleasure
17 of the President Pro Tempore of the Senate. The President Pro Tempore may dissolve
18 the Select Committee at any time.

19
20 **PART XXVIII. JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND**
21 **AQUACULTURE STUDY (H.B. 758 – Stiller)**
22

23 **SECTION 28.1.** The Joint Legislative Commission on Seafood and
24 Aquaculture may study whether it should be unlawful to take shrimp with trawl nets in
25 certain inland waters. The Commission may report the results of its findings, together
26 with any recommended legislation, to the 2004 Regular Session of the 2003 General
27 Assembly and shall make a report to the 2005 Regular Session of the 2005 General
28 Assembly upon its convening.

29
30 **PART XXIX. ADMINISTRATIVE OFFICE OF THE COURTS/DEPARTMENT**
31 **OF CORRECTION STUDY (H.B. 890 – Eddins, Holliman)**
32

33 **SECTION 29.1.** The Administrative Office of the Courts and the
34 Department of Correction shall jointly study the processes for the collection and
35 payment of restitution in this State, and shall determine methods for reducing the
36 number of restitution payments that go unclaimed. The Administrative Office of the
37 Courts and the Department of Correction shall report their findings and
38 recommendations to the 2004 Regular Session of the 2003 General Assembly.

39
40 **PART XXX. JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL,**
41 **AND JUVENILE JUSTICE OVERSIGHT COMMITTEE STUDIES**
42

43 **SECTION 30.1.** The Joint Legislative Corrections, Crime Control, and
44 Juvenile Justice Oversight Committee may study the topics listed in this part and report

its findings, together with any recommended legislation, to the 2004 Regular Session of the 2003 General Assembly and shall make a final report to the 2005 Regular Session of the 2005 General Assembly upon its convening.

SECTION 30.2. Deter juvenile escapes (H.B. 956 – Haire) – The Committee may study the issue of persons who escape from the custody of the Department of Juvenile Justice and Delinquency Prevention (Department) and develop appropriate sanctions for those persons. If it undertakes this study, the Committee shall consult with the Department, the Administrative Office of the Courts, and the North Carolina Sentencing and Policy Advisory Commission to develop a statutory scheme through which both juveniles and persons who are over the age of 16 years shall be punished for escaping from the custody of the Department.

SECTION 30.3. Federal Structured Sentencing System (Culpepper) – The Committee may study the State's current system of structured sentencing and compare that with the federal system of structured sentencing. In its study, the Committee shall consider all of the following:

- (1) A comparison of the role and responsibilities of the North Carolina Sentencing and Policy Advisory Commission with regard to structured sentencing with the role and responsibilities of the Commission's federal counterpart.
- (2) The effectiveness of both the State and federal systems in adjusting the sentencing grid and the factors considered in the sentencing process so that the sentencing range available to the court is appropriate for the crime committed and also allows appropriate flexibility for the court to consider the circumstances on a case-by-case standard.
- (3) The effect of the structured sentencing system at the State and federal levels on the number of prison beds required and whether regular periodic adjustments of the sentencing structure that take into account both the nature of the crimes most often committed, the effectiveness of the punishments imposed, and the increase or decrease in prison populations provides a more equitable and economic criminal justice system.
- (4) Any other issue relevant to this study.

PART XXXI. STUDY COMMISSION ON INDIAN GAMING (Culpepper)

SECTION 31.1. The Study Commission on Indian Gaming in North Carolina is created. The Commission shall consist of voting members as follows:

- (1) Four members of the House of Representatives to be appointed by the Speakers of the House of Representatives, with one of the members to be designated as Cochair;
- (2) Four members of the Senate to be appointed by the President Pro Tempore of the Senate, with one of the members to be designated as Cochair;
- (3) Two members to be appointed by the Governor;

(4) The Principal Chief, Eastern Band of Cherokee Indians, or designee; and

(5) One representative of any federally recognized Indian tribe with federal Indian lands located in North Carolina on the effective date of this act, other than the Eastern Band of Cherokee Indians, appointed by the Governor.

The Commission shall meet upon the call of the Cochairs. A majority of the Commission shall constitute a quorum for the transaction of business.

SECTION 31.2. The Commission shall examine any issues regarding current and future Indian gaming pursuant to the federal Indian Gaming Regulatory Act, including: the statutory framework for the formation, negotiation, and endorsement of Tribal-State compacts; the formation of a permanent Indian Gaming Commission; potential amendments to the current compact; and the entry into future compacts.

SECTION 31.3. The Commission may contract for consultant services as provided by G.S. 120-32.02. Upon approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional and clerical staff to assist in the work of the Commission. Clerical staff shall be furnished to the Commission through the offices of the House of Representatives and Senate Supervisors of Clerks. The Commission may meet in the Legislative Building or the Legislative Office Building upon the approval of the Legislative Services Commission. The Commission, while in the discharge of official duties, may exercise all the powers provided under the provisions of G.S. 120-19 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and departments of the State to provide any information, data, or documents within their possession, ascertainable from their records, or otherwise available to them, and the power to subpoena witnesses.

Members of the Commission shall receive per diem, subsistence, and travel allowances as follows:

(1) Commission members who are members of the General Assembly at the rate established in G.S. 120-3.1;

(2) Commission members who are officials or employees of the State or of local government agencies at the rate established in G.S. 138-6; and

(3) All other Commission members at the rate established in G.S. 138-5.

SECTION 31.4. The Commission shall make a report to the 2004 Session of the 2003 General Assembly, which may contain recommendations. The Commission shall terminate upon filing its report.

SECTION 31.5. Of the funds appropriated to the General Assembly, the Legislative Services Commission shall allocate funds for the expenses of the Commission established by this Part.

PART XXXII. DEPARTMENT OF TRANSPORTATION STUDY WITH THE STATE TREASURER (McComas)

SECTION 32.1. The Department of Transportation and Department of State Treasurer shall jointly study and develop a proposal to provide appropriate debt

1 financing to accelerate the construction schedule for the Wilmington Bypass project
2 identified in G.S. 136-180(a). The study shall address financial, legal, and practical
3 issues involved in various financing options including special indebtedness under
4 Article 9 of Chapter 142 of the General Statutes, revenue bonds supported by toll
5 revenues, and other appropriate types of debt.

6 **SECTION 32.2.** The two Departments shall jointly report their findings and
7 recommendations, including proposed legislation, by May 1, 2004, to the Speakers of
8 the House of Representatives, the President Pro Tempore of the Senate, the cochairs of
9 the Joint Legislative Transportation Oversight Committee, and the Legislative Library.

10
11 **PART XXXIII. OFFICE OF STATE BUDGET AND MANAGEMENT STUDY**
12 **(Sherrill)**

13
14 **SECTION 33.1.** The Office of State Budget and Management shall conduct
15 an analysis of the structure and operation of the Department of Public Instruction. The
16 analysis shall identify potential efficiencies and savings in the operation of the
17 Department. The analysis may consider consolidation of functions with other agencies
18 and automation of functions.

19 **SECTION 33.2.** The Office of State Budget and Management shall report its
20 findings to the State Board of Education. The Office of State Budget and Management
21 and the State Board of Education shall jointly report to the Joint Legislative Education
22 Oversight Committee by March 15, 2004, on the results of the analysis.

23 **SECTION 33.3.** Section 7.13(b) of S.L. 2002-126 is repealed.

24
25 **PART XXXIV. BLUE RIBBON TASK FORCE ON MEDICAL MALPRACTICE**
26 **(H.R. 1027 – Carney, Earle, Bordsen, Dickson)**

27
28 **SECTION 34.1.** There is established the House of Representatives' Blue
29 Ribbon Task Force on Medical Malpractice. The Task Force shall function and have the
30 power of an interim study committee as set forth in G.S. 120-19.6(a1). The Task Force
31 shall conduct a study of medical malpractice and make comprehensive
32 recommendations for fundamental reform. In undertaking its study, the Task Force
33 shall consider the following:

- 34 (1) The complex causes of and remedies for medical malpractice.
35 (2) Rapidly escalating professional liability premiums for health care
36 providers.
37 (3) The impact of medical malpractice issues on health care accessibility
38 in North Carolina.
39 (4) Other matters related to medical malpractice and its impact on health
40 care access.

41 **SECTION 34.2.** The Speakers of the House of Representatives shall appoint
42 26 members to the Blue Ribbon Task Force composed of members of the House of
43 Representatives and a balanced representation of the insurance industry, health care
44 consumers, medical providers, trial lawyers, and related interest groups.

1 **SECTION 34.3.** The Blue Ribbon Task Force on Medical Malpractice shall
2 make recommendations to the 2004 Regular Session of the 2003 General Assembly
3 upon its reconvening.

4 **SECTION 34.4.** The expenses of the Task Force shall be paid upon the
5 written approval of both Speakers of the House pursuant to G.S. 120-35 from funds
6 available to the House for its operations.

7
8 **PART XXXV. ECONOMIC DEVELOPMENT BOARD TASK FORCE STUDY**
9 **(Black, Morgan)**

10
11 **SECTION 35.1.(a)** The Economic Development Board shall establish a
12 Small Business Task Force to examine and evaluate the responsiveness of the State to
13 North Carolina small businesses and to make recommendations on small business
14 economic development initiatives. The Task Force shall study the following issues:

- 15 (1) Agencies and programs that provide developmental and expansion
16 assistance to new and existing small businesses to determine the
17 effectiveness of existing services and the need for alternative or
18 additional services.
- 19 (2) The impact of State tax laws on small business, including
20 recommendations for reform of the tax code to better promote small
21 businesses.
- 22 (3) Fiscal and tax policies affecting small businesses in other states.
- 23 (4) The need for a centralized agency to provide assistance to small
24 businesses in obtaining any necessary licenses or permits.
- 25 (5) The need for a comprehensive communications strategy for small
26 businesses that may include any of the following:
 - 27 a. Intra-agency and interagency communication and coordination
28 of small business assistance for the increased benefit of North
29 Carolina's small businesses.
 - 30 b. Needs or provider assistance surveys of North Carolina
31 businesses every two years.
 - 32 c. Existing websites or the creation of a website that is designed
33 specifically for start-up businesses and small business owners
34 and managers and that includes information on government
35 financial assistance programs, permits, licenses, taxes and tax
36 incentives, and links to sources of local information.
 - 37 d. The exchange of public information between the Department of
38 Commerce and its partners and allies.
- 39 (6) The need for a Small Business Micro-Loan Program targeted at
40 developing, incubating, and expanding small businesses.
- 41 (7) Other matters relating to small business concerns.

42 **SECTION 35.1.(b)** The Chair of the Economic Development Board shall
43 appoint up to 15 members of the Board to serve on the Small Business Task Force. The
44 Chair's appointments to the Task Force must include at least one member of the Senate

1 appointed to the Board by the President Pro Tempore of the Senate and at least one
2 member of the House of Representatives appointed to the Board by the Speaker of the
3 House of Representatives. The Chair of the Economic Development Board shall
4 appoint a chair of the Task Force.

5 **SECTION 35.1.(c)** The Small Business Task Force shall make an interim
6 report to the Economic Development Board no later than May 7, 2004, and a final
7 report to the Board no later than January 14, 2005. The report shall include the findings
8 of the Task Force and a summary of any recommendations for changes. The Economic
9 Development Board may make an interim report to the 2004 Regular Session of the
10 2003 General Assembly and a final report to the 2005 General Assembly."

11 **SECTION 35.2.** In its Plan and annual update for 2003 required pursuant to
12 G.S. 143B-434.01, the goals and objections to be provided by the Economic
13 Development Board shall include all of the following:

- 14 (1) A specific target number of new jobs to be created in the State. The
15 target number shall be broken down by county and Region and by new
16 and existing businesses.
- 17 (2) A specific target rate of unemployment for the State and for each
18 county and Region.
- 19 (3) An estimate of the number of jobs that will be lost in the State and
20 each county and Region.
- 21 (4) A specific target dollar amount of new capital investment in the State
22 and in each Region.

23
24 **PART XXXVI. UNC BOARD OF GOVERNORS STUDY FEASIBILITY OF**
25 **FORGIVENESS OF STUDENT DEBT PROGRAM**

26
27 **SECTION 36.1.** The Board of Governors of The University of North
28 Carolina, in conjunction with the North Carolina State Education Assistance Authority,
29 may study the feasibility of a program that would forgive student indebtedness for
30 teachers who have continuing certification in and are teaching in the disciplines of
31 mathematics, science, or special education. The Board shall report the results of its
32 study to the Joint Legislative Education Oversight Committee by February 15, 2004.

33
34 **PART XXXVII. STATE BOARD OF EDUCATION STUDY**

35
36 **SECTION 37.1.** The State Board of Education shall study issues related to
37 effective recruitment and retention of teachers for the North Carolina public schools. In
38 the course of this study, the State Board of Education shall consider:

- 39 (1) Impediments to effective teacher recruitment and retention;
- 40 (2) Strategies for increasing the effectiveness or recruitment and retention
41 efforts;
 - 42 a. Modifications to teacher salaries and benefits that will ensure
43 that teacher compensation in North Carolina remains at or
44 above the national average, thereby better enabling the public

schools to recruit and retain highly qualified teachers. The State Board may consider:

1. Increased salaries for beginning teachers to make the profession more attractive at the entry level;
 2. Increased salaries for teachers at those points at which higher numbers of teachers leave the teaching profession;
 3. Retirement options to teachers with 30 years of experience that will provide opportunities for those highly skilled and experienced teachers to continue in service;
 4. Differentiated salary opportunities for teachers who demonstrate exemplary teaching skills, work in certain areas of certification, work in hard-to-staff schools, or serve as mentors, school improvement team leaders, or leaders in a Quality Teacher as Leader Program;
 5. Other modifications to teacher salaries and benefits necessary to recruit and retain highly qualified teachers in the public schools.
- b. Tax incentives to encourage experienced teachers to remain in the teaching profession;
- c. Locally designed initiatives to facilitate teacher recruitment and retention;
- d. Strategies for increasing the number of highly qualified beginning teachers such as:
1. Expanding teacher preparation programs;
 2. Expanding scholarship loan programs for prospective teachers to recruit the most qualified high school students to the teaching profession; and
 3. Ensuring that graduates of teacher preparation programs are well prepared to meet teacher-certification requirements;
- e. Strategies for giving beginning teachers the opportunity to develop into skilled professionals such as assigning them to teach only in their area of certification and minimizing their noninstructional duties;
- f. Strategies for ensuring that school-based administrators are adequately trained to provide support for both experienced and inexperienced teachers and that they provide that support;
- g. Strategies for ensuring that teachers are treated respectfully by students such as a Teachers' Bill of Rights;
- h. Increased expectations regarding parental involvement in and support of their children's education; and
- i. The availability of communications devices in the classroom.

1 **SECTION 37.2.** The State Board of Education shall report its findings and
2 recommendations to the Joint Legislative Education Oversight Committee prior to
3 February 15, 2004.

4
5 **PART XXXVIII. LEGISLATIVE STUDY COMMISSION ON FINANCING**
6 **INFRASTRUCTURE FOR INDUSTRIAL CORRIDORS (McComas, Justice)**

7
8 **SECTION 38.1.** Creation. – There is created the Legislative Study
9 Commission on Financing Infrastructure for Industrial Corridors. The purposes of the
10 Commission are to investigate and identify State, federal, and local funding sources for
11 proposed water and sewer infrastructure improvements for the Highway 421 Industrial
12 Corridor in Pender and New Hanover Counties, to foster interlocal cooperation to
13 enhance economic development in the region, and to recommend any legislative
14 changes necessary to enhance available resources for development.

15 **SECTION 38.2.** Members. – The Commission shall consist of 12 members
16 as provided in this subsection. The following individuals shall serve ex officio: (i) the
17 chair of the Pender County Board of Commissioners or another member of the board
18 designated by the chair and (ii) the chair of the New Hanover County Board of
19 Commissioners or another member of the board designated by the chair. Five members
20 shall be appointed by the Speaker of the House of Representatives as follows: two
21 members of the House of Representatives, an individual nominated by the Cape Fear
22 Regional Growth Team, an individual from New Hanover County who represents
23 Wilmington Industrial Development, Inc., also known as the Wilmington Committee of
24 100, and an owner of property abutting the Highway 421 Industrial Corridor in New
25 Hanover County. Five members shall be appointed by the President Pro Tempore of the
26 Senate as follows: two members of the Senate, an individual nominated by the Cape
27 Fear Regional Growth Team, an individual from Pender County who represents
28 Wilmington Industrial Development, Inc., also known as the Wilmington Committee of
29 100, and an owner of property abutting the Highway 421 Industrial Corridor in Pender
30 County.

31 **SECTION 38.3.** Administration. – The Speakers of the House of
32 Representatives shall designate one Representative as cochair, and the President Pro
33 Tempore of the Senate shall designate one Senator as cochair. Any vacancy on the
34 Commission shall be filled by the appointing authority that made the initial
35 appointment. The Commission shall expire upon delivering its final report.

36 The Commission, while in the discharge of its official duties, may exercise all
37 powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The
38 Commission may meet at any time upon the joint call of the cochairs. The Commission
39 may meet in the Legislative Building or the Legislative Office Building. The
40 Commission may contract for professional, clerical, or consultant services as provided
41 by G.S. 120-32.02.

42 The Legislative Services Commission, through the Legislative Services
43 Officer, shall assign professional staff to assist the Commission in its work. The House
44 of Representatives' and the Senate's Supervisors of Clerks shall assign clerical staff to

1 the Commission, and the expenses relating to the clerical employees shall be borne by
2 the Commission. Members of the Commission shall receive subsistence and travel
3 expenses at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate.

4 **SECTION 38.4.** Study. – In conducting the study, the Commission shall
5 consider the following:

- 6 (1) The feasibility of proposed water and sewer infrastructure
7 improvements for the Highway 421 Industrial Corridor in light of soil
8 quality, existing development, and other relevant factors.
- 9 (2) Available funding sources through State programs administered by the
10 Department of Commerce, including eligibility requirements and
11 potential legislation to clarify or adjust these requirements.
- 12 (3) Federal funding sources through federal block grants and other
13 sources, including eligibility requirements and their applicability to the
14 proposed infrastructure improvements.
- 15 (4) Available funding sources through private individuals or entities.
- 16 (5) Options for interlocal agreements to provide regional cooperation in
17 enhancing funding resources for the proposed infrastructure
18 improvements and related projects.
- 19 (6) Options for ownership and administration of the infrastructure
20 improvements by Pender County or by an authority.
- 21 (7) The measurable economic development benefits to the area from
22 making the proposed water and sewer improvements.
- 23 (8) Any other issues the Commission considers relevant.

24 **SECTION 38.5.** Report. – The Legislative Study Commission on Financing
25 Infrastructure for Industrial Corridors may make an interim report to the 2003 General
26 Assembly not later than the convening of the 2003 General Assembly, 2004 Regular
27 Session, and shall make its final report to the 2005 General Assembly upon its
28 convening. The Commission shall terminate the earlier of the filing of its report or the
29 convening of the 2005 General Assembly.

30 **SECTION 38.6.** Cooperation. – All State departments and agencies and
31 local governments and their subdivisions shall, upon request, furnish the Commission
32 with any information in their possession or available to them.

33 **SECTION 38.7.** From the funds appropriated to the General Assembly, the
34 Legislative Services Commission shall allocate funds to support the expenses of the
35 Commission established by this Part.

36
37 **PART XXXIX. DEPARTMENT OF CORRECTION STUDY (S.B. 1014 – Berger)**
38

39 **SECTION 39.1.** The Department of Correction may study the confinement
40 of inmates who are irreversibly physically incapacitated due to chronic illness or
41 disability. If it undertakes this study, the Department's study shall include, but is not
42 limited to, a review of current policies, a calculation of potential population figures and
43 medical care costs, a determination of possible alternatives to incarceration and

1 accompanying costs, and a consideration of procedures for termination or commutation
2 of sentences.

3 **SECTION 39.2.** The Department of Correction shall report its findings and
4 recommendations, including any proposed legislation, no later than the convening of the
5 2004 Regular Session of the 2003 General Assembly by filing a report with the Offices
6 of the Principal Clerk of the Senate and House of Representatives and the Legislative
7 Library.
8

9 **PART XXXX. AGRICULTURE AND FORESTRY AWARENESS STUDY**
10 **COMMISSION STUDIES**
11

12 **SECTION 40.1.** The Agriculture and Forestry Awareness Study
13 Commission may study the topics listed in this part and report its findings, together with
14 any recommended legislation, to the 2004 Regular Session of the 2003 General
15 Assembly and shall submit a final report to the 2005 Regular Session of the 2005
16 General Assembly upon its convening.

17 **SECTION 40.2.** Agriculture Commodity Incentives (Albertson) – The
18 Commission may study the possibility of establishing incentive programs to benefit
19 firms purchasing additional large quantities of North Carolina farm commodity products
20 when an overabundance of a specific commodity is designated by the State Department
21 of Agriculture and Consumer Services to be available for sale.

22 **SECTION 40.3.** Food Safety and Security (S.B. 834 – Albertson) – The
23 Commission may study ways to protect the State's food supply system and the
24 agricultural industry base.
25

26 **PART XXXXI. BILL AND RESOLUTION REFERENCES**
27

28 **SECTION 41.1.** The listing of the original bill or resolution in this act is for
29 reference purposes only and shall not be deemed to have incorporated by reference any
30 of the substantive provisions contained in the original bill or resolution.
31

32 **PART XXXXII EFFECTIVE DATE AND APPLICABILITY**
33

34 **SECTION 42.1.** Except as otherwise specifically provided, this act is
35 effective when it becomes law. If a study is authorized both in this act and in the
36 Current Operations and Capital Improvements Appropriations Act of 2003, the study
37 shall be implemented in accordance with the Current Operations and Capital
38 Improvements Appropriations Act of 2003 as ratified.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

H

D

HOUSE BILL 694
Committee Substitute Favorable 4/29/03
PROPOSED SENATE COMMITTEE SUBSTITUTE H694-PCS80356-SW-66

Short Title: NC Aviation Hall of Fame and Aviation Museum. (Public)

Sponsors:

Referred to:

March 27, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO DESIGNATE THE ASHEBORO MUNICIPAL AIRPORT AS THE
3 OFFICIAL LOCATION OF THE NORTH CAROLINA AVIATION HALL OF
4 FAME AND THE NORTH CAROLINA AVIATION MUSEUM AND TO
5 DESIGNATE THE WILMINGTON INTERNATIONAL AIRPORT AS THE
6 OFFICIAL LOCATION OF THE NORTH CAROLINA MUSEUM OF
7 AVIATION.

8 The General Assembly of North Carolina enacts:

9 SECTION 1. Chapter 145 of the General Statutes is amended by adding a
10 new section to read:

11 "§ 145-21. State Aviation Hall of Fame and Museum and State Museum of
12 Aviation.

13 The Asheboro Municipal Airport is designated as the official location of the North
14 Carolina Aviation Hall of Fame and the North Carolina Aviation Museum. The
15 Wilmington International Airport is designated as the official location of the North
16 Carolina Museum of Aviation."

17 SECTION 2. Nothing in this act shall be construed to obligate the General
18 Assembly to appropriate funds to implement the provisions of this act.

19 SECTION 3. Nothing in this act shall be construed to obligate the City of
20 Asheboro, the City of Wilmington, Randolph County, or New Hanover County to
21 expend funds for the purposes of this act.

22 SECTION 4. This act is effective when it becomes law.

Evelyn Costello (Sen. Rand)

From: Dianna Jessup (Research)
Sent: Thursday, July 17, 2003 8:55 AM
To: Chris Evans (Sen. Rand); Evelyn Costello (Sen. Rand)
Subject: RE:

George has it.

*Dianna Jessup
Staff Attorney
Research Division, NCGA*

-----Original Message-----

From: Chris Evans (Sen. Rand)
Sent: Thursday, July 17, 2003 8:53 AM
To: Evelyn Costello (Sen. Rand); Dianna Jessup (Research)
Subject: FW:

Dianna, there is a PCS for this.

-----Original Message-----

From: Amy Fulk (Pres Pro Tem's Office)
Sent: Wednesday, July 16, 2003 7:09 PM
To: Chris Evans (Sen. Rand)
Subject:

HB 566 (Swift Creek) -- compromise bill can move tomorrow. Rand and Basnight talked but I am just covering all the bases!

Evelyn Costello (Sen. Rand)

From: Evelyn Costello (Sen. Rand)**Sent:** Wednesday, July 16, 2003 3:33 PM**To:** Dot Crocker (Rep. Culpepper); Anita Wilder (Rep. Michaux); Linda Winstead (Rep. Jim Crawford); Joyce Harris (Rep. Luebke); Eryn Gee (Rep. Miller)Principal Clerk
Reading Clerk

CORRECTED COMMITTEE NOTICE

SENATE
NOTICE OF COMMITTEE MEETING
AND
BILL SPONSOR NOTICE

The Senate Committee on **Rules and Operations of the Senate** will meet at the following time:

DAY	DATE	TIME	ROOM
Thursday	July 17, 2003	9:00 a.m.	Room 415 - LOB

The following will be considered:

BILL NO.	SHORT TITLE	SPONSOR
HB 674	Durham Northern Loop Corridor. – (Study Bill)	Representative Michaux, Jr. Representative Crawford, Jr. Representative Luebke Representative Miller
HJR 1335	Adjournment of 2003 General Assembly.	Representative Culpepper, III

ANY OTHER BILLS IN COMMITTEE ELIGIBLE FOR CONSIDERATION.

Senator Tony Rand, Chair

Judy Tardiff (Sen. Rand)

From: Chris Evans (Sen. Rand)
Sent: Thursday, July 17, 2003 8:32 AM
To: Judy Tardiff (Sen. Rand)
Subject: FW: Study Question from Senator Shaw

Please show this to Sen. Rand when he arrives.

-----Original Message-----

From: Sabra Faires (Speaker Morgan's Office)
Sent: Wednesday, July 16, 2003 9:04 PM
To: Sen. Tony Rand; Chris Evans (Sen. Rand); Rolf Blizzard (Pres Pro Tem's Office)
Subject: Study Question from Senator Shaw

I was talking with Senator Shaw on another subject and he asked whether there is a study in the studies bill about an engineering program at Fayetteville State. I don't remember any more details about the study in question. I haven't seen this in the draft I have. I want to pass this on to you because I assume the question will arise later as well.

Sabra J. Faires
Chief of Staff and General Counsel
Speaker Richard T. Morgan's Office
Phone: 919-715-3010
Fax: 919-715-3092
Sabraf@ncLEG.net

S 317. CABARRUS ANNEXATION MORATORIUM. Intro. 3/6/03. House amendment makes the following changes to 3rd edition. Adds the following counties to those authorized to accept electronic records for recording pursuant to GS 161-14(b1): Durham, Harnett, Moore, and New Hanover.

S 464. MANAGING DEBT CAPACITY. Intro. 3/20/03. Senate amendment adopted 7/16/03 makes the following changes to 2nd edition. Adds Superintendent of Public Instruction and Chair of State Board of Education as ex officio members of proposed Capital Projects Priority Committee.

S 725. LOCAL OPTION PROJECT DEVELOPMENT FINANCING. Intro. 4/3/03. House committee substitute makes the following changes to 3rd edition. Makes technical changes only.

S 750. PERMIT LIMIT FOR BREWERIES. Intro. 4/3/03. House amendment makes the following changes to 3rd edition. Makes bill applicable to breweries that sell fewer than 25,000 barrels (was, 40,000) of malt beverages per year.

S 852. ORGAN DONOR ORG'S./ACCESS TO DMV RECORDS. Intro. 4/3/03. Senate committee substitute makes the following changes to 3rd edition. Reduces increases in drivers' license fees to \$4.30 for Classes A and B and \$3.05 for Class C (previous edition raised these fees to \$4.50 and \$3.25 respectively); and sets fee for duplicate license at \$10.05, rather than \$10.25.

S 934. DWI PROVIDER AUTHORIZATION FEES. Intro. 4/3/03. Conference report recommends the following changes to 3rd edition to reconcile matters in controversy. Deletes provision increasing the fee paid by a substance abuse services client for the substance abuse assessment necessary to obtain a certificate of completion required under GS 20-17.6. Provides that the adequacy of the current fee, set by GS 122C-142.1(f), be studied by the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services, along with the type of testing provided, the treatment offered, the average duration of a program, the average cost of treatment, and the rates of recidivism. Changes effective date from July 1, 2003, to October 1, 2003.

S 965. AMEND CONSTITUTION/SCH. FINES & FORFEITURES. Intro. 4/2/03. House amendment makes the following changes to 3rd edition. GS 115C-238.29H(b) provides that if a student attends a charter school the local school administrative unit in which the child resides must transfer to the charter school an amount equal to the per pupil local current expense appropriation to the local school administrative unit for the fiscal year. The house amendment provides that the amount transferred that consists of revenue derived from supplemental taxes shall be transferred only to a charter school located in the tax district for which these taxes are levied and in which the student resides. Amends GS 115C-457.3 to require that civil penalty and forfeiture funds be allocated to counties, rather than to local school administrative units, to be distributed to public schools and charter schools.

HOUSE BILLS

H 11. BAN SEXUALLY EXPLICIT CONDUCT (NEW). Intro. 2/12/03. Senate committee substitute makes the following changes to 1st edition. Deletes entire 1st edition. Amends GS Chapter 18B to expand the list of unlawful sexually explicit conduct on premises licensed by the ABC comm'n to include actual or simulated masturbation, sodomy, bestiality, oral copulation, or fondling of breasts, buttocks, anus, vulva, or genitals. Makes it unlawful for a permittee to fail to superintend in person or through a manager the permitted business. Does not apply to theaters, concert halls, art centers, museums, or similar establishments primarily devoted to the arts or theater performances expressing matters of serious, literary, artistic, scientific, or political value.

H 224. KANNAPOLIS ANNEXATION (NEW). Intro. 3/5/03. House committee substitute makes the following changes to 1st edition. Changes title to *AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CITY OF KANNAPOLIS*. As title indicates.

H 281. TECHNICAL CORRECTIONS ACT. Intro. 3/6/03. Senate amendments adopted 7/16/03 make the following changes to 3rd edition. Authorize \$180 million in special indebtedness in accordance with GS 142-83 to finance a new clinical cancer center within the UNC health care system to expand cancer programs to replace the North Carolina Clinical Cancer Center. Debt service to be paid from the Health and Wellness Trust Fund Reserve

VISITOR REGISTRATION SHEET

Rules

July 17, 2003

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

NAME	FIRM OR AGENCY AND ADDRESS
George Suddath	NCSBA
Andy Ellen	NCRMA
ZEB ALLEY	Alley Associates Inc
Roger Boe	Boe & Assoc
Nancy Thompson	MCIC
Elizabeth Dalton	Boe & Assoc
Henry Jones	Raleigh
Frank Killian	Proctor, Va, Allen
Priya Harris	CRC
Brian Dicks	CanNet

VISITOR REGISTRATION SHEET

Rules

July 17, 2003

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Dick Carlton	Carlton & Alexander
Denny With	NCRRA
Ken Gilman	WCSR
Alan Stallings	Hunter & Williams
Edie Caldwell	Hafen & Caldwell PA
Hal Miller	NEAECT
Stef Skopene	DENR
P Puller	NL ATL
Larry Womers	NEAACP / For Tech CC
Kim Kibben	NCLM
Ken Havel	Gov's office

VISITOR REGISTRATION SHEET

Rules

July 17, 2003

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Jim Stephenson

NC Coastal Federation

Martin Glass

NC DAICS

John Alderman

North Carolina Citizen

DAVID BARNES

Poyner Spruill LLP

Derb Carter

Southern Environmental Center

Harry Kaplan

NCFIR

John Rust

NCFPC

LUCIUS PULLEN

ATTORNEY

BILL HALE

JORDAN PRICE LAW FIRM

John McMan

MEAS

Bill Rustin

ACP

VISITOR REGISTRATION SHEET

Rules

July 17, 2003

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

NAME	FIRM OR AGENCY AND ADDRESS
R. Paul Wilms	NCHBA
ALORE	OVNS
Grady Smith	NIC LIND.
Kew Melton	Alley Associates, Inc.
Marion Sutt	68K
Lou Ann Coe	NCPA, CTA - Marion
Rick Zechini	NK ASSOC. OF REACTORS
Cam Coe	BPMHL
Julie Woodson	NCCBI
Katherine Joyce	NCA SA
Linda Suggs	DPI

VISITOR REGISTRATION SHEET

Rules

July 17, 2003

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

NAME

FIRM OR AGENCY AND ADDRESS

David McRaght

Env. Defense

D.N. Rader

Env. Defense

T REEDER

DWQ

Boyd DeWane

DWQ

John Bowditch

AstraZeneca

Lisa Martin

NC Home Builders Assoc.

Amigo Jo Horne

NC Medical Society

W. L. L. L.

NCICU

Susan Horne

WCPSS

Ann McArthur

Governor's Ofc.

Op. Art. News

PSF of NC

VISITOR REGISTRATION SHEET

Rules

July 17, 2003

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Rob Ocasio	NC State with inc
FRANK W. FOLGER	N.C. DOT
Lois Peicy	Capitol Group
DWIGHT EISENHOWER	MILITARY INDUSTRIAL COMPLEX
Tim Minton	NC Home Builders
Mary Thomsen	REBIC
Oliver Ladd	UTU
RH Whithood	UTU
Isaac Brown	AE EO
John Long	Martin Marietta
Barbara Cassin	MFSS

VISITOR REGISTRATION SHEET

Rules

July 17, 2003

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

Michael Flowers

N CAT

COMMITTEE ON RULES AND OPERATIONS OF THE SENATE

MINUTES

JULY 17, 2003

The Committee on Rules and Operations of the Senate met at 3:15 p.m. on Thursday, July 17, 2003 at Senator Rand's Chamber Desk. 11 members of the committee were present.

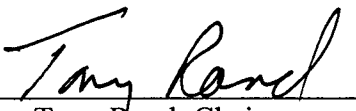
HJR - 1335 - A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 2003 GENERAL ASSEMBLY TO MEET IN 2004 AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION.

Senator Rand presented the Committee with a proposed Senate Committee Substitute for HJR 1335.

Senator Horton moved for the adoption of the proposed Senate Committee Substitute. Senator Rand explained that the Senate would reconvene on Monday September 15, 2003 at 12:00 noon to deal with (1) Economic Development Legislation and (2) Civil Justice and Insurance Reform Legislation. There would be an adjournment date earlier than September 19, 2003 if so specified in the adjournment motion.

He then explained Sec. 3 of the bill which pertained to the regular session of the Senate which would reconvene at 12:00- noon on Monday, May 10, 2004 p.m. on and the time frame of deadlines for that session.

Senator Horton moved for the adoption of the Senate Committee Substitute and the Committee gave this legislation a favorable report.



Senator Tony Rand, Chairman



Evelyn Costello, Committee Ass't

**NORTH CAROLINA GENERAL ASSEMBLY
SENATE**

**RULES AND OPERATIONS OF THE SENATE COMMITTEE REPORT
Senator Tony Rand, Chair**

Thursday, July 17, 2003

SENATOR RAND,
submits the following with recommendations as to passage:

**UNFAVORABLE AS TO JOINT RESOLUTION, BUT FAVORABLE AS TO SENATE
COMMITTEE SUBSTITUTE JOINT RESOLUTION**

H.JR. 1335	Adjournment of 2003 General Assembly.
	Draft Number: PCS30419
	Sequential Referral: None
	Recommended Referral: None
	Long Title Amended: Yes

TOTAL REPORTED: 1

Committee Clerk Comments:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2003

H

1

HOUSE JOINT RESOLUTION 1335

Sponsors: Representative Culpepper.

Referred to:

July 10, 2003

1 A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE
2 2003 GENERAL ASSEMBLY TO MEET IN 2004 AND LIMITING THE
3 SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION.

4 Be it resolved by the House of Representatives, the Senate concurring:

5 **SECTION 1.** When they adjourn on Friday, July 18, 2003, the House of
6 Representatives and the Senate shall adjourn to reconvene at 12:00 noon on Monday,
7 May 10, 2004. During that session only the following matters may be considered:

8 (1) Bills directly and primarily affecting the State budget, including the
9 budget of an occupational licensing board, for fiscal year 2004-2005,
10 provided that the bill must be submitted to the Bill Drafting Division
11 of the Legislative Services Office no later than 4:00 P.M. Thursday,
12 May 20, 2004, and must be introduced in the House of Representatives
13 or filed for introduction in the Senate no later than 4:00 P.M.
14 Thursday, May 27, 2004.

15 (2) Bills and resolutions introduced in 2003 and having passed third
16 reading in 2003 in the house in which introduced, received in the other
17 house in accordance with Senate Rule 41 or House Rule 31.1(d) as
18 appropriate, and not disposed of in the other house by tabling,
19 unfavorable committee report, indefinite postponement, or failure to
20 pass any reading, and which do not violate the rules of the receiving
21 house.

22 (3) Bills and resolutions implementing the recommendations of:

23 a. Study commissions and statutory commissions authorized or
24 directed to report to the 2004 Session;

25 b. The General Statutes Commission, the Courts Commission, or
26 any commission created under Chapter 120 of the General
27 Statutes that is authorized or directed to report to the General
28 Assembly;

29 c. The House Ethics Committee; or

d. The Joint Legislative Ethics Committee or its Advisory Subcommittee.

A bill authorized by this subdivision must be submitted to the Bill Drafting Division of the Legislative Services Office no later than 4:00 P.M. Wednesday, May 12, 2004, and must be filed for introduction in the Senate or introduced in the House of Representatives no later than 4:00 P.M. Wednesday, May 19, 2004.

(4) Any local bill that has been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. Wednesday, May 19, 2004, is introduced in the House of Representatives or filed for introduction in the Senate by 4:00 P.M. Wednesday, May 26, 2004, and is accompanied by a certificate signed by the principal sponsor stating that no public hearing will be required or asked for by a member on the bill, the bill is noncontroversial, and that the bill is approved for introduction by each member of the House of Representatives and Senate whose district includes the area to which the bill applies.

(5) Selection, appointment, or confirmation of members of State boards and commissions as required by law, including the filling of vacancies of positions for which the appointees were elected by the General Assembly upon recommendation of the Speaker of the House of Representatives, President of the Senate, or President Pro Tempore of the Senate.

(6) Any matter authorized by joint resolution passed during the 2004 Regular Session by a two-thirds majority of the members of the House of Representatives present and voting and by a two-thirds majority of the members of the Senate present and voting. A bill or resolution filed in either house under the provisions of this subdivision shall have a copy of the ratified enabling resolution attached to the jacket before filing for introduction in the Senate or introduction in the House of Representatives.

(7) A joint resolution authorizing the introduction of a bill pursuant to subdivision (6) of this section.

(8) Any bills primarily affecting any State or local pension or retirement system, provided that the bill has been submitted to the Bill Drafting Division of the Legislative Services Office no later than 4:00 P.M. Wednesday, May 19, 2004, and is introduced in the House of Representatives or filed for introduction in the Senate no later than 4:00 P.M. Wednesday, May 26, 2004.

(9) Joint resolutions, House resolutions, and Senate resolutions pertaining to Section 5(10) of Article III of the Constitution of North Carolina or authorized for introduction under Senate Rule 40(b) or House Rule 31(g).

(10) A joint resolution adjourning the 2003 Regular Session, sine die.

1 (11) Bills to disapprove rules under G.S. 150B-21.3.

2 (12) Constitutional amendments.

3 **SECTION 2.** A bill containing no substantive provisions may not be
4 introduced in the House of Representatives during the 2004 Regular Session.

5 **SECTION 3.** The Speaker of the House of Representatives or the President
6 Pro Tempore of the Senate may authorize appropriate committees or subcommittees of
7 their respective houses to meet during the interim between sessions to:

8 (1) Review matters related to the State budget for the 2003-2005
9 biennium,

10 (2) Prepare reports, including revised budgets, or

11 (3) Consider any other matters as the Speaker of the House of
12 Representatives or the President Pro Tempore of the Senate deems
13 appropriate,

14 except that no committee or subcommittee of a house may consider, after the date of
15 adjournment provided in Section 1 of this resolution and before the date of reconvening
16 provided in Section 1 of this resolution, any bill, or proposed committee substitute for
17 such bill, which originated in the other house. A conference committee may meet in the
18 interim upon approval by the Speaker of the House of Representatives or the President
19 Pro Tempore of the Senate.

20 **SECTION 4.** This resolution is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

H

D

HOUSE JOINT RESOLUTION 1335
PROPOSED SENATE COMMITTEE SUBSTITUTE H1335-PCS30419-LB-92

Sponsors:

Referred to:

July 10, 2003

1 A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE
2 2003 GENERAL ASSEMBLY TO MEET IN 2003 AND 2004 AND LIMITING
3 THE SUBJECTS THAT MAY BE CONSIDERED IN THOSE SESSIONS.

4 Be it resolved by the House of Representatives, the Senate concurring:

5 **SECTION 1.** When the Senate and House of Representatives adjourn on
6 Sunday, July 20, 2003, the Senate shall adjourn to reconvene at 12:00 noon on Monday,
7 September 15, 2003, and the House of Representatives shall adjourn to reconvene at
8 12:00 noon on Monday, May 10, 2004. During the session of the Senate beginning
9 September 15, 2003, as provided in this section and adjourning again no later than
10 September 19, 2003, as provided by Section 2 of this act, only the following matters
11 may be considered:

12 (1) Economic Development Legislation.

13 (2) Civil Justice and Insurance Reform Legislation.

14 **SECTION 2.** When it adjourns on Friday, September 19, 2003, the Senate
15 shall adjourn to reconvene at 12:00 noon on Monday, May 10, 2004, except that the
16 adjournment may be on a date earlier than September 19, 2003, if so specified in the
17 adjournment motion.

18 **SECTION 3.** During the regular session that reconvenes on Monday, May
19 10, 2004, only the following matters may be considered:

20 (1) Bills directly and primarily affecting the State budget, including the
21 budget of an occupational licensing board, for fiscal year 2004-2005,
22 provided that the bill must be submitted to the Bill Drafting Division
23 of the Legislative Services Office no later than 4:00 P.M. Thursday,
24 May 20, 2004, and must be introduced in the House of Representatives
25 or filed for introduction in the Senate no later than 4:00 P.M.
26 Thursday, May 27, 2004.

27 (2) Bills and resolutions introduced in 2003 and having passed third
28 reading in 2003 in the house in which introduced, received in the other
29 house in accordance with Senate Rule 41 or House Rule 31.1(d) as
30 appropriate, and not disposed of in the other house by tabling,

unfavorable committee report, indefinite postponement, or failure to pass any reading, and which do not violate the rules of the receiving house.

(3) Bills and resolutions implementing the recommendations of:

- a. Study commissions, authorities, and statutory commissions authorized or directed to report to the 2004 Session;
- b. The General Statutes Commission, the Courts Commission, or any commission created under Chapter 120 of the General Statutes that is authorized or directed to report to the General Assembly;
- c. The House Ethics Committee;
- d. Select committees; or
- e. The Joint Legislative Ethics Committee or its Advisory Subcommittee.

A bill authorized by this subdivision must be submitted to the Bill Drafting Division of the Legislative Services Office no later than 4:00 P.M. Wednesday, May 12, 2004, and must be filed for introduction in the Senate or introduced in the House of Representatives no later than 4:00 P.M. Wednesday, May 19, 2004.

(4) Any local bill that has been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. Wednesday, May 19, 2004, is introduced in the House of Representatives or filed for introduction in the Senate by 4:00 P.M. Wednesday, May 26, 2004, and is accompanied by a certificate signed by the principal sponsor stating that no public hearing will be required or asked for by a member on the bill, the bill is noncontroversial, and that the bill is approved for introduction by each member of the House of Representatives and Senate whose district includes the area to which the bill applies.

(5) Selection, appointment, or confirmation of members of State boards and commissions as required by law, including the filling of vacancies of positions for which the appointees were elected by the General Assembly upon recommendation of the Speaker of the House of Representatives, President of the Senate, or President Pro Tempore of the Senate.

(6) Any matter authorized by joint resolution passed during the 2004 Regular Session by a two-thirds majority of the members of the House of Representatives present and voting and by a two-thirds majority of the members of the Senate present and voting. A bill or resolution filed in either house under the provisions of this subdivision shall have a copy of the ratified enabling resolution attached to the jacket before filing for introduction in the Senate or introduction in the House of Representatives.

- 1 (7) A joint resolution authorizing the introduction of a bill pursuant to
2 subdivision (6) of this section.
- 3 (8) Any bills primarily affecting any State or local pension or retirement
4 system, provided that the bill has been submitted to the Bill Drafting
5 Division of the Legislative Services Office no later than 4:00 P.M.
6 Wednesday, May 19, 2004, and is introduced in the House of
7 Representatives or filed for introduction in the Senate no later than
8 4:00 P.M. Wednesday, May 26, 2004.
- 9 (9) Joint resolutions, House resolutions, and Senate resolutions pertaining
10 to Section 5(10) of Article III of the Constitution of North Carolina or
11 authorized for introduction under Senate Rule 40(b) or House Rule
12 31(g).
- 13 (10) A joint resolution adjourning the 2003 Regular Session, sine die.
- 14 (11) Bills to disapprove rules under G.S. 150B-21.3.
- 15 (12) Constitutional amendments.

16 **SECTION 4.** A bill containing no substantive provisions may not be
17 introduced in the House of Representatives during the 2004 Regular Session.

18 **SECTION 5.** The Speaker of the House of Representatives or the President
19 Pro Tempore of the Senate may authorize appropriate committees or subcommittees of
20 their respective houses to meet during the interims between sessions to:

- 21 (1) Review matters related to the State budget for the 2003-2005
22 biennium,
- 23 (2) Prepare reports, including revised budgets, or
- 24 (3) Consider any other matters as the Speaker of the House of
25 Representatives or the President Pro Tempore of the Senate deems
26 appropriate,

27 except that no committee or subcommittee of a house may consider, after the date of
28 adjournment provided in Section 1 of this resolution and before the date of reconvening
29 provided in Section 2 of this resolution, any bill, or proposed committee substitute for
30 such bill, which originated in the other house. A conference committee may meet in the
31 interim upon approval by the Speaker of the House of Representatives or the President
32 Pro Tempore of the Senate.

33 **SECTION 6.** This resolution is effective upon ratification.

COMMITTEE ON RULES AND OPERATIONS OF THE SENATE

MINUTES

JULY 19, 2003

The Committee on Rules and Operations of the Senate met on July 19, 2003 at 12:00 noon at Senator Rand's Chamber desk. Eleven members of the committee were present. Senator Rand presided.


Senator Rand presented the committee with a proposed committee substitute for:

SENATE BILL 63 - PRO TEM APPOINTMENTS BILL - 1

Senator Horton moved for the adoption of the proposed committee for consideration by the committee.

Senator Rand explained that the bill contained the addition of **Part II – Statutory Changes** in regard to “The North Carolina Advisory Commission on Military Affairs which will consist of 21 voting members and 13 non-voting, ex officio members shall serve by reason of their positions”. The 13 members included the Commander of Military Ocean Terminal Sunny Point.

Senator Albertson moved for a favorable report of the committee substitute and the committee gave the proposed committee substitute a favorable report.



Senator Tony Rand, Chairman



Evelyn Costello, Committee Ass't.

**NORTH CAROLINA GENERAL ASSEMBLY
SENATE**

**RULES AND OPERATIONS OF THE SENATE COMMITTEE REPORT
Senator Tony Rand, Chair**

Saturday, July 19, 2003

SENATOR RAND,
submits the following with recommendations as to passage:

**UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO COMMITTEE SUBSTITUTE
BILL**

S.B.	63	Pro Tem Appointments Bill - 1.	
		Draft Number:	PCS 55208
		Sequential Referral:	None
		Recommended Referral:	None
		Long Title Amended:	Yes

TOTAL REPORTED: 1

Committee Clerk Comments:

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

S

1

SENATE BILL 63

Short Title: Pro Tem Appointments Bill - 1.

(Public)

Sponsors: Senator Rand.

Referred to: Rules and Operations of the Senate.

February 18, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE
3 RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE
4 SENATE.

5 Whereas, G.S. 120-121 authorizes the General Assembly to make certain
6 appointments to public offices upon the recommendation of the President Pro Tempore
7 of the Senate; and

8 Whereas, the President Pro Tempore of the Senate has made
9 recommendations; Now, therefore,

10 The General Assembly of North Carolina enacts:

11 **SECTION 1.** Unless otherwise provided for in this act, appointments are for
12 terms to begin July 1, 2003.

13 **SECTION 2.** This act is effective when it becomes law.

*filed
version*

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

S

D

**SENATE BILL 63
PROPOSED COMMITTEE SUBSTITUTE S63-PCS65345-LG-23**

Short Title: Pro Tem Appointments Bill - 1.

(Public)

Sponsors:

Referred to:

February 18, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE
3 RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE
4 AND TO MAKE VARIOUS CHANGES TO BOARDS AND COMMISSIONS.

5 Whereas, G.S. 120-121 authorizes the General Assembly to make certain
6 appointments to public offices upon the recommendation of the President Pro Tempore
7 of the Senate; and

8 Whereas, the President Pro Tempore of the Senate has made
9 recommendations; Now, therefore,
10 The General Assembly of North Carolina enacts:

11
12 **PART I. PRESIDENT PRO TEMPORE'S RECOMMENDATIONS.**

13 **SECTION 1.1.** Ken Morehead of Durham County is appointed to the
14 Acupuncture Licensing Board for a term expiring on June 30, 2006.

15 **SECTION 1.2.** Ralph Brown of Iredell County is appointed to the Alarm
16 Systems Licensing Board for a term expiring on June 30, 2006.

17 **SECTION 1.3.** Henry Faircloth of Sampson County is appointed to the
18 North Carolina Appraisal Board for a term expiring on June 30, 2006.

19 **SECTION 1.4.** Florence Moses of Wake County and Rick Proctor of
20 Guilford County are appointed to the North Carolina Board of Athletic Trainer
21 Examiners for terms expiring on June 30, 2006.

22 **SECTION 1.5.** Lloyd Meekins of Robeson County is appointed to the North
23 Carolina Auctioneers Commission for a term expiring on June 30, 2005.

24 **SECTION 1.6.** Art Keeney of Hyde County is appointed to the North
25 Carolina State Banking Commission for a term expiring on June 30, 2007.

26 **SECTION 1.7.** Ernie Bowden of Dare County and Frances Walker of
27 Currituck County are appointed to the North Carolina Bridge Authority for a term
28 expiring on June 30, 2007.

1 **SECTION 1.8.** Allen Lassiter of Perquimans County and Willy E. Stewart
2 of Wake County are appointed to the State Building Commission for terms expiring on
3 June 30, 2006.

4 **SECTION 1.9.** The Honorable Wendell Murphy of Duplin County and
5 Frank Daniels III of Wake County are appointed to the Centennial Authority for terms
6 expiring on June 30, 2007.

7 **SECTION 1.10.** Margaret Ann Biddle of Wake County, Beth A. Rector of
8 Columbus County, Linda Grissom of Durham County, and Ann Mercer of Henderson
9 County are appointed to the Child Care Commission for terms expiring on June 30,
10 2005.

11 **SECTION 1.11.** Lisa Privette of Harnett County and James Kennedy of
12 Forsyth County are appointed to the North Carolina Code Officials Qualification Board
13 for terms expiring on June 30, 2007.

14 **SECTION 1.12.** Joyce Cutler of Beaufort County is appointed to the Crime
15 Victims Compensation Commission for a term expiring on June 30, 2006.

16 **SECTION 1.13.(a)** Bonnie Boyette of Nash County and Robert Lewis of
17 Wake County are appointed to the North Carolina Criminal Justice Education and
18 Training Standards Commission for terms expiring on June 30, 2005.

19 **SECTION 1.13.(b)** Wade Anders of Cumberland County and Terry
20 Waterfield of Pasquotank County are appointed to the North Carolina Criminal Justice
21 Education and Training Standards Commission for terms expiring on June 30, 2006.

22 **SECTION 1.14.** The Honorable J. B. Evans of Columbus County and
23 Martin Chriscoe of Wake County are appointed to the Criminal Justice Information
24 Network Governing Board for terms expiring on June 30, 2007.

25 **SECTION 1.15.** Julianne Stewart of Wake County is appointed to the North
26 Carolina Board of Dietetics/Nutrition for a term expiring on June 30, 2006.

27 **SECTION 1.16.** R. Mitchell Tyler of Columbus County is appointed to the
28 Disciplinary Hearing Commission of the North Carolina State Bar for a term expiring
29 on June 30, 2006.

30 **SECTION 1.17.** Effective September 1, 2003, Lynn Bryant of Dare County,
31 Senator Ellie Kinnaird of Orange County, Barbara Arnold of Wayne County, Deborah
32 Weisman of Orange County, Jan Capps of Durham County, Sharon Hunt of Robeson
33 County, Dina Foster of Cleveland County, and Sgt. John Guard of Pitt County are
34 appointed to the Domestic Violence Commission for terms expiring on August 31,
35 2006.

36 **SECTION 1.18.** Effective September 1, 2003, Margaret Wingate of
37 Mecklenburg County is appointed to the North Carolina Board of Electrolysis
38 Examiners for a term expiring on August 31, 2006.

39 **SECTION 1.19.** Dr. Stephen Landau of Johnston County is appointed to the
40 North Carolina Emergency Medical Services Advisory Council for a term expiring on
41 June 30, 2007.

42 **SECTION 1.20.** Thomas Jenkins of Macon County, Martha Hastay Keating
43 of Orange County, and Freddie Harrell of Cleveland County are appointed to the
44 Environmental Management Commission for terms expiring on June 30, 2005.

1 **SECTION 1.21.** Effective October 1, 2003, Reverend David Franzen of
2 Durham County is appointed to the North Carolina State Board of Examiners of
3 Fee-Based Practicing Pastoral Counselors for a term expiring on September 30, 2007.

4 **SECTION 1.22.** William Winn of Gates County is appointed to the State
5 Fire and Rescue Commission for a term expiring on June 30, 2004, to fill the unexpired
6 term of Hiram Brinson.

7 **SECTION 1.23.** Durwood Stephenson of Johnston County, The Honorable
8 Clark Jenkins of Edgecombe County, and The Honorable Tony Moore of Pitt County
9 are appointed to the Board of Directors of the North Carolina Global TransPark
10 Authority for terms expiring on June 30, 2007.

11 **SECTION 1.24.** Emily Moore of Lenoir County, Bobby Bollinger of
12 Mecklenburg County, Anthony Mulvihill of Durham County, JoAnne Jeffries of
13 Durham County, Dianne Wright of Wilson County, Thomasine Kennedy of Duplin
14 County, and Linda Guzman of Orange County are appointed to the Governor's
15 Advocacy Council for Persons with Disabilities for terms expiring on June 30, 2005.

16 **SECTION 1.25.** Kathryn Ahlport of Guilford County, Jesse Basnight of
17 Orange County, Marian Duncan of Columbus County, Ida Friday of Orange County,
18 Joan Tuttle of Buncombe County, Senator Jim Forrester of Gaston County, Senator Eric
19 Reeves of Wake County, and Senator Bill Purcell of Scotland County are appointed to
20 the Justus-Warren Heart Disease and Stroke Prevention Task Force for terms expiring
21 upon the submission of the Task Force's final report.

22 **SECTION 1.26.** Roger R. Pierce of Jackson County is appointed to the
23 North Carolina Home Inspector Licensure Board for a term expiring on June 30, 2007.

24 **SECTION 1.27.** Patricia Garrett of Mecklenburg County and Sam Ewell of
25 Wake County are appointed to the North Carolina Housing Finance Agency Board of
26 Directors for terms expiring on June 30, 2005.

27 **SECTION 1.28.** Effective September 1, 2003, Joey Carpenter of Gaston
28 County, Jeanne Tedrow of Wake County, Jeffrey Null of Cumberland County, Ed
29 Moran of Craven County, and The Honorable Gerald Holleman of Wake County are
30 appointed to the North Carolina Housing Partnership for terms expiring on August 31,
31 2006.

32 **SECTION 1.29.** Paul Brooks of Robeson County is appointed to the North
33 Carolina State Commission of Indian Affairs for a term expiring on June 30, 2005.

34 **SECTION 1.30.** Janet Smith of Forsyth County and Rufus Edmisten of
35 Wake County are appointed to the Information Resource Management Commission for
36 terms expiring on June 30, 2007.

37 **SECTION 1.31.(a)** Effective January 1, 2003, Kathleen Beetham of Wake
38 County is appointed to the North Carolina Interpreter and Transliterator Licensing
39 Board for a term expiring December 31, 2005.

40 **SECTION 1.31.(b)** Effective January 1, 2003, James Sewell of Wake
41 County and Lorene Roberson of Edgecombe County are appointed to the North
42 Carolina Interpreter and Transliterator Licensing Board for terms expiring on December
43 31, 2006.

1 **SECTION 1.32.** Wayne Seville of Guilford County and Vilma Morris of
2 Durham County are appointed to the North Carolina Board of Massage and Bodywork
3 Therapy for terms expiring on June 30, 2006.

4 **SECTION 1.33.** Bernard Sullivan of Gaston County, Jerney Minshew of
5 Wilson County, and Laurie Coker of Forsyth County is appointed to the Commission
6 for Mental Health, Developmental Disabilities, and Substance Abuse Services for terms
7 expiring on June 30, 2005.

8 **SECTION 1.34.** Cissie Wellons of Johnston County and Patricia Jackson of
9 Nash County are appointed to the Board of Trustees of the North Carolina Museum of
10 Art for terms expiring on June 30, 2005.

11 **SECTION 1.35.** George Richards of Wake County is appointed to the
12 Natural Heritage Trust Fund Board of Trustees for a term expiring on June 30, 2009.

13 **SECTION 1.36.** Ben Berry of Pasquotank County, Ernie Bowden of Dare
14 County, Ray Hollowell of Dare County, Elsie Pugh of Camden County, the Honorable
15 Robert Spivey of Bertie County, and the Honorable Gene Rogers of Chowan County are
16 appointed to the Northeastern North Carolina Regional Economic Development
17 Commission for terms expiring on June 30, 2005.

18 **SECTION 1.36A.** Martha Ann Harrell of Cumberland County is appointed
19 to the Board of Nursing for a term expiring on December 31, 2007.

20 **SECTION 1.37.** Marti Davies of Buncombe County, Donna Whitley of Pitt
21 County, and Jennifer Robinson Chapel of Mecklenburg County are appointed to the
22 North Carolina Center for Nursing Board of Directors for terms expiring on June 30,
23 2006.

24 **SECTION 1.38.** Wanda Boyette of Sampson County, Virginia Adams of
25 New Hanover County, and Kathy Weeks of Harnett County are appointed to the North
26 Carolina Nursing Scholars Commission for terms expiring on June 30, 2007.

27 **SECTION 1.39.(a).** Edwin Holbrook of Cleveland County and Cynthia Tart
28 of Brunswick County are appointed to the North Carolina Parks and Recreation
29 Authority for terms expiring on June 30, 2005.

30 **SECTION 1.39.(b).** Harriet Farrior of Duplin County is appointed to the
31 North Carolina Parks and Recreation Authority for a term expiring on June 30, 2006.

32 **SECTION 1.40.** Anne Coan of Wake County, Michael Haire of Perquimans
33 County, Doug Howey of Wake County, Thomas Mehder of Mecklenburg County, and
34 Bill Witherspoon of Wake County are appointed to the North Carolina Petroleum
35 Underground Storage Tank Funds Council for terms expiring on June 30, 2005.

36 **SECTION 1.41.** David Royster of Cleveland County and Jeff Turner of
37 Duplin County are appointed to the North Carolina State Ports Authority for terms
38 expiring on June 30, 2005.

39 **SECTION 1.42.** Cecilie Lewis of Wake County is appointed to the North
40 Carolina Principal Fellows Commission for a term expiring on June 30, 2006.

41 **SECTION 1.43.** Berkley Blanks of Guilford County, Albert Austin of Dare
42 County, Richard Allen of Anson County, and Keith Shannon of Mecklenburg County
43 are appointed to the Private Protective Services Board for terms expiring on June 30,
44 2006.

1 **SECTION 1.44.** Terry Wheeler of Dare County is appointed to the Property
2 Tax Commission for a term expiring on June 30, 2007.

3 **SECTION 1.45.** Richard Burton of Durham County is appointed to the
4 Board of Trustees of the North Carolina Public Employee Deferred Compensation Plan
5 for a term expiring on June 30, 2005.

6 **SECTION 1.46.** David Walker of Robeson County is appointed to the
7 Public Officers and Employees Liability Insurance Commission for a term expiring on
8 June 30, 2007.

9 **SECTION 1.47.** Beverly McCracken of Guilford County is appointed to the
10 Board of Trustees of the University of North Carolina Center for Public Television for a
11 term expiring on June 30, 2005.

12 **SECTION 1.48.** Thomas Morrow of Wake County and Anthony Copeland
13 of Wake County are appointed to the Board of Public Telecommunications
14 Commissioners for terms expiring on June 30, 2005.

15 **SECTION 1.49.** Michael Weisel of Wake County and Robert Bleeker of
16 Cumberland County are appointed to the North Carolina Railroad Board of Directors for
17 terms expiring on June 30, 2007.

18 **SECTION 1.50.** Marsha Jordan of Lincoln County is appointed to the North
19 Carolina Real Estate Commission for a term expiring on June 30, 2006.

20 **SECTION 1.51.** Bill Kealy of Dare County, the Honorable Bobby Owens of
21 Dare County, Arvilla Bowser of Dare County, Todd Clissold of Dare County, Joann
22 Williams of Dare County, and Ann Eubanks of Orange County are appointed to the
23 Roanoke Island Commission for terms expiring on June 30, 2005.

24 **SECTION 1.52.** David Ray Twiddy of Pasquotank County, Jim Funderburk
25 of Gaston County, Robert Saunders of Wake County, Thomas Hilliard of Wake County,
26 and Jeffery Gray of Wake County are appointed to the Rules Review Commission for
27 terms expiring on June 30, 2005.

28 **SECTION 1.53.** David Smith of Durham County is appointed to the North
29 Carolina School of Science and Mathematics Board of Trustees for a term expiring on
30 June 30, 2007.

31 **SECTION 1.54.** Kirk Preiss of Wake County is appointed to the North
32 Carolina Board of Science and Technology for a term expiring on June 30, 2005.

33 **SECTION 1.55.** Russell Stetson of Dare County is appointed to the North
34 Carolina Seafood Industrial Park Authority for a term expiring on June 30, 2005.

35 **SECTION 1.56.** Michael Robertson of Lee County is appointed to the North
36 Carolina Sheriffs' Education and Training Standards Commission for a term expiring on
37 June 30, 2005.

38 **SECTION 1.57.** Edward Hearn of Wake County is appointed to the North
39 Carolina Board for the Licensing of Soil Scientists for a term expiring on June 30, 2006.

40 **SECTION 1.58.** J. C. Batchelor of Bladen County and Dr. Delilah Blanks of
41 Bladen County are appointed to the Southeastern North Carolina Regional Economic
42 Development Commission for terms expiring on June 30, 2007.

1 **SECTION 1.59.** William Tesh of Guilford County and Howard Nifong of
2 Mecklenburg County are appointed to the Structural Pest Control Committee for terms
3 expiring on June 30, 2007.

4 **SECTION 1.60.** Sarah Reynolds of Durham County and Helen Pridgen of
5 Guilford County are appointed to the North Carolina Teacher Academy Board of
6 Trustees for terms expiring on June 30, 2007.

7 **SECTION 1.61.** Joseph Jenkins of Cumberland County and Glenn Marek of
8 Orange County are appointed to the Board of Trustees of the Teachers' and State
9 Employees' Comprehensive Major Medical Plan for terms expiring on June 30, 2005.

10 **SECTION 1.62.** John Cilley of Catawba County is appointed to the Board of
11 Trustees of the Teachers' and State Employees' Retirement System for a term expiring
12 on June 30, 2005.

13 **SECTION 1.63.** Colleen Lanier of Forsyth County and Laura Bilbro-Berry
14 of Beaufort County are appointed to the North Carolina Teaching Fellows Commission
15 for terms expiring on June 30, 2006.

16 **SECTION 1.64.** Mike Hammer of Pitt County is appointed to the North
17 Carolina State Board of Therapeutic Recreation Certification for a term expiring on
18 June 30, 2007.

19 **SECTION 1.65.** Wilson Martin of Iredell County, Edwin Register of Duplin
20 County, and Connie Pixley of Alamance County are appointed to the Well Contractors
21 Certification Commission for terms expiring on June 30, 2005.

22 **SECTION 1.65A.** J. W. Davis of Henderson County, D. Samuel Neill of
23 Henderson County, the Honorable Tommy Jenkins of Macon County, David Henson of
24 Macon County, Ken Hankinson of Rutherford County, William Forsyth of Cherokee
25 County, and Wanda Profitt of Yancey County are appointed to the Western North
26 Carolina Regional Economic Development Commission for terms expiring on June 30,
27 2007.

28 **SECTION 1.66.** John Pechmann of Cumberland County, Charles Tolley of
29 Madison County, Eugene Price of Wayne County, and Richard Hull of Pasquotank
30 County are appointed to the North Carolina Wildlife Resources Commission for terms
31 expiring on April 23, 2005.

32 **SECTION 1.67.** Neal Allen of Randolph County, Chief Robert Cherry of
33 Edgecombe County, Belinda Gurkins of Pitt County, Leigh Horner of Orange County,
34 and William Tant of Nash County is appointed to the Wireless 911 Board for terms
35 expiring on June 30, 2007.

36
37 **PART III. EFFECTIVE DATE.**

38 **SECTION 3.1.** The headings to the parts and sections of this act are a
39 convenience to the reader and are for reference only.

40 **SECTION 3.2.** Unless otherwise provided for in this act, appointments are
41 for terms to begin July 1, 2003.

42 **SECTION 3.3.** This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2003

S

D

SENATE BILL 63
PROPOSED COMMITTEE SUBSTITUTE S63-PCS55208-LG-26

Short Title: Pro Tem Appointments Bill.

(Public)

Sponsors:

Referred to:

February 18, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE
3 RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE
4 AND TO MAKE CHANGES TO THE ADVISORY COMMISSION ON
5 MILITARY AFFAIRS.

6 Whereas, G.S. 120-121 authorizes the General Assembly to make certain
7 appointments to public offices upon the recommendation of the President Pro Tempore
8 of the Senate; and

9 Whereas, the President Pro Tempore of the Senate has made
10 recommendations; Now, therefore,
11 The General Assembly of North Carolina enacts:

12
13 **PART I. PRESIDENT PRO TEMPORE'S RECOMMENDATIONS.**

14 **SECTION 1.1.** Ken Morehead of Durham County is appointed to the
15 Acupuncture Licensing Board for a term expiring on June 30, 2006.

16 **SECTION 1.2.** Ralph Brown of Iredell County is appointed to the Alarm
17 Systems Licensing Board for a term expiring on June 30, 2006.

18 **SECTION 1.3.** Henry Faircloth of Sampson County is appointed to the
19 North Carolina Appraisal Board for a term expiring on June 30, 2006.

20 **SECTION 1.4.** Florence Moses of Wake County and Rick Proctor of
21 Guilford County are appointed to the North Carolina Board of Athletic Trainer
22 Examiners for terms expiring on June 30, 2006.

23 **SECTION 1.5.** Lloyd Meekins of Robeson County is appointed to the North
24 Carolina Auctioneers Commission for a term expiring on June 30, 2005.

25 **SECTION 1.6.** Art Keeney of Hyde County is appointed to the North
26 Carolina State Banking Commission for a term expiring on June 30, 2007.

1 **SECTION 1.7.** Ernie Bowden of Dare County and Frances Walker of
2 Currituck County are appointed to the North Carolina Bridge Authority for a term
3 expiring on June 30, 2007.

4 **SECTION 1.8.** Allen Lassiter of Perquimans County and Willy E. Stewart
5 of Wake County are appointed to the State Building Commission for terms expiring on
6 June 30, 2006.

7 **SECTION 1.9.** The Honorable Wendell Murphy of Duplin County and
8 Frank Daniels III of Wake County are appointed to the Centennial Authority for terms
9 expiring on June 30, 2007.

10 **SECTION 1.10.** Margaret Ann Biddle of Wake County, Beth A. Rector of
11 Columbus County, Linda Grissom of Durham County, and Ann Mercer of Henderson
12 County are appointed to the Child Care Commission for terms expiring on June 30,
13 2005.

14 **SECTION 1.11.** Lisa Privette of Harnett County and James Kennedy of
15 Forsyth County are appointed to the North Carolina Code Officials Qualification Board
16 for terms expiring on June 30, 2007.

17 **SECTION 1.12.** Joyce Cutler of Beaufort County is appointed to the Crime
18 Victims Compensation Commission for a term expiring on June 30, 2006.

19 **SECTION 1.13.(a)** Bonnie Boyette of Nash County and Robert Lewis of
20 Wake County are appointed to the North Carolina Criminal Justice Education and
21 Training Standards Commission for terms expiring on June 30, 2005.

22 **SECTION 1.13.(b)** Wade Anders of Cumberland County and Terry
23 Waterfield of Pasquotank County are appointed to the North Carolina Criminal Justice
24 Education and Training Standards Commission for terms expiring on June 30, 2006.

25 **SECTION 1.14.** The Honorable J. B. Evans of Columbus County and
26 Martin Chriscoe of Wake County are appointed to the Criminal Justice Information
27 Network Governing Board for terms expiring on June 30, 2007.

28 **SECTION 1.15.** Julianne Stewart of Wake County is appointed to the North
29 Carolina Board of Dietetics/Nutrition for a term expiring on June 30, 2006.

30 **SECTION 1.16.** R. Mitchell Tyler of Columbus County is appointed to the
31 Disciplinary Hearing Commission of the North Carolina State Bar for a term expiring
32 on June 30, 2006.

33 **SECTION 1.17.** Effective September 1, 2003, Lynn Bryant of Dare County,
34 Senator Ellie Kinnaird of Orange County, Barbara Arnold of Wayne County, Deborah
35 Weisman of Orange County, Jan Capps of Durham County, Sharon Hunt of Robeson
36 County, Dina Foster of Cleveland County, and Sgt. John Guard of Pitt County are
37 appointed to the Domestic Violence Commission for terms expiring on August 31,
38 2006.

39 **SECTION 1.18.** Effective September 1, 2003, Margaret Wingate of
40 Mecklenburg County is appointed to the North Carolina Board of Electrolysis
41 Examiners for a term expiring on August 31, 2006.

42 **SECTION 1.19.** Dr. Stephen Landau of Johnston County is appointed to the
43 North Carolina Emergency Medical Services Advisory Council for a term expiring on
44 June 30, 2007.

1 **SECTION 1.20.** Thomas Jenkins of Macon County, John R. Gessaman of
2 Nash County, and Freddie Harrell of Cleveland County are appointed to the
3 Environmental Management Commission for terms expiring on June 30, 2005.

4 **SECTION 1.21.** Effective October 1, 2003, Reverend David Franzen of
5 Durham County is appointed to the North Carolina State Board of Examiners of
6 Fee-Based Practicing Pastoral Counselors for a term expiring on September 30, 2007.

7 **SECTION 1.22.** William Winn of Gates County is appointed to the State
8 Fire and Rescue Commission for a term expiring on June 30, 2004, to fill the unexpired
9 term of Hiram Brinson.

10 **SECTION 1.23.** Durwood Stephenson of Johnston County, The Honorable
11 Clark Jenkins of Edgecombe County, and The Honorable Tony Moore of Pitt County
12 are appointed to the Board of Directors of the North Carolina Global TransPark
13 Authority for terms expiring on June 30, 2007.

14 **SECTION 1.24.** Emily Moore of Lenoir County, Bobby Bollinger of
15 Mecklenburg County, Anthony Mulvihill of Durham County, JoAnne Jeffries of
16 Durham County, Dianne Wright of Wilson County, Thomasine Kennedy of Duplin
17 County, and Linda Guzman of Orange County are appointed to the Governor's
18 Advocacy Council for Persons with Disabilities for terms expiring on June 30, 2005.

19 **SECTION 1.25.** Kathryn Ahlport of Guilford County, Jesse Basnight of
20 Orange County, Marian Duncan of Columbus County, Ida Friday of Orange County,
21 Joan Tuttle of Buncombe County, Senator Jim Forrester of Gaston County, Senator Eric
22 Reeves of Wake County, and Senator Bill Purcell of Scotland County are appointed to
23 the Justus-Warren Heart Disease and Stroke Prevention Task Force for terms expiring
24 upon the submission of the Task Force's final report.

25 **SECTION 1.26.** Roger R. Pierce of Jackson County is appointed to the
26 North Carolina Home Inspector Licensure Board for a term expiring on June 30, 2007.

27 **SECTION 1.27.** Patricia Garrett of Mecklenburg County and Sam Ewell of
28 Wake County are appointed to the North Carolina Housing Finance Agency Board of
29 Directors for terms expiring on June 30, 2005.

30 **SECTION 1.28.** Effective September 1, 2003, Joey Carpenter of Gaston
31 County, Jeanne Tedrow of Wake County, Jeffrey Null of Cumberland County, Ed
32 Moran of Craven County, and The Honorable Gerald Holleman of Wake County are
33 appointed to the North Carolina Housing Partnership for terms expiring on August 31,
34 2006.

35 **SECTION 1.29.** Paul Brooks of Robeson County is appointed to the North
36 Carolina State Commission of Indian Affairs for a term expiring on June 30, 2005.

37 **SECTION 1.30.** Janet Smith of Forsyth County and Rufus Edmisten of
38 Wake County are appointed to the Information Resource Management Commission for
39 terms expiring on June 30, 2007.

40 **SECTION 1.31.(a)** Effective January 1, 2003, Kathleen Beetham of Wake
41 County is appointed to the North Carolina Interpreter and Transliterator Licensing
42 Board for a term expiring December 31, 2005.

43 **SECTION 1.31.(b)** Effective January 1, 2003, James Sewell of Wake
44 County and Lorene Roberson of Edgecombe County are appointed to the North

1 Carolina Interpreter and Transliterator Licensing Board for terms expiring on December
2 31, 2006.

3 **SECTION 1.32.** Wayne Seville of Guilford County and Vilma Morris of
4 Durham County are appointed to the North Carolina Board of Massage and Bodywork
5 Therapy for terms expiring on June 30, 2006.

6 **SECTION 1.33.** Bernard Sullivan of Gaston County, Jerney Minshew of
7 Wilson County, and Laurie Coker of Forsyth County are appointed to the Commission
8 for Mental Health, Developmental Disabilities, and Substance Abuse Services for terms
9 expiring on June 30, 2005.

10 **SECTION 1.34.** Cissie Wellons of Johnston County and Patricia Jackson of
11 Nash County are appointed to the Board of Trustees of the North Carolina Museum of
12 Art for terms expiring on June 30, 2005.

13 **SECTION 1.35.** George Richards of Wake County is appointed to the
14 Natural Heritage Trust Fund Board of Trustees for a term expiring on June 30, 2009.

15 **SECTION 1.36.** Ben Berry of Pasquotank County, Ernie Bowden of Dare
16 County, Ray Hollowell of Dare County, Elsie Pugh of Camden County, The Honorable
17 Robert Spivey of Bertie County, and The Honorable Gene Rogers of Chowan County
18 are appointed to the Northeastern North Carolina Regional Economic Development
19 Commission for terms expiring on June 30, 2005.

20 **SECTION 1.36A.** Martha Ann Harrell of Cumberland County is appointed
21 to the Board of Nursing for a term expiring on December 31, 2007.

22 **SECTION 1.37.** Marti Davies of Buncombe County, Donna Whitley of Pitt
23 County, and Jennifer Robinson Chapel of Mecklenburg County are appointed to the
24 North Carolina Center for Nursing Board of Directors for terms expiring on June 30,
25 2006.

26 **SECTION 1.38.** Wanda Boyette of Sampson County, Virginia Adams of
27 New Hanover County, and Kathy Weeks of Harnett County are appointed to the North
28 Carolina Nursing Scholars Commission for terms expiring on June 30, 2007.

29 **SECTION 1.39.(a)** Edwin Holbrook of Cleveland County and Cynthia Tart
30 of Brunswick County are appointed to the North Carolina Parks and Recreation
31 Authority for terms expiring on June 30, 2005.

32 **SECTION 1.39.(b)** Harriet Farrior of Duplin County is appointed to the
33 North Carolina Parks and Recreation Authority for a term expiring on June 30, 2006.

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37 Underground Storage Tank Funds Council for terms expiring on June 30, 2005.

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39 Duplin County are appointed to the North Carolina State Ports Authority for terms
40 expiring on June 30, 2005.

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16 **SECTION 1.64.** Mike Hammer of Pitt County is appointed to the North
17 Carolina State Board of Therapeutic Recreation Certification for a term expiring on
18 June 30, 2007.

19 **SECTION 1.65.** Wilson Martin of Iredell County, Edwin Register of Duplin
20 County, and Connie Pixley of Alamance County are appointed to the Well Contractors
21 Certification Commission for terms expiring on June 30, 2005.

22 **SECTION 1.65A.** J. W. Davis of Henderson County, D. Samuel Neill of
23 Henderson County, The Honorable Tommy Jenkins of Macon County, David Henson of
24 Macon County, Ken Hankinson of Rutherford County, William Forsyth of Cherokee
25 County, and Wanda Profitt of Yancey County are appointed to the Western North
26 Carolina Regional Economic Development Commission for terms expiring on June 30,
27 2007.

28 **SECTION 1.66.** John Pechmann of Cumberland County, Charles Tolley of
29 Madison County, Eugene Price of Wayne County, and Richard Hull of Pasquotank
30 County are appointed to the North Carolina Wildlife Resources Commission for terms
31 expiring on April 23, 2005.

32 **SECTION 1.67.** Neal Allen of Randolph County, Chief Robert Cherry of
33 Edgecombe County, Belinda Gurkins of Pitt County, Leigh Horner of Orange County,
34 and William Tant of Nash County are appointed to the Wireless 911 Board for terms
35 expiring on June 30, 2007.

36
37 **PART II. STATUTORY CHANGES.**

38 **SECTION 2.(a)** G.S. 127A-2 reads as rewritten:

39 **"§ 127C-2. Membership.**

40 (a) The North Carolina Advisory Commission on Military Affairs shall consist of
41 21 voting members, who shall serve on the Executive Committee, members and nine 12-
42 nonvoting, ex officio members who shall serve by reason of their positions. 13

43 (b) The ~~Executive Committee~~ voting members shall be appointed as follows:

- 1 (1) Three members appointed by the Speaker of the House of
2 Representatives, one of whom shall be a member of a recognized
3 veterans' organization.
- 4 (2) Three members appointed by the President Pro Tempore of the Senate,
5 one of whom shall be a member of a recognized veterans' organization.
- 6 (3) Fifteen members appointed by the Governor, consisting of:
 - 7 a. Three representatives from the ~~Jacksonville community.~~Onslow
8 County area.
 - 9 b. Three representatives from the ~~Havelock community.~~Craven
10 County area.
 - 11 c. Three representatives from the ~~Goldsboro community.~~Wayne
12 County area.
 - 13 d. Three representatives from the ~~Fayetteville~~
14 community.Cumberland County area.
 - 15 e. Three public members from ~~across the State.~~the regions of
16 North Carolina that are not included in sub-subdivisions a.
17 through d. of this subdivision.
- 18 (c) The following members shall serve ex officio:
 - 19 (1) Secretary of Crime Control and Public Safety, or a designee.
 - 20 (2) Secretary of Commerce, or a designee.
 - 21 (3) Commanding General 18th Airborne Corps, Fort Bragg.
 - 22 (4) Commanding General Marine Corps Base, Camp Lejeune.
 - 23 (5) Commanding General Marine Corps Air Station, Cherry Point.
 - 24 (6) Commander 4th FW, Seymour Johnson Air Force Base.
 - 25 (7) Commander 43rd Airlift Wing, Pope Air Force Base.
 - 26 (8) Commander of the U.S. Coast Guard Support Center, Elizabeth City.
 - 27 (9) Adjutant General of the North Carolina National Guard.
 - 28 (10) Lieutenant Governor.
 - 29 (11) Secretary of Environment and Natural Resources, or a designee.
 - 30 (12) Secretary of Transportation, or designee.
 - 31 (13) Commander of Military Ocean Terminal Sunny Point."
- 32 (d) The Governor shall designate ~~one member of the Executive Committee~~
33 appointed pursuant to subsection (b) of this section to serve as chair. a chair or cochair
34 from among the members appointed pursuant to subsection (b) of this section. The chair
35 or cochair may select persons from among the members appointed pursuant to
36 subsection (b) of this section to serve as an Executive Committee. The Executive
37 Committee shall elect four persons from amongst among its membership to serve as
38 vice-chairs.
- 39 (e) The terms of the voting members of the ~~Executive Committee voting~~
40 members. Commission shall be as follows:
 - 41 (1) The members initially appointed by the Speaker of the House of
42 Representatives and the President Pro Tempore of the Senate shall
43 serve terms ending on December 31, 2003.

(2) Seven of the members appointed by the Governor shall serve initial terms ending on December 31, 2002.

(3) Eight of the members appointed by the Governor shall serve initial terms ending on December 31, 2003.

Thereafter, all members shall serve two-year terms."

SECTION 2.(b) G.S. 127C-3 reads as rewritten:

"§ 127C-3. Military Advisor.

~~The Military Advisor within the Office of the Governor shall serve as the administrative head of the Commission and~~ Governor shall designate a military advisor to the Commission who shall be responsible for the operations and normal business activities of the Commission, with oversight by the Executive Committee."

PART III. EFFECTIVE DATE.

SECTION 3.1. The headings to the parts and sections of this act are a convenience to the reader and are for reference only.

SECTION 3.2. Unless otherwise provided for in this act, appointments are for terms to begin July 1, 2003.

SECTION 3.3. This act is effective when it becomes law.

4

COMMITTEE ON RULES AND OPERATIONS OF THE SENATE 2003

Sen. Anthony E. Rand – Chairman	300 C LOB	733-9892
Sen. Walter Dalton – Vice Chairman	523 LOB	715-3038
Sen. Hamilton Horton	1117 LB	733-7850
Senator Ralph Hunt	522 LOB	715-3036
Sen. Charles Albertson	525 LOB	733-5705
Sen. Phillip Berger	1121 LB	733-5708
Sen. John Carrington	1026 LB	733-5850
Sen. James Forrester	1129 LB	715-3050
Sen. David Hoyle	300 A LOB	733-5734
Sen. Eleanor Kinnaird	2115 LB	733-5804
Sen. Martin Nesbitt	300 B LOB	733-5707
Sen. Robert Rucho	1113 LB	733-5650
Sen. R. C. Soles	2022 LB	733-5963
Sen. A. B. Swindell	629 LOB	715-3030
Sen. Scott Thomas	300 E LOB	733-6275

North Carolina General Assembly
Through Senate Committee on
Rules and Operations of the Senate

Date: 08/11/2004
Time: 10:40
Page: 001 of 034
Leg. Day: H-147/S-149

2003-2004 Biennium

Bill	Introducer	Short Title	Latest Action	In Date	Out Date
H023=	Crawford	UNIFORM PERSONAL WATERCRAFT LAWS.	*S Re-ref Com On Rules and Operations of the Senate	06-17-04	
H0053	Owens	HONOR VERNON JAMES.	S Ref To Com On Rules and Operations of the Senate	06-27-03	
H0065	Ray	AUTOPSY PHOTOS NOT PUBLIC RECORD.	*S Re-ref Com On Rules and Operations of the Senate	07-18-03	
H0069	Goodwin	HONOR THOMAS B. HUNTER.	SR Ch. Res 2003-24	04-29-03	07-14-03
H0131=	Hilton	CONCEALED HANDGUN RECIPROCITY.	*S Ref To Com On Rules and Operations of the Senate	05-05-03	
H0147	Gulley	LEFT TURN ON RED.	*S Conf Com Appointed	05-08-03	05-12-03
H0182=	L. Allen	NORTHAMPTON/DUPLIN/FAYETTEVILLE LOCAL ACTS.	*SR Ch. SL 2003-318	06-10-03	06-17-03
H0208	Wright	CONVENING ORGANIZATIONAL SESSION.	*S Re-ref Com On Rules, Calendar, and Operations of the House	05-06-03	07-17-04
H0231	Goodwin	HONOR C.B. DEANE.	SR Ch. Res 2003-25	04-22-03	07-14-03
H0328	Howard	AMEND REAL ESTATE LICENSING LAWS/FEES.- AB	*SR Ch. SL 2003-361	05-22-03	07-14-03
H0356=	Tolson	FEES.	*SR Ch. SL 2004-174	06-08-04	06-29-04
H0429	Culpepper	MONETARY COMP./ OUTDOOR ADVERTISING.	*S Ref To Com On Rules and Operations of the Senate	07-16-04	
H0506	Adams	UNC/BOG STUDENT MEMBER VOTE.	S Ref To Com On Rules and Operations of the Senate	04-23-03	
H0551=	Tolson	ATTENDANCE AGE/ ELIGIBILITY/SCHOOLS FOR DEAF.	*S Re-ref Com On Rules and Operations of the Senate	06-08-04	
H0566=	Gibson	SWIFT CREEK RECLASSIFICATION.	*SR Ch. SL 2003-433	05-05-03	07-17-03
H0606	B. Allen	HONOR CLARENCE LIGHTNER.	*SR Ch. Res 2003-21	04-22-03	06-17-03
H0674=	Luebke	DURHAM NORTHERN LOOP CORRIDOR.	*S Conf Com Appointed	04-23-03	07-17-03
H0693	Brubaker	50TH ANNIVERSARY OF THE ACC.	*S Ref To Com On Rules and Operations of the Senate	05-21-03	
H0694	Brubaker	NC AVIATION HALL OF FAME AND AVIATION MUSEUM.	*SR Ch. SL 2003-363	05-01-03	07-17-03

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H0737	Miller	CONSTITUTIONAL LIMITS.	*SR Ch. SL 2004-125	07-15-04	07-17-04
H0773	Insko	CHAPEL HILL SPRINKLERS.	*SR Ch. SL 2003-247	05-05-03	06-04-03
H0796	B. Allen	PROHIBIT SALE OF DOROTHEA DIX PROPERTY.	*S Ref To Com On Rules and Operations of the Senate	04-30-03	
H0859	Adams	BOARD OF FUNERAL SERVICE.	*S Pres. To Gov. 7/16/2004	05-05-03	07-09-04
H0886	Wright	DUE PROCESS FOR PHYSICIANS.	*SR Ch. SL 2003-366	05-22-03	06-25-03
H0888	Moore	PURCHASE FLEX/SCH TRANSPORTATION.	S Re-ref Com On Rules and Operations of the Senate	05-06-03	
H0917=	Brubaker	CONFORM MORTGAGE LENDING LAWS.	*S Re-ref Com On Rules, Calendar, and Operations of the House	04-30-03	07-20-03
H0917=	Brubaker	CONFORM MORTGAGE LENDING LAWS.	*S Re-ref Com On Rules, Calendar, and Operations of the House	07-20-03	07-20-03
H1047	Hackney	ABOLISH ALIENATION OF AFFECTION/CRIM. CONV.	S Re-ref Com On Rules and Operations of the Senate	05-12-03	
H1074	Crawford	BUTNER ADV. COUNCIL/ NASH-ROCKY MT./ EDGEcombe.	*SR Ch. SL 2003-346	06-24-03	06-25-03
H1146		RETAINAGE RULES/ PUBLIC CONTRACTS.	S Re-ref Com On Rules and Operations of the Senate	05-08-03	
H1161	Goodwin	NASCAR.	*SR Ch. Res 2003-11	04-22-03	05-14-03
H1328	Coates	MEM. ADOLPHEUS NUSSMANN AND GOTTFRIED ARENDS.	*SR Ch. Res 2003-27	06-05-03	07-14-03
H1335	Culpepper	ADJOURNMENT OF 2003 GENERAL ASSEMBLY.	*SR Ch. Res 2003-31	07-14-03	07-17-03
H1345=	Crawford	SPECIAL OFFICERS AUTHORITY/DOT TECH. CORR.	*SR Ch. SL 2004-148	06-16-04	07-02-04
H1540	Warner	ENABLING RESOL./UNC REPORT OUT-OF-STATE ENROLL.	*S Ref To Com On Rules and Operations of the Senate	06-29-04	
H1544	Moore	ENABLING RES/TERM. PAR. RIGHTS/MURDER OF PAR.	S Ref To Com On Rules and Operations of the Senate	06-08-04	
H1558	K. Williams	SUPPORT OF THE MILITARY IN NORTH CAROLINA.	S Ref To Com On Rules and Operations of the Senate	06-24-04	
H1565=	Baker	STATE BUDGET ACT.	*S Ref To Com On	06-29-04	

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			Rules and Operations of the Senate		
H1671	Ray	MOORESVILLE STREETS AND SIDEWALKS.	SR Ch. SL 2004-121	06-30-04	07-17-04
H1807	Saunders	HONORING FOUNDERS OF DUKE POWER.	SR Ch. Res 2004-12	07-02-04	07-08-04
S0009	Robert Pittenger	MEDICAL MALPRACTICE DAMAGES/ATTORNEYS' FEES.	S Re-ref Com On Select Committee on Insurance and Civil Justice Reform	02-26-03	04-03-03
\$ S0013	Kay R. Hagan	DNA ANALYSIS/SEX ASSAULT KITS.	S Ref To Com On Rules and Operations of the Senate	02-10-03	
S0014	Stan Bingham	33RD SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-10-03	
S0015	Stan Bingham	33RD SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-10-03	
S0016	Stan Bingham	33RD SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-10-03	
S0017	Stan Bingham	33RD SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	02-10-03	
S0018	Virginia Foxx	RESOLVING ELECTIONS.	S Ref To Com On Rules and Operations of the Senate	02-10-03	
\$ S0024	Linda Garrou	BLANK APPROPRIATIONS BILL-1.	S Ref To Com On Rules and Operations of the Senate	02-12-03	
\$ S0025	Linda Garrou	BLANK APPROPRIATIONS BILL-2.	S Ref To Com On Rules and Operations of the Senate	02-12-03	
\$ S0026	Linda Garrou	BLANK APPROPRIATIONS BILL-3.	S Ref To Com On Rules and Operations of the Senate	02-12-03	
S0029	Austin M. Allran	EXTEND DATE RETAILERS EXEMPT. PLUM/HEAT LAWS.	*SR Ch. SL 2003-2	02-13-03	02-13-03
S0032=	Stan Bingham	MOTORCYCLE AWARENESS MONTH.	S Ref To Com On Rules and Operations of the Senate	02-13-03	
S0034	Wib Gulley	2003 STUDIES ACT.	*S Conf Com Appointed	02-13-03	03-05-03

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S0034	Wib Gulley	2003 STUDIES ACT.	*S Conf Com Appointed	07-20-03	07-20-03
S0040	Larry Shaw	21ST SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-13-03	
S0041	Larry Shaw	21ST SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-13-03	
S0042	Larry Shaw	PUBLIC LAWS - 1.	S Ref To Com On Rules and Operations of the Senate	02-13-03	
S0043	Larry Shaw	PUBLIC LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	02-13-03	
\$ S0045	Kay R. Hagan	BLANK APPROPRIATIONS BILL-2.	S Ref To Com On Rules and Operations of the Senate	02-13-03	
\$ S0046	Kay R. Hagan	BLANK APPROPRIATIONS BILL-3.	S Ref To Com On Rules and Operations of the Senate	02-13-03	
\$ S0047	Kay R. Hagan	BLANK APPROPRIATIONS BILL-1.	S Ref To Com On Rules and Operations of the Senate	02-13-03	
S0058	Walter H. Dalton	BLANK APPROPRIATIONS BILL-1.	S Ref To Com On Rules and Operations of the Senate	02-17-03	
\$ S0059	Walter H. Dalton	BLANK APPROPRIATIONS BILL-2.	S Ref To Com On Rules and Operations of the Senate	02-17-03	
\$ S0060	Walter H. Dalton	BLANK APPROPRIATIONS BILL-3.	S Ref To Com On Rules and Operations of the Senate	02-17-03	
S0062	Tony Rand	JUDICIAL REFORM/BLANK BILL.	S Ref To Com On Rules and Operations of the Senate	02-18-03	
S0063	Tony Rand	PRO TEM & SPEAKER APPOINTMENTS BILL	*S Re-ref Com On Rules and Operations of the Senate	02-18-03	07-19-03
S0063	Tony Rand	PRO TEM & SPEAKER APPOINTMENTS BILL	*S Re-ref Com On Rules and Operations of the Senate	07-20-03	
S0064	Tony Rand	2004 APPOINTMENTS BILL.	*SR Ch. SL 2004-158	02-18-03	07-17-04
S0065	Tony Rand	STATE HEALTH PLAN - 3.	S Ref To Com On	02-18-03	

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			Rules and Operations of the Senate		
S0066	Tony Rand	STATE HEALTH PLAN - 2.	S Ref To Com On	02-18-03	
			Rules and Operations of the Senate		
\$ S0067	Tony Rand	APPROPRIATIONS FOR FY 2003-2004 - 1.	S Ref To Com On	02-18-03	
			Rules and Operations of the Senate		
\$ S0068	Tony Rand	APPROPRIATE FUNDS FOR FY 2003-2004 - 2.	S Ref To Com On	02-18-03	
			Rules and Operations of the Senate		
\$ S0069	Tony Rand	APPROPRIATE FUNDS FOR FY 2003-2004 - 3.	S Ref To Com On	02-18-03	
			Rules and Operations of the Senate		
S0070	Tony Rand	19TH SENATORIAL DISTRICT LOCAL ACT - 1.	S Ref To Com On	02-18-03	
			Rules and Operations of the Senate		
S0071	Tony Rand	19TH SENATORIAL DISTRICT LOCAL ACT - 2.	S Ref To Com On	02-18-03	
			Rules and Operations of the Senate		
S0072	Tony Rand	19TH SENATORIAL DISTRICT LOCAL ACT - 3.	S Ref To Com On	02-18-03	
			Rules and Operations of the Senate		
S0073	Tony Rand	19TH SENATORIAL DISTRICT LOCAL ACT - 4.	S Ref To Com On	02-18-03	
			Rules and Operations of the Senate		
S0074	Tony Rand	NC VINEYARD AMENDMENTS	*SR Ch. SL 2004-135	02-18-03	04-28-03
\$ S0075	Tony Rand	LIFE SCIENCES REVENUE BOND AUTHORITY.	*S Conf Com Appointed	02-18-03	06-05-03
\$ S0075	Tony Rand	LIFE SCIENCES REVENUE BOND AUTHORITY.	*S Conf Com Appointed	07-20-03	07-20-03
S0076	William R. Purce	INCORPORATE MISENHEIMER.	*SR Ch. SL 2003-268	02-18-03	05-20-03
S0077	William R. Purce	25TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On	02-18-03	
			Rules and Operations of the Senate		
S0078	William R. Purce	25TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On	02-18-03	
			Rules and Operations of the Senate		
S0079	William R. Purce	25TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On	02-18-03	
			Rules and Operations of the Senate		
S0080	William R. Purce	PUBLIC LAWS - 1.	S Ref To Com On	02-18-03	
			Rules and		

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			Operations of the Senate		
081	William R. Purce	PUBLIC LAWS - 2.	S Ref To Com On	02-18-03	
			Rules and Operations of the Senate		
S0082	William R. Purce	PUBLIC LAWS - 3.	S Ref To Com On	02-18-03	
			Rules and Operations of the Senate		
S0083	A. B Swindell	ROCKY MT. OVERGROWN VEGETATION ORDINANCE.	*SR Ch. SL 2003-80	02-18-03	04-09-03
S0084	A. B Swindell	11TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On	02-18-03	
			Rules and Operations of the Senate		
S0085	A. B Swindell	11TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On	02-18-03	
			Rules and Operations of the Senate		
S0086	A. B Swindell	11TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On	02-18-03	
			Rules and Operations of the Senate		
S0087	Linda Garrou	32ND SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On	02-18-03	
			Rules and Operations of the Senate		
S0088	Linda Garrou	32ND SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On	02-18-03	
			Rules and Operations of the Senate		
S0089	Walter H. Dalton	LAKE LURE MARINE COMMISSION.	*SR Ch. SL 2003-332	02-19-03	04-08-03
S0090	Walter H. Dalton	SANITARY DISTRICT COMPENSATION.	*SR Ch. SL 2003-185	02-19-03	04-14-03
S0091	Walter H. Dalton	46TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On	02-19-03	
			Rules and Operations of the Senate		
S0092	Linda Garrou	32ND SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On	02-19-03	
			Rules and Operations of the Senate		
S0098=	Larry Shaw	FUND-RAISING EFFORTS/HIST. BLACK COLL. AND UNIV.	S Re-ref Com On	02-19-03	02-24-03
			Rules and Operations of the Senate		
S0098=	Larry Shaw	FUND-RAISING EFFORTS/HIST. BLACK COLL. AND UNIV.	S Re-ref Com On	02-27-03	
			Rules and Operations of the Senate		
S0101	Hamilton C. Hort	31ST SENATORIAL DISTRICT LOCAL ACT.	S Ref To Com On	02-20-03	
			Rules and Operations of the Senate		

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S0102	John A. Garwood	SURRY SHERIFF VACANCY	*SR Ch. SL 2003-39	02-20-03	04-15-03
S0103	John A. Garwood	30TH SENATORIAL DISTRICT LOCAL ACT-2.	S Re-ref Com On Finance	02-20-03	05-14-03
S0104	John A. Garwood	30TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-20-03	
S0105	John A. Garwood	30TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	02-20-03	
S0110	Clark Jenkins	3RD SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-20-03	
S0111	Clark Jenkins	3RD SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-20-03	
S0112	Clark Jenkins	3RD SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-20-03	
S0113	Walter H. Dalton	PROMOTE ECONOMIC DEVELOPMENT - 1.	S Ref To Com On Rules and Operations of the Senate	02-20-03	
S0114	Walter H. Dalton	PROMOTE ECONOMIC DEVELOPMENT - 2.	S Ref To Com On Rules and Operations of the Senate	02-20-03	
S0115	Walter H. Dalton	AMEND BILL LEE ACT.	S Ref To Com On Rules and Operations of the Senate	02-20-03	
S0119	Hamilton C. Hort	EXPAND HISTORIC PRESERVATION CREDIT.	*SR Ch. SL 2003-415	02-20-03	05-13-03
S0120	Hamilton C. Hort	PUBLIC LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	02-20-03	
S0121	Katie G. Dorsett	28TH SENATORIAL DISTRICT LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	02-20-03	
S0124	David F. Weinste	LUMBERTON CONSTRUCTION CONTRACTS.	*SR Ch. SL 2003-118	02-24-03	04-28-03
S0125	David F. Weinste	13TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0126	David F. Weinste	13TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-24-03	

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S0127	Katie G. Dorsett	CITY OF HIGH POINT LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0128	Katie G. Dorsett	UNINCORP. PORTION OF 28TH SENATORIAL DIST.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0129	Joe Sam Queen	47TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0130	Joe Sam Queen	47TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0131	Joe Sam Queen	47TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0132	Joe Sam Queen	47TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0133	Joe Sam Queen	47TH SENATORIAL DISTRICT LOCAL ACT-5.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0134	Joe Sam Queen	47TH SENATORIAL DISTRICT LOCAL ACT-6.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
\$ S0137	Daniel G. Clodfe	SPECIAL OBLIGATION DEBT/PURPOSES.	*SR Ch. SL 2004-151	07-20-03	07-20-03
S0142=	James Forrester	LRC TO STUDY NURSING SHORTAGE.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0143=	James Forrester	LRC TO STUDY ENVR. CAUSES OF CANCER.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0146	Harris Blake	22ND SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0147	Harris Blake	22ND SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0148	Harris Blake	22ND SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0149	Eleanor Kinnaird	23RD SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and	02-24-03	

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			Operations of the Senate		
150	Eleanor Kinnaird	23RD SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0151	Eleanor Kinnaird	23RD SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0152	Eleanor Kinnaird	23RD SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	02-24-03	
S0154	R. C. Soles, Jr.	8TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0155	R. C. Soles, Jr.	8TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0156	R. C. Soles, Jr.	8TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0157	R. C. Soles, Jr.	BRUNSWICK COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
158	R. C. Soles, Jr.	PENDER COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0159	R. C. Soles, Jr.	COLUMBUS COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0164	Charles W. Alber	HARNETT COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0165	Charles W. Alber	SAMPSON COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0166	Charles W. Alber	DUPLIN COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0167	Fred Smith	PERMIT WEAPONS AT JOHNSTON CC NATURE CTR.	*SR Ch. SL 2003-217	02-25-03	05-01-03
S0168	Fred Smith	ECONOMIC DEVELOPMENT DISTRICT.	*SR Ch. SL 2003-418	02-25-03	07-08-03
S0169	Fred Smith	12TH SENATORIAL	S Ref To Com On	02-25-03	

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		DISTRICT LOCAL ACT-3.	Rules and Operations of the Senate		
S0170	Fred Smith	12TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0171	Tony Rand	HONOR HARLAN BOYLES.	SR Ch. Res 2003-5	02-25-03	03-10-03
S0173	Eleanor Kinnaird	ORANGE COUNTY LOCAL ACT-2.	S Re-ref Com On Finance	02-25-03	04-16-03
\$ S0176	William R. Purce	BLANK APPROPRIATIONS - 1.	S Re-ref Com On Appropriations/ Base Budget	02-25-03	04-22-03
\$ S0177	William R. Purce	BLANK APPROPRIATIONS - 2.	S Re-ref Com On State Government, Local Government, and Veterans' Affairs	02-25-03	04-29-03
\$ S0178	William R. Purce	BLANK APPROPRIATIONS - 3.	S Ref To Com On Rules and Operations of the Senate	02-25-03	
S0179	Jerry W. Tillman	29TH SENATORIAL DISTRICT LOCAL ACT-1.	S Re-ref Com On State Government, Local Government, and Veterans' Affairs	02-26-03	06-22-04
S0180	Jerry W. Tillman	29TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0181	Richard Stevens	APEX QUICKTAKE ROADS/ HISTORIC STRUCTURES.	*SR Ch. SL 2003-88	02-26-03	04-08-03
S0182	Richard Stevens	17TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0183	Richard Stevens	17TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0184	Richard Stevens	WAKE COUNTY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0185	Richard Stevens	WAKE COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0186	Daniel G. Clodfe	26TH JUDICIAL DISTRICT ACT.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0187	Daniel G. Clodfe	26TH JUDICIAL DISTRICT ACT.	S Ref To Com On Rules and Operations of the	02-26-03	

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188	Daniel G. Clodfe	CITY OF CHARLOTTE LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0189	Daniel G. Clodfe	CITY OF CHARLOTTE LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0190	Daniel G. Clodfe	CITY OF CHARLOTTE LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0191	Daniel G. Clodfe	MECKLENBURG COUNTY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0192	Daniel G. Clodfe	MECKLENBURG COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0193	Daniel G. Clodfe	CHARLOTTE-MECKLENBURG SCHOOLS.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
\$ S0194	Daniel G. Clodfe	BLANK APPROPRIATIONS - 1.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
195	Daniel G. Clodfe	BLANK APPROPRIATIONS - 2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
\$ S0196	Daniel G. Clodfe	BLANK APPROPRIATIONS - 3.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0197	Daniel G. Clodfe	PUBLIC LAWS - 1.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0198	Daniel G. Clodfe	PUBLIC LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0199	Daniel G. Clodfe	PUBLIC LAWS - 3.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0200	Daniel G. Clodfe	AMEND REVENUE LAWS.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0201	Daniel G. Clodfe	AMEND REVENUE LAWS - 2.	S Ref To Com On Rules and Operations of the	02-26-03	

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202	Daniel G. Clodfe	AMEND REVENUE LAWS - 3.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0206=	A. B Swindell	LONG-TERM CARE REMEDIATION/STUDY.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0210	Wib Gulley	18TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0211	Wib Gulley	18TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0212	Wib Gulley	18TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0213	Wib Gulley	AMEND LAWS-1.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0214	Wib Gulley	RES AND PRODUCTION SVC. DIST. DEANNEXATION.	*SR Ch. SL 2003-187	02-26-03	04-28-03
S0215	Wib Gulley	AMEND LAWS-3.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
\$ S0216	Wib Gulley	BLANK APPROPRIATIONS-1.	S Re-ref Com On Appropriations/ Base Budget	02-26-03	04-22-03
\$ S0217	Wib Gulley	BLANK APPROPRIATIONS-2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
\$ S0218	Wib Gulley	BLANK APPROPRIATIONS-3.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0221	Jeanne H. Lucas	PUBLIC SCHOOLS - BLANK BILL 1.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0222	Jeanne H. Lucas	PUBLIC SCHOOLS - BLANK BILL 2.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0223	Jeanne H. Lucas	PUBLIC SCHOOLS - BLANK BILL 3.	S Ref To Com On Rules and Operations of the Senate	02-26-03	
S0224	Jeanne H. Lucas	COMMUNITY COLLEGE LAW-	S Ref To Com On	02-26-03	

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		BLANK BILL.	Rules and Operations of the Senate		
S0225	Andrew C. Brock	HONOR PAST MILITARY LDRS/SUPPORT MILITARY TROOPS	*S Ref To Com On Rules, Calendar, and Operations of the House	02-26-03	03-20-03
S0232	Eleanor Kinnaird	BIKEWAY FUNDING.	*SR Ch. SL 2003-256	02-27-03	04-16-03
S0233	Eleanor Kinnaird	CHATHAM COUNTY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-27-03	
S0234	Eleanor Kinnaird	CHATHAM COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-27-03	
S0237	Tony P. Moore	5TH SENATORIAL DISTRICT LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	02-27-03	
S0238	Tony P. Moore	5TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-27-03	
S0239	Tony P. Moore	5TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-27-03	
S0240	Tony P. Moore	5TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	02-27-03	
S0246	David W. Hoyle	43RD SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	02-27-03	
S0247	David W. Hoyle	43RD SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	02-27-03	
S0248	David W. Hoyle	43RD SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	02-27-03	
S0249	David W. Hoyle	43RD SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	02-27-03	
S0257	Austin M. Allran	44TH SEN. DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-03-03	
S0258	Austin M. Allran	44TH SEN. DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-03-03	

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S0259	Austin M. Allran	44TH SEN. DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-03-03	
S0260=	Austin M. Allran	44TH SEN. DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	03-03-03	
S0264=	Vernon Malone	HONORING FOUNDERS OF WENDELL/100TH ANNIVERSARY.	*SR Ch. Res 2003-4	03-03-03	03-10-03
S0265	James Forrester	42ND SENATORIAL DISTRICT LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-03-03	
S0269	Cecil Hargett	6TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-03-03	
S0270	Cecil Hargett	6TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-03-03	
S0271	Cecil Hargett	6TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-03-03	
S0272	Cecil Hargett	6TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	03-03-03	
\$ S0273=	A. B Swindell	GUARDIANSHIP STUDY.	S Ref To Com On Rules and Operations of the Senate	03-03-03	
S0278	Tom Apodaca	HENDERSON CO. LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0279	Tom Apodaca	HENDERSON CO. LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0280	Tom Apodaca	POLK CO. LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0281	Tom Apodaca	POLK CO. LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0282	Virginia Foxx	ASHE COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0283	Virginia Foxx	ALLEGHANY COUNTY	S Ref To Com On	03-05-03	

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		LOCAL ACT.	Rules and Operations of the Senate		
S0284	Virginia Foxx	CALDWELL COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0285	Virginia Foxx	WATAUGA COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0286	Virginia Foxx	WILKES COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0287=	Tom Apodaca	INCORPORATE MILLS RIVER.	S Re-ref Com On Finance	03-05-03	05-29-03
S0296	John H. Kerr III	7TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0297	John H. Kerr III	7TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0298	John H. Kerr III	7TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0299	John H. Kerr III	7TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0300	John H. Kerr III	AMEND TAX LAWS.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0301	John H. Kerr III	SCHOOL ACQUISITION BY COUNTIES STATEWIDE.	*SR Ch. SL 2003-355	03-05-03	05-22-03
S0302	John H. Kerr III	AMEND FINANCE LAWS-2.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0303	John H. Kerr III	FINANCE LAW CHANGES 1.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0304	John H. Kerr III	FINANCE LAW CHANGES 2.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0305	John H. Kerr III	FINANCE LAW CHANGES 3.	S Ref To Com On Rules and Operations of the Senate	03-05-03	
S0308	Vernon Malone	14TH SENATORIAL	S Ref To Com On	03-06-03	

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		DISTRICT LOCAL ACT-1.	Rules and Operations of the Senate		
S0309	Vernon Malone	14TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-06-03	
S0310	Vernon Malone	14TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-06-03	
S0311	Vernon Malone	14TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	03-06-03	
S0312	Vernon Malone	14TH SENATORIAL DISTRICT LOCAL ACT-5.	S Ref To Com On Rules and Operations of the Senate	03-06-03	
S0313	Vernon Malone	14TH SENATORIAL DISTRICT LOCAL ACT-6.	S Ref To Com On Rules and Operations of the Senate	03-06-03	
S0316	James Forrester	42ND SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-06-03	
S0317	Fletcher L. Hart	CABARRUS ANNEXATION MORATORIUM.	*SR Ch. SL 2003-326	03-06-03	05-08-03
S0318	Fletcher L. Hart	36TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-06-03	
S0319	Fletcher L. Hart	CABARRUS WORK OVER WELFARE CHANGES.	*SR Ch. SL 2003-188	03-06-03	04-28-03
S0320	Fletcher L. Hart	CABARRUS COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-06-03	
S0321	Fletcher L. Hart	ROWAN COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-06-03	
S0332	Scott Thomas	2ND SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-10-03	
S0333	Scott Thomas	2ND SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-10-03	
S0334	Scott Thomas	2ND SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-10-03	
S0335	Scott Thomas	2ND SENATORIAL	S Ref To Com On	03-10-03	

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		DISTRICT LOCAL ACT-4.	Rules and Operations of the Senate		
S0336	Walter H. Dalton	COMMUNITY COLLEGE LAW - BLANK BILL 1.	S Ref To Com On Rules and Operations of the Senate	03-10-03	
S0340	Andrew C. Brock	DAVIE COUNTY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0341	Andrew C. Brock	DAVIE COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0342	Andrew C. Brock	ROWAN COUNTY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0343	Andrew C. Brock	ROWAN COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0344	Andrew C. Brock	YADKIN COUNTY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0345	Andrew C. Brock	YADKIN COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0347	Robert C. Carpen	50TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0348	Robert C. Carpen	50TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0349	Robert C. Carpen	TOWN OF CASHIERS LOCAL ACT.	S Re-ref Com On Finance	03-11-03	03-27-03
S0350	Robert C. Carpen	TOWN OF FRANKLIN LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0351	Robert C. Carpen	TOWN OF MURPHY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0352	Robert C. Carpen	TOWN OF SYLVA LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0358	A. B Swindell	11TH SENATORIAL DISTRICT LOCAL ACT-5.	S Ref To Com On Rules and Operations of the	03-11-03	

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359	Linda Garrou	FORSYTH CHARTER SCH/ RAISE CAP.	*S Ref To Com On Rules and Operations of the Senate	07-17-03	
S0361	Stephen M. Metca	49TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0362	Stephen M. Metca	49TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0363	Stephen M. Metca	49TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0364	Stephen M. Metca	49TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0367	Kay R. Hagan	27TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0368	Kay R. Hagan	27TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
369	Kay R. Hagan	27TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-11-03	
S0372	Eric Miller Reev	CITY OF RALEIGH LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0373	Eric Miller Reev	CITY OF RALEIGH LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0374	Eric Miller Reev	TOWN OF CARY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0375	Eric Miller Reev	TOWN OF CARY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0376	Eric Miller Reev	TOWN OF CARY LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0377	John A. Garwood	WEIGHT LIMIT CHANGES.	*S Re-ref Com On Rules and Operations of the	04-28-03	

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			Senate		
380	Charles W. Alber	TOWN OF WALLACE LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0381	R. B. Sloan, Jr.	41ST SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0382	R. B. Sloan, Jr.	41ST SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0383	R. B. Sloan, Jr.	41ST SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0385	Clark Jenkins	PROMOTE ECONOMIC DEVELOPMENT - 1.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0386	Clark Jenkins	PROMOTE ECONOMIC DEVELOPMENT - 2.	S Ref To Com On Rules and Operations of the Senate	03-12-03	
S0392=	Tony Rand	MEMORIALIZING MARY LEWIS WYCHE.	S Re-ref Com On Rules and Operations of the Senate	03-12-03	03-31-03
S0392=	Tony Rand	MEMORIALIZING MARY LEWIS WYCHE.	S Re-ref Com On Rules and Operations of the Senate	04-02-03	
S0398	Charlie S. Danne	38TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0399	Charlie S. Danne	38TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0400	Charlie S. Danne	38TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0401	Hugh Webster	24TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0402	Hugh Webster	24TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0403	Hugh Webster	24TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the	03-13-03	

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			Senate		
405	Philip E. Berger	GUILFORD CO. LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0406	Philip E. Berger	GUILFORD CO. LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0407	Philip E. Berger	GUILFORD CO. LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0408	Philip E. Berger	EDEN ANNEXATION CONTRACTS.	*SR Ch. SL 2003-316	03-13-03	05-28-03
S0409	Philip E. Berger	ROCKINGHAM CO. LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0410	Philip E. Berger	ROCKINGHAM CO. LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0413=	Eric Miller Reev	DIX HOSPITAL PROPERTY STUDY.	S Ref To Com On Rules and Operations of the Senate	03-13-03	
S0430	Robert Lee Hollo	WARREN COUNTY TELECOMMUNICATIONS.	*S Re-ref Com On Finance	03-17-03	04-15-03
431	Robert Lee Hollo	4TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref to Education/ Higher Education. If fav, re-ref to Appropriations/ Base Budget	03-17-03	04-15-03
S0432	Robert Lee Hollo	4TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-17-03	
S0433	Robert Lee Hollo	4TH SENATORIAL DISTRICT LOCAL ACT-4.	S Re-ref Com On Health & Human Resources	03-17-03	04-15-03
S0438	Fletcher L. Hart	TOWN OF MIDLAND LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	03-17-03	
S0446	Fred Smith	TOWN OF CLAYTON LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-17-03	
S0447	Fred Smith	TOWN OF CLAYTON LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-17-03	
S0452	Fern Shubert	UNION COUNTY LOCAL ACT-1.	*SR Ch. SL 2003-321	03-18-03	05-06-03
S0453	Fern Shubert	UNION COUNTY	*SF Failed 2nd Reading	03-18-03	06-23-03

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		OCCUPANCY TAX.			
S0454	Fern Shubert	35TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-18-03	
S0455	Fern Shubert	35TH SENATORIAL DISTRICT LOCAL ACT-3.	S Ref To Com On Rules and Operations of the Senate	03-18-03	
S0456	Fern Shubert	35TH SENATORIAL DISTRICT LOCAL ACT-4.	S Ref To Com On Rules and Operations of the Senate	03-18-03	
S0457	Fern Shubert	MECKLENBURG COUNTY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	03-18-03	
S0458	Fern Shubert	MECKLENBURG COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	03-18-03	
S0514	Charles W. Alber	PUBLIC LAWS -1.	S Ref To Com On Rules and Operations of the Senate	03-24-03	
S0515	Harris Blake	PUBLIC LAWS - 1.	S Ref To Com On Rules and Operations of the Senate	03-24-03	
S0516	Harris Blake	PUBLIC LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	03-24-03	
S0518	Charles W. Alber	PUBLIC LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	03-24-03	
S0520=	Walter H. Dalton	REVENUE LAWS PROPERTY TAX STUDY.	S Ref To Com On Rules and Operations of the Senate	03-25-03	
S0525=	Fletcher L. Hart	HONORING 250TH ANNIV. ROWAN COUNTY/MATTHEW ROWAN	S Ref To Com On Rules and Operations of the Senate	03-25-03	
S0538=	Robert Lee Hollo	MEMORIALIZING ELMER "E.V." WILKINS.	S Ref To Com On Rules and Operations of the Senate	03-26-03	
S0541	Fletcher L. Hart	PUBLIC LAWS - 1.	S Ref To Com On Rules and Operations of the Senate	03-26-03	
S0542	Fletcher L. Hart	PUBLIC LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	03-26-03	

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S543	Fletcher L. Hart	PUBLIC LAWS - 3.	S Ref To Com On Senate Rules and Operations of the Senate	03-26-03	
S0544	Charlie S. Danne	PUBLIC LAWS - 1.	S Ref To Com On Rules and Operations of the Senate	03-26-03	
S0545	Charlie S. Danne	PUBLIC LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	03-26-03	
S0546	Charlie S. Danne	PUBLIC LAWS - 3.	S Ref To Com On Rules and Operations of the Senate	03-26-03	
S0547	Charlie S. Danne	PUBLIC LAWS - 4.	S Ref To Com On Rules and Operations of the Senate	03-26-03	
S0553	Charles W. Alber	LRC STUDY IMMIGRATION ISSUES.	S Ref To Com On Rules and Operations of the Senate	03-27-03	
S0554	Linda Garrou	QUALITY TEACHERS = QUALITY EDUCATION.	S Ref To Com On Rules and Operations of the Senate	03-27-03	
S0562	Eric Miller Reev	RURAL INFRASTRUCTURE.	S Ref To Com On Rules and Operations of the Senate	03-27-03	
\$ S0564	Charles W. Alber	ESTABLISH NC FISHERMEN'S FUND.	S Ref To Com On Rules and Operations of the Senate	03-27-03	
S0565	Wib Gulley	PUBLIC LAWS.	S Ref To Com On Rules and Operations of the Senate	03-27-03	
S0579	Larry Shaw	PUBLIC LAWS - 3.	S Ref To Com On Rules and Operations of the Senate	03-31-03	
S0580	Larry Shaw	PUBLIC LAWS - 4.	S Ref To Com On Rules and Operations of the Senate	03-31-03	
S0581	Larry Shaw	PUBLIC LAWS - 5.	S Ref To Com On Rules and Operations of the Senate	03-31-03	
S0597	Robert C. Carpen	LICENSURE REQUIREMENTS FOR AUTO REPAIR SHOPS.	S Ref To Com On Rules and Operations of the	03-31-03	

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598	Robert C. Carpen	LICENSE AUTOMOBILE WINDSHIELD INSTALLERS.	S Ref To Com On Rules and Operations of the Senate	03-31-03	
S0608	Tony Rand	MEMORIALIZING TIM MCLAURIN.	*SR Ch. Res 2003-23	03-31-03	06-25-03
S0611	Tony Rand	ASSISTANCE TO ARMED SERVICE MEMBERS.	S Ref To Com On Rules and Operations of the Senate	03-31-03	
S0621	Walter H. Dalton	QUALITY TEACHERS = QUALITY EDUCATION.	S Ref To Com On Rules and Operations of the Senate	03-31-03	
S0623	Eric Miller Reev	DOWNTOWN ADULT RESIDENTIAL FACILITY	*SR Ch. SL 2004-2	04-01-03	04-16-03
S0625	Eric Miller Reev	CONTROLLED SUBSTANCE ACCOUNTABILITY ACT.	S Ref To Com On Rules and Operations of the Senate	04-01-03	
S0629	Daniel G. Clodfe	CLARIFY SUBORDINATION AGREEMENT REQUIREMENTS.	*SR Ch. SL 2003-219	04-01-03	04-09-03
S0634	James Forrester	LRC STUDY MEDICAL ERRORS.	S Ref To Com On Rules and Operations of the Senate	04-01-03	
S0636	James Forrester	LRC/EDUC. PUB./ OVARIAN CANCER RISKS & PREVENT.	S Ref To Com On Rules and Operations of the Senate	04-01-03	
S0646	Wib Gulley	PUBLIC LAWS.	S Ref To Com On Rules and Operations of the Senate	04-01-03	
S0653	Stephen M. Metca	DIVESTITURE OF PROPERTY: MH/DD/SA .	S Ref To Com On Rules and Operations of the Senate	04-01-03	
S0679	David W. Hoyle	MODIFY STATE FINANCING LAWS.	*SR Ch. SL 2003-388	04-02-03	04-23-03
S0681	David W. Hoyle	ECONOMIC INITIATIVES.	S Ref To Com On Rules and Operations of the Senate	04-02-03	
S0689	Scott Thomas	PUBLIC LAWS - 1.	S Ref To Com On Rules and Operations of the Senate	04-02-03	
S0690	Scott Thomas	PUBLIC LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	04-02-03	
S0696	Stephen M. Metca	INITIATIVES TO ADDRESS TEACHER	S Ref To Com On Rules and	04-02-03	

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		SHORTAGES.	Operations of the Senate		
703	Stephen M. Metca	LEGISLATIVE STUDY COMMISSION ON RURAL SCHOOLS.	S Ref To Com On Rules and Operations of the Senate	04-02-03	
S0713	David W. Hoyle	WORKERS COMP./RESTORE INTEGRITY.	S Ref To Com On Rules and Operations of the Senate	04-02-03	
S0734	Jeanne H. Lucas	PUBLIC LAWS -3.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0735	Jeanne H. Lucas	PUBLIC LAWS -4.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0739	Jeanne H. Lucas	PUBLIC LAWS -1.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0740	Jeanne H. Lucas	PUBLIC LAWS -2.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
\$ S0742	Jeanne H. Lucas	LIVING INCOME STUDY COMMISSION.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
744	Jeanne H. Lucas	REPEAL FELONY MURDER RULE.	S Re-ref Com On Rules and Operations of the Senate	04-14-03	
S0746	Jeanne H. Lucas	MEM. BARTLETT DURHAM/DURHAM'S 150TH ANNIVERSARY.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
\$ S0747=	Jeanne H. Lucas	STATE EMPLOYEE PAY EQUITY.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0752	Clark Jenkins	ECONOMIC INITIATIVES.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0768	Stan Bingham	STUDY SCHOOL BUSES/ALTERNATIVE FUELS.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0779	Charlie S. Danne	SCHOOLS BEGIN AFTER LABOR DAY.	*S Re-ref Com On Rules and Operations of the Senate	05-01-03	
S0788	Eric Miller Reev	STATE PERSONNEL ACT CHANGES.	S Ref to State Government, Local	04-03-03	04-16-03

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			Government, and Veterans' Affairs. If fav, re-ref to Appropriations/ Base Budget		
S0790	Joe Sam Queen	MOUNTAIN TROUT ENHANCEMENT STUDY.	S Re-ref Com On Rules and Operations of the Senate	04-22-03	
S0792	Joe Sam Queen	INCENTIVES TO KEEP TOP STUDENTS IN STATE.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0809=	Tony Rand	CONSIDER SALE OR LEASE OF STATE PROPERTY.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0814	Tony Rand	CLARIFY COMPET. TELECOMMUNICATIONS STATUTES.	*SR Ch. SL 2003-91	04-03-03	04-14-03
S0815	Tony Rand	AMEND PUBLIC LAWS - 2.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0816	Tony Rand	STATE HEALTH PLAN - 1.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0818	Tony Rand	ECONOMIC INITIATIVES.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0821	Tony Rand	GOVERNOR'S EFFICIENCY COMMISSION.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0832	Charles W. Alber	LRC STUDY DAIRY FARMERS ASSISTANCE.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0838	Charles W. Alber	MARINE FISHERIES STUDIES.	*S Re-ref Com On Rules and Operations of the Senate	06-05-03	
S0840	Joe Sam Queen	NC'S OFFICIAL INTERNATIONAL FESTIVAL.	*SR Ch. SL 2003-315	04-03-03	04-30-03
S0844	Wib Gulley	MAGISTRATE SUPERVISION STUDY.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0854	Stephen M. Metca	MANUFACTURED HOUSING.	S Ref To Com On Rules and Operations of the Senate	04-03-03	

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S0855	Stephen M. Metcalfe	AMEND UNC LAWS.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
\$ S0860	Daniel G. Clodfelter	SIMPLIFIED BUSINESS ENTERPRISE TAXATION.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0865	Kay R. Hagan	LEGISLATIVE BUILDING QUADRANTS NAMED.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0874	Stan Bingham	OSH INVESTIGATIONS/ VIOLATIONS.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0875	Stan Bingham	AMEND PUBLIC LAWS.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0888	Robert A. Rucho	ALTER WATERFLOW/ IMPACT ON ADJACENT PROPERTY.	*S	Re-ref Com On Agriculture/ Environment/ Natural Resources	04-03-03	04-30-03
S0889	Joe Sam Queen	WIND ENERGY STUDY.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0891	Joe Sam Queen	SAFE CHILD CARE IN NC.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0892	Joe Sam Queen	ALTERNATIVE HEALING ARTS.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0893	Joe Sam Queen	AFFORDABLE HOUSING.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0894	Joe Sam Queen	HOUSING EQUITY GAP STUDY.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0895	Joe Sam Queen	FACILITATE NC ARCHITECTURE.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
\$ S0896	Joe Sam Queen	NC COMMISSION FOR URBAN CORES.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	
S0924=	Tony Rand	REDUCE SCOPE/SIZE BOARDS & COMMISSIONS/ STUDY.	S	Ref To Com On Rules and Operations of the Senate	04-03-03	

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S0931=	Fern Shubert	NO PORTFOLIO REQUIRED/ TEACHER CERTIFICATION.	*S Ref To Com On Rules and Operations of the Senate	06-09-03	
S0937	John H. Kerr III	AMEND WATER AND SEWER LAWS.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0968	Eleanor Kinnaird	LRC STUDY STATE PURCHASE/ PHAMACEUTICALS	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0974	Clark Jenkins	NOTIFICATION OF PRIVATE ROADS.	*S Ref To Com On Judiciary IV	04-03-03	04-28-03
S0976	Katie G. Dorsett	PROTECT CONSUMERS SEEKING DEBT ASSISTANCE.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0978	Katie G. Dorsett	GOV'S ADVOCACY COUNCIL/PERSONS/ DISABILITIES.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0984=	Robert Pittenger	LOWER TAXES BY CUTTING WASTE & INCENTIVES.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S0998	Larry Shaw	SMALL BUSINESS. UNEMPLOYMENT.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
000	Larry Shaw	FSU-SCHOOL OF ENGINEERING.	S Re-ref Com On Rules and Operations of the Senate	04-28-03	
S1001	Patrick J. Balla	STUDY TOTAL TEACHER PROGRAM.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S1008	Wib Gulley	NON-STATE ENTITIES REPORTING REQUIREMENTS.	*S Pres. To Gov. 7/ 19/2004	04-16-03	04-30-03
S1014	Philip E. Berger	STUDY/CHRONICALLY ILL AND DISABLED IN PRISON.	S Ref To Com On Rules and Operations of the Senate	04-03-03	
S1019	Tom Apodaca	MEM. FORMER SUP./ HENDERSON CO. EDUC. FOUNDATION.	SR Ch. Res 2003-10	04-21-03	04-23-03
S1022=	R. C. Soles, Jr.	MEMORIALIZING SAMUEL KOONCE.	SR Ch. Res 2003-26	05-22-03	07-16-03
S1023	Tony P. Moore	MEMORIALIZING EDWARD NELSON WARREN.	SR Ch. Res 2003-19	05-28-03	06-16-03
S1025	Eleanor Kinnaird	ROCKY RIVER FRIENDS CHURCH 250TH ANNIVERSARY.	S Ref To Com On Rules and Operations of the Senate	06-12-03	

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S1028	Clark Jenkins	MEMORIALIZING ROBERT LAFAYETTE "BOB" MARTIN.	S	Ref To Com On Rules and Operations of the Senate	06-26-03	
\$ S1039	Kay R. Hagan	BLANK APPROPRIATIONS BILL-1.	S	Ref To Com On Rules and Operations of the Senate	05-11-04	
\$ S1040	Kay R. Hagan	BLANK APPROPRIATIONS BILL-2.	S	Ref To Com On Rules and Operations of the Senate	05-11-04	
S1042	Tony Rand	MARRIAGE BY SUPERIOR/ DISTRICT COURT JUDGE.	*S	Re-ref Com On Rules and Operations of the Senate	05-17-04	
\$ S1048=	Linda Garrou	AMEND SEX OFFENDER REGISTRATION.	S	Ref to Rules and Operations of the Senate. If fav, re-ref to Judiciary I. If fav, re-ref to Appropriations/ Base Budget	05-11-04	
S1049	Linda Garrou	ENABLING/AMEND SEX OFFENDER REGISTRATION.	S	Ref To Com On Rules and Operations of the Senate	05-11-04	
S105	Linda Garrou	BLANK APPROPRIATIONS BILL-1.	S	Ref To Com On Rules and Operations of the Senate	05-17-04	
\$ S1106	Linda Garrou	BLANK APPROPRIATIONS BILL-2.	S	Ref To Com On Rules and Operations of the Senate	05-17-04	
S1107	Stan Bingham	33RD SENATORIAL DISTRICT LOCAL ACT-2.	S	Ref To Com On Rules and Operations of the Senate	05-17-04	
S1108	R. C. Soles, Jr.	PENDER COUNTY LOCAL ACT.	S	Ref To Com On Rules and Operations of the Senate	05-17-04	
S1109	R. C. Soles, Jr.	COLUMBUS COUNTY LOCAL ACT.	S	Ref To Com On Rules and Operations of the Senate	05-17-04	
S1110	Stan Bingham	33RD SENATORIAL DISTRICT LOCAL ACT-1.	S	Ref To Com On Rules and Operations of the Senate	05-17-04	
S1113	R. C. Soles, Jr.	8TH SENATORIAL DISTRICT LOCAL ACT.	S	Ref To Com On Rules and Operations of the Senate	05-17-04	

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S1114	R. C. Soles, Jr.	BRUNSWICK COUNTY LOCAL ACT.	S	Ref To Com On Rules and Operations of the Senate	05-17-04	
S1123=	Eleanor Kinnaird	CHAPEL HILL CAMPAIGN FINANCE OPTIONS.	S	Ref To Com On Rules and Operations of the Senate	05-17-04	
S1129	William R. Purce	25TH SENATORIAL DISTRICT LOCAL ACT-1.	S	Ref To Com On Rules and Operations of the Senate	05-18-04	
S1130	William R. Purce	25TH SENATORIAL DISTRICT LOCAL ACT-2.	S	Ref To Com On Rules and Operations of the Senate	05-18-04	
S1131	William R. Purce	25TH SENATORIAL DISTRICT LOCAL ACT-3.	S	Ref To Com On Rules and Operations of the Senate	05-18-04	
\$ S1137	Charles W. Alber	DAIRY FUNDS.	S	Ref To Com On Rules and Operations of the Senate	05-18-04	
S1140	Martin L. Nesbit	CITY OF ASHEVILLE LOCAL ACT-1.	S	Ref To Com On Rules and Operations of the Senate	05-18-04	
S1141	Martin L. Nesbit	CITY OF ASHEVILLE LOCAL ACT-2.	S	Ref To Com On Rules and Operations of the Senate	05-18-04	
S1142	Martin L. Nesbit	BUNCOMBE COUNTY LOCAL ACT-1.	S	Ref To Com On Rules and Operations of the Senate	05-18-04	
S1143	Martin L. Nesbit	BUNCOMBE COUNTY LOCAL ACT-2.	S	Ref To Com On Rules and Operations of the Senate	05-18-04	
\$ S1152=	A. B Swindell	STUDIES ACT OF 2004.	*SR	Ch. SL 2004-161	05-18-04	07-16-04
S1165	Fletcher L. Hart	36TH SENATORIAL DISTRICT LOCAL ACT.	S	Ref To Com On Rules and Operations of the Senate	05-19-04	
S1166	Fletcher L. Hart	CABARRUS COUNTY LOCAL ACT.	S	Ref To Com On Rules and Operations of the Senate	05-19-04	
S1179=	Joe Sam Queen	HONORING LUCY MORGAN, PENLAND SCHOOL OF CRAFTS.	SR	Ch. Res 2004-4	05-20-04	06-14-04
S1182	David F. Weinste	CITY OF RAEFORD LOCAL ACT.	S	Ref To Com On Rules and Operations of the Senate	05-20-04	

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S1183	David F. Weinstein	CITY OF LUMBERTON LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	05-20-04	
S1184	David F. Weinstein	ROBESON COUNTY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	05-20-04	
S1185	David F. Weinstein	ROBESON COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	05-20-04	
S1186	David F. Weinstein	HOKE COUNTY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	05-20-04	
S1187	David F. Weinstein	HOKE COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	05-20-04	
S1188=	Tony Rand	HORACE WILLIAMS AIRPORT.	S Ref To Com On Rules and Operations of the Senate	05-20-04	
S1193	Katie G. Dorsett	CITY OF HIGH POINT LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	05-20-04	
S1194	Katie G. Dorsett	GUILFORD COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	05-20-04	
\$ S1196	Eleanor Kinnaird	YOUTHFUL OFFENDER STUDY.	S Ref To Com On Rules and Operations of the Senate	05-20-04	
S1197=	Eleanor Kinnaird	LRC STUDY/TRAFFICKING OF PERSONS.	S Ref To Com On Rules and Operations of the Senate	05-20-04	
\$ S1199	Hamilton C. Hort	BLANK APPROPRIATIONS BILL - 1.	S Ref To Com On Rules and Operations of the Senate	05-20-04	
S1200	Hamilton C. Hort	FORSYTH COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	05-20-04	
S1205	Walter H. Dalton	RUTHERFORDTON ABC DISTRIBUTIONS.	*SR Ch. SL 2004-90	05-20-04	06-10-04
S1206	Walter H. Dalton	46TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	05-20-04	
S1216=	William R. Purce	CHILD PROTECTIVE SERVICES SPECIAL	S Ref To Com On Rules and	05-20-04	

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		PROVISIONS.	Operations of the Senate		
228	John H. Kerr III	APPROPRIATION FOR ROBERT LEE HUMBER HOUSE.	*S Re-ref Com On Appropriations/ Base Budget	05-24-04	06-08-04
S1230	John H. Kerr III	MODIFY FINANCE LAWS FOR 2004-2005.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
S1231	John H. Kerr III	MODIFY FINANCE LAWS FOR 2004-2005 - 2.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
S1232=	Clark Jenkins	ENABLING/FEDERAL JURISDICTION/COUNCIL OF STATE.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
S1237	Fred Smith	12TH SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
S1241	Fred Smith	12TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
\$ S1246	Hamilton C. Hort	BLANK APPROPRIATIONS BILL - 2.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
251	Katie G. Dorsett	CITY OF GREENSBORO LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
S1260	Fletcher L. Hart	ROWAN COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
S1261	Fletcher L. Hart	CABARRUS COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
S1262	Fletcher L. Hart	36TH SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
S1268=	Eleanor Kinnaird	LRC STUDY/ NATUROPATHIC PRACT'R. LIC./FUNDS.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
S1273	Philip E. Berger	ROCKINGHAM COUNTY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
S1274	Philip E. Berger	ROCKINGHAM COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	05-24-04	

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			Senate		
275	Philip E. Berger	GUILFORD COUNTY LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
S1276	Philip E. Berger	GUILFORD COUNTY LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
S1280	Tony Rand	BLADEN COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
S1281	Tony Rand	CUMBERLAND COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
S1282	Tony Rand	19TH SENATORIAL DISTRICT LOCAL ACT- 2.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
S1283	Tony Rand	APPOINTMENTS BILL.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
\$ S1284	Tony Rand	BLANK APPROPRIATIONS BILL-2.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
285	Tony Rand	BLANK APPROPRIATIONS BILL-3.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
S1287	Tony Rand	19TH SENATORIAL DISTRICT LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
S1297	Scott Thomas	2ND SENATORIAL DISTRICT LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
S1298	Scott Thomas	2ND SENATORIAL DISTRICT LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
\$ S1299	John H. Kerr III	BLANK APPROPRIATIONS BILL - 2.	S Ref To Com On Rules and Operations of the Senate	05-24-04	
\$ S1313=	Katie G. Dorsett	POSTRETIREMENT EARNINGS STUDY.	S Ref To Com On Rules and Operations of the Senate	05-25-04	
S1318	Tony Rand	ALLOCATION FORMULA/ CHILD CARE SUBSIDY FUNDS.	S Ref To Com On Rules and Operations of the	05-25-04	

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'=' indicates that the original bill is identical to another bill.

North Carolina General Assembly
Through Senate Committee on
Rules and Operations of the Senate

Date: 08/11/2004
Time: 10:50
Page: 033 of 034
Leg. Day: H-147/S-149

2003-2004 Biennium

Bill	Introducer	Short Title	Latest Action	In Date	Out Date
			Senate		
820	A. B Swindell	CITY OF HENDERSON LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	05-25-04	
S1321	A. B Swindell	NASH COUNTY LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	05-25-04	
S1322	A. B Swindell	CITY OF ROCKY MOUNT LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	05-25-04	
\$ S1330	Daniel G. Clodfe	STUDY STATE BUSINESS TAXATION.	S Ref To Com On Rules and Operations of the Senate	05-26-04	
S1334	Kay R. Hagan	CITY OF GREENSBORO LOCAL ACT-2.	S Ref To Com On Rules and Operations of the Senate	05-26-04	
S1335	Kay R. Hagan	CITY OF GREENSBORO LOCAL ACT-1.	S Ref To Com On Rules and Operations of the Senate	05-26-04	
\$ S1336	David W. Hoyle	STUDY STATE-LOCAL RELATIONSHIPS.	S Ref To Com On Rules and Operations of the Senate	05-26-04	
839	Tony Rand	BEAUTIFY MALL/HONOR PURPLE HEART RECIPIENTS.	S Ref To Com On Rules, Calendar, and Operations of the House	05-26-04	06-01-04
S1352	Vernon Malone	14TH SENATORIAL DISTRICT LOCAL ACT.	S Ref To Com On Rules and Operations of the Senate	05-27-04	
\$ S1372=	Daniel G. Clodfe	LOCAL SCHOOL CONSTRUCTION FINANCING STUDY.	S Ref To Com On Rules and Operations of the Senate	05-27-04	
S1374	Daniel G. Clodfe	ERC AIR QUALITY/ TRANSPORTATION STUDIES.	S Ref To Com On Rules and Operations of the Senate	05-27-04	
S1377=	Eleanor Kinnaird	STATE FIRE PROTECTION STUDY/FUNDS.	S Ref To Com On Rules and Operations of the Senate	05-27-04	
\$ S1378=	Eric Miller Reeve	STUDY STATE PERSONNEL ACT/FUNDS.	S Ref To Com On Rules and Operations of the Senate	05-27-04	
S1381	Austin M. Allran	CATAWBA LAW CHANGE LOCAL ACT-1.	S Ref To Com On Rules and Operations of the	05-27-04	

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North Carolina General Assembly
Through Senate Committee on
Rules and Operations of the Senate

Date: 08/11/2004
Time: 10:50
Page: 034 of 034
Leg. Day: H-147/S-149

2003-2004 Biennium

Bill	Introducer	Short Title	Latest Action	In Date	Out Date
			Senate		
400	Tony Rand	AMEND BOARD OF GOVERNORS.	S Ref To Com On Rules and Operations of the Senate	05-28-04	
S1401	Tony Rand	AUTHORIZE/DMV OFFICERS ENFORCE LAWS	S Ref To Com On Rules and Operations of the Senate	05-28-04	
S1408	Walter H. Dalton	HON. GENERAL RUTHERFORD/RUTHERFORD COUNTY ANNIV.	SR Ch. Res 2004-9	05-28-04	06-24-04
\$ S1415=	Eleanor Kinnaird	VOTER PAPER TRAIL STUDY.	S Ref To Com On Rules and Operations of the Senate	05-28-04	
S1420	Charles W. Alber	APPOINTMENTS BILL.	S Ref To Com On Rules and Operations of the Senate	05-28-04	
S1421=	Eleanor Kinnaird	LRC STUDY STATE HEALTH PLAN NEWBORN COVERAGE.	S Ref To Com On Rules and Operations of the Senate	05-28-04	
S1424	Hugh Webster	AUTHORIZE BABY GREER ACT LEGISLATION.	S Ref To Com On Rules and Operations of the Senate	05-28-04	
S1425	Hugh Webster	FETAL MURDER.	S Ref To Com On Rules and Operations of the Senate	05-28-04	
\$ S1427	Hugh Webster	STUDY INTERSTATE TAX COOPERATION.	S Ref To Com On Rules and Operations of the Senate	05-28-04	
S1438	Hamilton C. Hort	MEMORIALIZING PRESIDENT RONALD W. REAGAN.	*SR Ch. Res 2004-7	06-08-04	06-08-04
S1441	Katie G. Dorsett	MEMORIALIZING RAY CHARLES.	*SR Ch. Res 2004-11	06-23-04	06-24-04
S1442	Fern Shubert	ANTITERRORISM/END RESIDENCY AFFIDAVITS.	S Ref To Com On Rules and Operations of the Senate	06-28-04	
S1443	Katie G. Dorsett	MEMORIALIZING KATHLEEN BRYAN EDWARDS.	SR Ch. Res 2004-8	06-29-04	06-29-04
S1445	Tony Rand	ADJOURNMENT SINE DIE 2003.	*SR Ch. Res 2004-13	07-17-04	07-17-04

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COMMITTEE ON RULES AND OPERATIONS OF THE SENATE

2004 SESSION

INDEX

June 1, 2004

S.B. 1339 Beautify Mall/Honor Purple Heart Recipients
Favorable

July 17, 2004

H.B. (SCS #2) Chapel Hill Campaign Finance Options
Unfavorable as to Senate Committee Substitute # 2
Favorable as to Senate Committee Substitute Bill #3
(Constitutional Limits)

July 17, 2004

S.B. 1152 Legislative Study Comm./Guardianship
Unfavorable as to Bill, Favorable as to Committee
Substitute Bill as amended
(Studies Act 2004)

July 17, 2004

H.B. 1671 Mooresville Streets and Sidewalks
Favorable

S.B. 64 Pro Tem Appointments Bill - 2
Unfavorable as to Bill, Favorable as to Committee
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(2004 Pro Tem Appointments Bill)

S.J.R. 1445 Adjournment Sine Die 2003
Unfavorable as to Joint Resolution, but Favorable as
To Committee Substitute Joint Resolution

July 17, 2004

H.B. (CS #1) 208 Managed Care/Hlth Benefits Clarifying - AB
Unfavorable as to Committee Substitute Bill #1, but
Favorable as to Senate Committee Substitute Bill
(Convening Organizational Session)

**COMMITTEE ON RULES AND OPERATIONS OF THE
SENATE**

MINUTES

TUESDAY JUNE 1, 2004

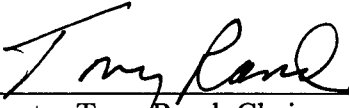
The Committee on Rules and Operations of the Senate met on Tuesday, June 1, 2004 at a recess during the regular scheduled session on June 1, 2004. Thirteen members of the committee were present.

Senator Rand presented the committee with:

**SENATE BILL 1339 – BEAUTIFY MALL/HONOR PURPLE HEART
RECIPIENTS.**

Senator Rand explained his bill stating that doing away with the unsightly fountain, and in its place planting wildflowers and adding a monument to Honor Purple Heart Recipients, would enhance the area between the Legislative Building and the Legislative Office Building.

Senator Horton moved for the adoption of SB -1339 – Beautify Mall/Honor Purple Heart Recipients - this bill and Senator Hoyle seconded the motion. The bill was given a 'favorable report' by the committee.



Senator Tony Rand, Chairman



Evelyn Costello, Committee Ass't

**NORTH CAROLINA GENERAL ASSEMBLY
SENATE**

**RULES AND OPERATIONS OF THE SENATE COMMITTEE REPORT
Senator Tony Rand, Chair**

Tuesday, June 01, 2004

SENATOR RAND,
submits the following with recommendations as to passage:

FAVORABLE

S.B. 1339	Beautify Mall/Honor Purple Heart Recipients.
	Sequential Referral: None
	Recommended Referral: None

TOTAL REPORTED: 1

Committee Clerk Comments:

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

S

1

SENATE BILL 1339

Short Title: Beautify Mall/Honor Purple Heart Recipients. (Public)

Sponsors: Senators Rand, Nesbitt; Albertson; Bingham, Carrington, Clodfelter, Dalton, Foxx, Hargett, Holloman, Horton, Jenkins, Malone, Purcell, Queen, Soles, and Weinstein.

Referred to: Rules and Operations of the Senate.

May 26, 2004

A BILL TO BE ENTITLED

AN ACT TO BEAUTIFY THE STATE GOVERNMENT MALL AND TO HONOR
THE MANY NORTH CAROLINIANS WHO HAVE BEEN AWARDED THE
PURPLE HEART MEDAL.

The General Assembly of North Carolina enacts:

SECTION 1. The Department of Administration shall use funds within its budget for the 2003-2005 fiscal biennium to remove the water fountain located on the State Government Mall just north of the bridge between the State Legislative building and the Mall and to beautify the site.

Notwithstanding any other provision of law, the Department of Transportation may use funds allocated to it from the Special Registration Plate Account to assist the Department of Administration in beautifying the site on which the fountain stood.

SECTION 2. The General Assembly finds that it is incumbent upon all North Carolinians to express our profound gratitude to and respect for the sacrifices of the many North Carolinians who have been wounded or killed in combat; therefore, the General Assembly directs the Legislative Services Commission to designate a site on the legislative grounds to serve as the site of a State memorial to recipients of the Purple Heart Medal.

SECTION 3. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

S

1

SENATE BILL 1339

Short Title: Beautify Mall/Honor Purple Heart Recipients. (Public)

Sponsors: Senators Rand, Nesbitt; Albertson; Bingham, Carrington, Clodfelter, Dalton, Foxx, Hargett, Holloman, Horton, Jenkins, Malone, Purcell, Queen, Soles, and Weinstein.

Referred to: Rules and Operations of the Senate.

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GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

S

1

SENATE BILL 1339

Short Title: Beautify Mall/Honor Purple Heart Recipients.

(Public)

Sponsors: Senators Rand, Nesbitt; Albertson; Bingham, Carrington, Clodfelter, Dalton, Foxx, Hargett, Holloman, Horton, Jenkins, Malone, Purcell; Queen, Soles, and Weinstein.

Referred to: Rules and Operations of the Senate.

May 26, 2004

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SECTION 3. This act is effective when it becomes law.

MINUTES
RULES AND OPERATIONS OF THE SENATE

JULY 17, 2004

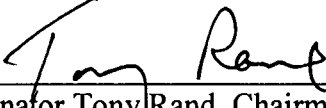
The Committee on Rules and Operations of the Senate met on Saturday, July 17, 2004 at 10:00 a.m. in the 300-C Legislative Office Building Conference Room. Senator Rand presided. There were 6 members of the committee present.

. HB 737 –(SCS#2) – CHAPEL HILL CAMPAIGN FINANCE OPTIONS.

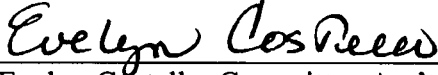
Senator Rand presented the committee with a proposed Senate Committee Substitute #3 for the above bill.

Senator Swindell moved to bring the proposed Senate Committee Substitute #3 before the committee for consideration by the committee. Senator Thomas seconded the motion. Senator Rand explained the committee substitute - The committee voted to adopt the proposed Senate Committee Substitute #3 for **HB – 737 - Constitutional Limits**. The committee substitute would apply to statewide and legislative elections disclosure requirements and corporate/union prohibitions patterned after those in BCRA (the Bipartisan Campaign Reform Act of 2002, or "McCain-Feingold"). Senator Forrester moved for the adoption of the committee substitute and the committee gave the committee substitute a favorable report.

The meeting adjourned at 10:10 a.m.



Senator Tony Rand, Chairman



Evelyn Costello, Committee Ass't

**NORTH CAROLINA GENERAL ASSEMBLY
SENATE**

**RULES AND OPERATIONS OF THE SENATE COMMITTEE REPORT
Senator Tony Rand, Chair**

Saturday, July 17, 2004

SENATOR RAND,
submits the following with recommendations as to passage:

**UNFAVORABLE AS TO SENATE COMMITTEE SUBSTITUTE BILL NO. 2, BUT
FAVORABLE AS TO SENATE COMMITTEE SUBSTITUTE BILL NO. 3**

H.B.(SCS #2) 737	Chapel Hill Campaign Finance Options.
	Draft Number: PCS 80490
	Sequential Referral: None
	Recommended Referral: None
	Long Title Amended: Yes
	Changes Local to Public: Yes

TOTAL REPORTED: 1

Committee Clerk Comments:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2003

H

3

HOUSE BILL 737

Senate State Government, Local Government, and Veterans' Affairs Committee
Substitute Adopted 6/11/03

Senate State Government, Local Government, and Veterans' Affairs Committee
Substitute #2 Adopted 7/14/04

Short Title: Chapel Hill Campaign Finance Options.

(Local)

Sponsors:

Referred to:

March 27, 2003

A BILL TO BE ENTITLED

AN ACT TO DEFINE A UNIFORM PROGRAM OF PUBLIC CAMPAIGN
FINANCING AND TO AUTHORIZE THE TOWN OF CHAPEL HILL TO
CONDUCT SUCH A PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 163-278.6 is amended by adding a new subdivision to
read:

"(17a) The term 'public campaign financing program' means a uniform program of a governmental entity that offers support for the campaigns of candidates for elective office within the jurisdiction of that governmental entity under the following conditions: (i) the candidates participating in the program must demonstrate public support and voluntarily accept strict fund-raising and spending limits in accordance with a set of requirements drawn by that government, (ii) the requirements are drawn to further the public purpose of free and fair elections and do not discriminate for or against any candidate on the basis of race, creed, position on issues, status of incumbency or nonincumbency, or party affiliation, (iii) any public funds provided to candidates are restricted to use for campaign purposes according to guidelines drawn by the State Board of Elections, and (iv) unspent public funds are required to be returned to that governmental entity. Funds paid pursuant to such a program are not subject to the contribution limitations of G.S. 163-278.13 and the prohibitions on corporate contributions of G.S. 163-278.15 or G.S. 163-278.19, but shall be reported as if they were contributions in all campaign reports required by law to be filed by the campaigns receiving the payments."

1 **SECTION 2.** Article 21 of Chapter 160A of the General Statutes is amended
2 by adding a new section to read:

3 **"§ 160A-499. Uniform, nondiscriminatory program of public financing of election**
4 **campaigns.**

5 (a) A governing body of a city with a population exceeding 40,000 according to
6 the most recent decennial federal census may appropriate funds for a public campaign
7 financing program as defined in G.S. 163-278.6(17a) for city office in that city's
8 jurisdiction if the city has held at least one public hearing on the program before
9 adopting it and the program is approved by the State Board of Elections. The State
10 Board of Elections shall develop guidelines for the basic components needed in a
11 program to meet the criteria set forth in G.S. 163-278.6(17a) and shall approve a city's
12 program that meets the criteria. Any city exercising authority under this section shall
13 provide full notice to the county board of elections in any county in which it has
14 territory.

15 (b) The governing body of a city appropriating funds as provided by this section
16 shall prepare a report no later than six months after the second election in which it
17 appropriates funds under this section that analyzes its experience in implementing a
18 public campaign financing program by that date, including percent of candidates
19 participating in a program, sources and amounts of funding, litigation involving a
20 program, administrative issues, and recommendations for changes in this statute. The
21 report shall be presented by that date to the Joint Legislative Commission on
22 Governmental Operations, to the Fiscal Research Division of the Legislative Services
23 Office, and to the committees in the House of Representatives and Senate to which
24 election-related bills are primarily referred."

25 **SECTION 3.** This act applies to the Town of Chapel Hill only.

26 **SECTION 4.** This act is effective when it becomes law and expires July 1,
27 2008.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2003

H

D

HOUSE BILL 737

Senate State Government, Local Government, and Veterans' Affairs Committee

Substitute Adopted 6/11/03

Senate State Government, Local Government, and Veterans' Affairs Committee

Substitute #2 Adopted 7/14/04

PROPOSED SENATE COMMITTEE SUBSTITUTE H737-PCS80490-RR-52

Short Title: Constitutional Limits.

(Public)

Sponsors:

Referred to:

March 27, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR CONSTITUTIONAL REQUIREMENTS FOR
3 REPORTING AND REGULATION OF ELECTIONEERING
4 COMMUNICATIONS, AS APPROVED BY THE UNITED STATES SUPREME
5 COURT; TO ADOPT CONSTITUTIONAL LIMITS FOR CORPORATE
6 EXPENDITURES ON MASS MAILINGS AND TELEPHONE BANKS; AND TO
7 REPEAL A DUPLICATIVE REQUIREMENT FOR OUT-OF-STATE
8 CONTRIBUTORS.

9 The General Assembly of North Carolina enacts:

10 SECTION 1. Chapter 163 of the General Statutes is amended by adding a
11 new Article to read:

12 "Article 22E.

13 "Electioneering Communications.

14 "§ 163-278.80. Definitions.

15 As used in this Article, the following terms have the following definitions:

16 (1) The term 'disclosure date' means either of the following:

17 a. The first date during any calendar year when an electioneering
18 communication is aired after an entity has made disbursements
19 for the direct costs of producing or airing electioneering
20 communications aggregating in excess of ten thousand dollars
21 (\$10,000).

22 b. Any other date during that calendar year by which an entity has
23 made disbursements for the direct costs of producing or airing
24 electioneering communications aggregating in excess of ten

- 1 thousand dollars (\$10,000) since the most recent disclosure date
2 for that calendar year.
- 3 (2) The term 'electioneering communication' means any broadcast, cable,
4 or satellite communication that has all the following characteristics:
5 a. Refers to a clearly identified candidate for a statewide office or
6 the General Assembly.
7 b. Is made within one of the following time periods:
8 1. 60 days before a general or special election for the office
9 sought by the candidate, or
10 2. 30 days before a primary election or a convention of a
11 political party that has authority to nominate a candidate
12 for the office sought by the candidate.
13 c. Is targeted to the relevant electorate.
- 14 (3) The term 'electioneering communication' does not include any of the
15 following:
16 a. A communication appearing in a news story, commentary, or
17 editorial distributed through the facilities of any broadcasting
18 station, unless those facilities are owned or controlled by any
19 political party, political committee, or candidate.
20 b. A communication that constitutes an expenditure or
21 independent expenditure under Article 22A of this Chapter.
22 c. A communication that constitutes a candidate debate or forum
23 conducted pursuant to rules adopted by the Board or that solely
24 promotes that debate or forum and is made by or on behalf of
25 the person sponsoring the debate or forum.
- 26 (4) The term 'prohibited source' means any corporation, insurance
27 company, labor union, or professional association. The term
28 'prohibited source' does not include an entity that meets all the criteria
29 set forth in G.S. 163-278.19(f).
- 30 (5) The term 'targeted to the relevant electorate' means a communication
31 which refers to a clearly identified candidate for statewide office or the
32 General Assembly and which can be received by 50,000 or more
33 individuals in the State in the case of a candidacy for statewide office
34 and 7,500 or more individuals in the district in the case of a candidacy
35 for General Assembly.
- 36 (6) The term '501(c)(4) organization' means either of the following:
37 a. An organization described in section 501(c)(4) of the Internal
38 Revenue Code of 1986 and exempt from taxation under section
39 501(a) of that Code.
40 b. An organization that has submitted an application to the Internal
41 Revenue Service for determination of its status as an
42 organization described in sub-subdivision a. of this subdivision.
- 43 (7) Except as otherwise provided in this Article, the definitions in Article
44 22A of this Chapter apply in this Article.

1 "§ 163-278.81. Disclosure of Electioneering Communications.

2 (a) Statement Required. – Every individual, committee, association, or any other
3 organization or group of individuals that makes a disbursement for the direct costs of
4 producing and airing electioneering communications in an aggregate amount in excess
5 of ten thousand dollars (\$10,000) during any calendar year shall, within 24 hours of
6 each disclosure date, file with the Board a statement containing the information
7 described in subsection (b) of this section.

8 (b) Contents of Statement. – Each statement required to be filed by this section
9 shall be made under the penalty of perjury in G.S. 14-209 and shall contain the
10 following information:

11 (1) The identification of the entity making the disbursement, of any entity
12 sharing or exercising direction or control over the activities of that
13 entity, and of the custodian of the books and accounts of the entity
14 making the disbursement.

15 (2) The principal place of business of the entity making the disbursement
16 if the entity is not an individual.

17 (3) The amount of each disbursement of more than one thousand dollars
18 (\$1,000) during the period covered by the statement and the
19 identification of the entity to whom the disbursement was made.

20 (4) The elections to which the electioneering communications pertain and
21 the names, if known, of the candidates identified or to be identified.

22 (5) If the disbursements were paid out of a segregated bank account that
23 consists of funds contributed solely by individuals directly to that
24 account for electioneering communications, the names and addresses
25 of all contributors who contributed an aggregate amount of more than
26 one thousand dollars (\$1,000) during the period beginning on the first
27 day of the preceding calendar year and ending on the disclosure date.
28 Nothing in this subdivision is to be construed as a prohibition on the
29 use of funds in such a segregated account for a purpose other than
30 electioneering communications.

31 (6) If the disbursements were paid out of funds not described in
32 subdivision (5) of this subsection, the names and addresses of all
33 contributors who contributed an aggregate amount of more than one
34 thousand dollars (\$1,000) to the entity making the disbursement during
35 the period beginning on the first day of the preceding calendar year
36 and ending on the disclosure date.

37 "§ 163-278.82. Prohibition of corporate and labor disbursements for electioneering
38 communications.

39 (a) Prohibition. – No prohibited source may make any disbursement for the costs
40 of producing or airing any electioneering communication. No individual, committee,
41 association, or any other organization or group of individuals, including but not limited
42 to, a political organization (as defined in section 527(e)(1) of the Internal Revenue Code
43 of 1986), which has received any payment from a prohibited source may make any
44 disbursement for the costs of producing and airing any electioneering communication.

1 For the purpose of this section, the term 'electioneering communication' does not
2 include a communication by a section 501(c)(4) organization or a political organization
3 (as defined in section 527(e)(1) of the Internal Revenue Code of 1986) if the
4 communication is paid for exclusively by funds provided by individuals and the
5 disbursements for costs of producing and airing the communication are paid out of a
6 segregated bank account that consists of funds contributed solely by individuals directly
7 to that account.

8 (b) Direct or Indirect Disbursement. – An electioneering communication shall be
9 treated as made by a prohibited source if the prohibited source directly or indirectly
10 disburses any amount for any of the costs of the communication.

11 **"§ 163-278.83. Penalties.**

12 Except as otherwise provided in this Article, a violation of this Article is a Class 2
13 misdemeanor. The State Board of Elections has the same authority to compel from any
14 organization covered by this Article the disclosures required by this Article that the
15 Board has to compel from a political committee the disclosures required by Article 22A
16 of this Chapter. The civil penalties in G.S. 163-278.34 shall apply to violations of this
17 Article, and where those provisions apply to violations involving contributions and
18 expenditures they shall apply in the same manner to payments and disbursements in
19 violation of G.S. 163-278.82."

20 **SECTION 2.** Chapter 163 of the General Statutes is amended by adding a
21 new Article to read:

22 **"Article 22F.**

23 **"Mass Mailings and Telephone Banks: Electioneering Communications.**

24 **"§ 163-278.90. Definitions.**

25 As used in this Article, the following terms have the following definitions:

26 (1) The term 'disclosure date' means either of the following:

27 a. The first date during any calendar year when an electioneering
28 communication is transmitted after an entity has made
29 disbursements for the direct costs of producing or transmitting
30 electioneering communications aggregating in excess of ten
31 thousand dollars (\$10,000).

32 b. Any other date during that calendar year by which an entity has
33 made disbursements for the direct costs of producing or
34 transmitting electioneering communications aggregating in
35 excess of ten thousand dollars (\$10,000) since the most recent
36 disclosure date for that calendar year.

37 (2) The term 'electioneering communication' means any mass mailing or
38 telephone bank that has all the following characteristics:

39 a. Refers to a clearly identified candidate for a statewide office or
40 the General Assembly.

41 b. Is made within one of the following time periods:

42 1. 60 days before a general or special election for the office
43 sought by the candidate, or

- 1 2. 30 days before a primary election or a convention of a
2 political party that has authority to nominate a candidate
3 for the office sought by the candidate.
- 4 c. Is targeted to the relevant electorate.
- 5 (3) The term 'electioneering communication' does not include any of the
6 following:
- 7 a. A communication appearing in a news story, commentary, or
8 editorial distributed through any newspaper or periodical,
9 unless that publication is owned or controlled by any political
10 party, political committee, or candidate.
- 11 b. A communication that constitutes an expenditure or
12 independent expenditure under Article 22A of this Chapter.
- 13 c. A communication that constitutes a candidate debate or forum
14 conducted pursuant to rules adopted by the Board or that solely
15 promotes that debate or forum and is made by or on behalf of
16 the person sponsoring the debate or forum.
- 17 (4) The term 'mass mailing' means any mailing by United States mail or
18 facsimile that is targeted to the relevant electorate and is made by a
19 commercial vendor or made from any commercial list. Part 1A of
20 Article 22A of this Chapter has its own internal definition of 'mass
21 mailing' under the definition of 'print media,' and that definition does
22 not apply in this Article.
- 23 (5) The term 'prohibited source' means any corporation, insurance
24 company, labor union, or professional association. The term
25 'prohibited source' does not include an entity that meets all the criteria
26 set forth in G.S. 163-278.19(f).
- 27 (6) The term 'targeted to the relevant electorate' means a communication
28 which refers to a clearly identified candidate for statewide office or the
29 General Assembly and which:
- 30 a. If transmitted by mail or facsimile in connection with a clearly
31 identified candidate for statewide office, is transmitted to
32 50,000 or more addresses in the State, by the transmission of
33 identical or substantially similar matter within any 30-day
34 period, or, in connection with a clearly identified candidate for
35 the General Assembly, is transmitted to 5,000 or more
36 addresses in the district, by the transmission of identical or
37 substantially identical matter within any 30-day period.
- 38 b. If transmitted by telephone, in connection with a clearly
39 identified candidate for statewide office, more than 50,000
40 telephone calls in the State of an identical or substantially
41 similar nature within any 30-day period, or in the case of a
42 clearly identified candidate for the General Assembly, more
43 than 5,000 calls in the district of an identical or substantially
44 similar nature within any 30-day period.

(7) The term 'telephone bank' means telephone calls that are targeted to the relevant electorate, except when those telephone calls are made by volunteer workers, whether or not the design of the telephone bank system, development of calling instructions, or training of volunteers was done by paid professionals.

(8) The term '501(c)(4) organization' means either of the following:

a. An organization described in section 501(c)(4) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code.

b. An organization that has submitted an application to the Internal Revenue Service for determination of its status as an organization described in sub-subdivision a. of this subdivision.

(9) Except as otherwise provided in this Article, the definitions in Article 22A of this Chapter apply in this Article.

"§ 163-278.91. Disclosure of Electioneering Communications.

(a) Statement Required. – Every individual, committee, association, or any other organization or group of individuals who makes a disbursement for the direct costs of producing and transmitting electioneering communications in an aggregate amount in excess of ten thousand dollars (\$10,000) during any calendar year shall, within 24 hours of each disclosure date, file with the Board a statement containing the information described in subsection (b) of this section.

(b) Contents of Statement. – Each statement required to be filed by this section shall be made under the penalty of perjury in G.S. 14-209 and shall contain the following information:

(1) The identification of the entity making the disbursement, of any entity sharing or exercising direction or control over the activities of that entity, and of the custodian of the books and accounts of the entity making the disbursement.

(2) The principal place of business of the entity making the disbursement if the entity is not an individual.

(3) The amount of each disbursement of more than one thousand dollars (\$1,000) during the period covered by the statement and the identification of the entity to whom the disbursement was made.

(4) The elections to which the electioneering communications pertain and the names, if known, of the candidates identified or to be identified.

(5) If the disbursements were paid out of a segregated bank account that consists of funds contributed solely by individuals directly to that account for electioneering communications, the names and addresses of all contributors who contributed an aggregate amount of more than one thousand dollars (\$1,000) during the period beginning on the first day of the preceding calendar year and ending on the disclosure date. Nothing in this subdivision is to be construed as a prohibition on the use of funds in such a segregated account for a purpose other than electioneering communications.

(6) If the disbursements were paid out of funds not described in subdivision (5) of this subsection, the names and addresses of all contributors who contributed an aggregate amount of more than one thousand dollars (\$1,000) to the entity making the disbursement during the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

"§ 163-278.92. Prohibition of corporate and labor disbursements for electioneering communications.

(a) Prohibition. – No prohibited source may make any disbursement for the costs of producing or airing any electioneering communication. No individual, committee, association, or any other organization or group of individuals, including but not limited to, a political organization (as defined in section 527(e)(1) of the Internal Revenue Code of 1986), which has received any payment from a prohibited source may make any disbursement for the costs of producing and airing any electioneering communication. For the purpose of this section, the term 'electioneering communication' does not include a communication by a section 501(c)(4) organization or a political organization (as defined in section 527(e)(1) of the Internal Revenue Code of 1986) if the communication is paid for exclusively by funds provided by individuals and the disbursements for costs of producing and airing the communication are paid out of a segregated bank account that consists of funds contributed solely by individuals directly to that account.

(b) Direct or Indirect Disbursement. – An electioneering communication shall be treated as made by a prohibited source if the prohibited source directly or indirectly disburses any amount for any of the costs of the communication.

"§ 163-278.93. Penalties.

Except as otherwise provided in this Article, a violation of this Article is a Class 2 misdemeanor. The State Board of Elections has the same authority to compel from any organization covered by this Article the disclosures required by this Article that the Board has to compel from a political committee the disclosures required by Article 22A of this Chapter. The civil penalties in G.S. 163-278.34 shall apply to violations of this Article, and where those provisions apply to violations involving contributions and expenditures they shall apply in the same manner to payments and disbursements in violation of G.S. 163-278.92."

SECTION 3. G.S. 163-278.6(6) reads as rewritten:

"(6) The terms 'contribute' or 'contribution' mean any advance, conveyance, deposit, distribution, transfer of funds, loan, payment, gift, pledge or subscription of money or anything of value whatsoever, to a candidate to support or oppose the nomination or election of one or more clearly identified candidates, to a political committee, to a political party, or to a referendum committee, whether or not made in an election year, and any contract, agreement, promise or other obligation, whether or not legally enforceable, to make a contribution. These terms include, without limitation, such contributions as labor or personal services, postage, publication of campaign literature or materials, in-kind

transfers, loans or use of any supplies, office machinery, vehicles, aircraft, office space, or similar or related services, goods, or personal or real property. These terms also include, without limitation, the proceeds of sale of services, campaign literature and materials, wearing apparel, tickets or admission prices to campaign events such as rallies or dinners, and the proceeds of sale of any campaign-related services or goods. Notwithstanding the foregoing meanings of "contribution," the word shall not be construed to include services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate, political committee, or referendum committee. The term 'contribution' does not include an 'independent expenditure.' If:

a. Any individual, person, committee, association, or any other organization or group of individuals, including but not limited to, a political organization (as defined in section 527(e)(1) of the Internal Revenue Code of 1986) makes, or contracts to make, any disbursement for any electioneering communication, as defined in G.S. 163-278.80(2) and (3) and G.S. 163-278.90(2) and (3); and

b. That disbursement is coordinated with a candidate, an authorized political committee of that candidate, a State or local political party or committee of that party, or an agent or official of any such candidate, party, or committee

that disbursement or contracting shall be treated as a contribution to the candidate supported by the electioneering communication or that candidate's party and as an expenditure by that candidate or that candidate's party."

SECTION 4. G.S. 163-278.12A is repealed.

SECTION 5.(a) G.S. 163-278.8(c) is repealed.

SECTION 5.(b) G.S. 163-278.14(b) reads as rewritten:

"(b) ~~No individual or person entity~~ shall give, and no candidate, committee or treasurer shall accept, any monetary contribution in excess of one hundred dollars (\$100.00) unless such contribution be in the form of a check, draft, money order, credit card charge, debit, or other noncash method that can be subject to written verification. The State Board of Elections may prescribe guidelines as to the reporting and verification of any method of contribution payment allowed under this Article. For a contribution made by credit card, the credit card account number of a contributor is not a public record."

SECTION 5.(c) This section applies to any contribution made on or after January 1, 2003.

SECTION 6. The provisions of this act are severable. If any provision of this act is held invalid by a court of competent jurisdiction, the invalidity does not affect other provisions of the act that can be given effect without the invalid provision.

- 1 **SECTION 7.** This act is effective when it becomes law, except as otherwise
- 2 provided in this act, and except that any criminal penalty resulting from this act
- 3 becomes effective October 1, 2004.

July 17, 2004

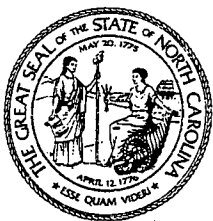
Date**FIRM OR AGENCY AND ADDRESS**

BOMHL

NC Home Builds

Ernest Gruening





HOUSE BILL 737: Constitutional Limits

BILL ANALYSIS

Committee: Senate Rules
Date: July 17, 2004
Version: H737-CSRR-52[v.9]

Introduced by: Rep. Miller
Summary by: William R. Gilkeson
Staff Attorney

SUMMARY: *This PCS for House Bill 737 would apply to statewide and legislative elections disclosure requirements and corporate/union prohibitions patterned after those in BCRA (the Bipartisan Campaign Reform Act of 2002, or "McCain-Feingold"). It would apply those regulations to spending for "electioneering communications," ads that avoid strict words of electoral advocacy but that refer to a candidate shortly before an election.*

BACKGROUND on BCRA. BCRA, in addition to its well-known prohibition of national party soft money, regulates "electioneering communications" in federal elections. Electioneering communications go beyond what was in recent years considered "express advocacy," basically magic words such as "vote for" and "defeat." Until last year those magic words appeared to be the constitutional limits of what could be regulated under campaign finance laws. But the 2003 US Supreme Court decision of McConnell v. FEC expanded the limits of what can be regulated.

"Electioneering communications" are defined in BCRA as any broadcast, cable, or satellite communication that refers to a clearly identified candidate for federal office within 30 days before a primary or convention, or within 60 days before a general election, and is targeted to the relevant electorate (50,000 people in the congressional district or State). News accounts, editorials, and debates are exempted.

BCRA prohibits the use of corporate or union funds for "electioneering communications."

BCRA also requires an entity spending \$10,000 or more on "electioneering communications" to make a report to the Federal Election Commission within 24 hours of each such expenditure. The report must contain basic information about the organization making the expenditure, and must report the name of each contributor who gave more than \$1,000 to the spending organization. Expenditures of more than \$200 must be detailed. Many of the organizations that conduct such campaigns are organized as nonprofit corporations under Internal Revenue Code Sections 527 or 501(c)(4) or both.

"Electioneering communications" under BCRA are something other than conventional "contributions" and "expenditures" governed by the strict rules of the Federal Election Campaign Act – unless the "electioneering communication" is coordinated with a candidate or a political party. If there is such coordination, the spending for the "electioneering communication" is treated as a contribution to the candidate or party and is governed by the stricter reporting and regulations.

Those provisions of BCRA were challenged as violations of the First Amendment, but in late 2003 were upheld by the US Supreme Court in McConnell v. FEC. That decision opened the door for State regulations of campaign ads that avoid using the magic words of electoral advocacy, but that constitute campaign ads nonetheless.

Section 1 of the PCS closely applies BCRA's treatment of "electioneering communications" to North Carolina candidates for statewide State office and to the General Assembly. This section applies only to broadcast, cable, and satellite communications. The measure of what is "targeted to the relevant electorate" is adapted to the different scale of legislative districts. Congressional districts are 619,178 population, while State Senate districts are 160,986 and State House districts 67,078. Accordingly, the 50,000 count is left the same as in BCRA for a statewide race, but for legislative races the population number is dropped to 7,500.

Otherwise the "electioneering communications" provisions are applied to NC statewide and legislative races in much the same way BCRA applies them to federal races. The disclosure provisions are similar (with the higher threshold of \$1,000, rather than the BCRA's \$200) for detailing expenditures, and the corporate and union prohibitions are the same. (NC campaign finance law actually has a broader prohibited-source rule, encompassing partnerships and sole proprietorships)

HOUSE BILL 737

Page 2

as well as corporations, but the draft, in an attempt to hew closely to BCRA, limits its prohibition of "electioneering communications" to corporations, insurance companies, unions, and professional associations.)

The State Board of Elections is given authority to compel disclosure from organizations such as 527s that make electioneering communications. The criminal and civil remedies of the conventional NC campaign finance act are applied to violations of Electioneering Communications article.

Section 2 of the PCS applies the "electioneering communications" regulation of BCRA to "mass mailings" and "telephone banks." The Federal Election Campaign Act regulates those activities, but does not apply BCRA's "electioneering communications" regulation to them. The NC draft defines "mass mailing" to be US mail or fax that refers to a candidate for statewide office and is sent within a 30-day period to 50,000 people in the State, or that refers to a legislative candidate and is sent within a 30-day period to 5,000 people in the district. The draft uses the same 30 days/50,000/5,000 pattern for telephone calls in its "telephone bank" definition.

Section 3 provides that electioneering communications that are coordinated with a candidate or party are contributions, and are subject to the limits and bans of the regular NC campaign finance act.

Section 4 repeals a statute the General Assembly enacted in 1997 to address the same kind of campaign activity the electioneering communications statute addresses. That statute, G.S. 163-278.12A, has been held unconstitutional by a lower federal court, but the McConnell decision called into question whether it is still unconstitutional. Its repeal signals that the McConnell-approved approach replaces it.

Section 5 repeals a statute that the State Board of Elections has interpreted to require that a contribution from an out-of-state contributor must be accompanied by a signed statement from the contributor. Regulation would instead rely on a provision that says all contributors of over \$100 – regardless of where they live – must give by check or some other noncash method that can be subject to written verification. This is made effective for all contributions made on or after January 1, 2003, so that it is a curative to contributions made since then.

The bill is made effective when it becomes law, but the criminal penalties are not applicable until Oct. 1, 2004.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2003

H

D

HOUSE BILL 737

Senate State Government, Local Government, and Veterans' Affairs Committee

Substitute Adopted 6/11/03

Senate State Government, Local Government, and Veterans' Affairs Committee

Substitute #2 Adopted 7/14/04

PROPOSED SENATE COMMITTEE SUBSTITUTE H737-CSRR-52 [v.9]

7/16/2004 9:53:12 PM

Short Title: Constitutional Limits.

(Public)

Sponsors:

Referred to:

March 27, 2003

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR CONSTITUTIONAL REQUIREMENTS FOR REPORTING AND REGULATION OF ELECTIONEERING COMMUNICATIONS, AS APPROVED BY THE UNITED STATES SUPREME COURT; TO ADOPT CONSTITUTIONAL LIMITS FOR CORPORATE EXPENDITURES ON MASS MAILINGS AND TELEPHONE BANKS; AND TO REPEAL A DUPLICATIVE REQUIREMENT FOR OUT-OF-STATE CONTRIBUTORS.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 163 of the General Statutes is amended by adding a new Article to read:

"Article 22E.

Electioneering Communications.

"§ 163-278.80. Definitions.

As used in this Article, the following terms have the following definitions:

(1) The term 'disclosure date' means either of the following:

- a. The first date during any calendar year when an electioneering communication is aired after an entity has made disbursements for the direct costs of producing or airing electioneering communications aggregating in excess of \$10,000.
- b. Any other date during that calendar year by which an entity has made disbursements for the direct costs of producing or airing electioneering communications aggregating in excess of

- 1 \$10,000 since the most recent disclosure date for that calendar
2 year.
- 3 (2) The term 'electioneering communication' means any broadcast, cable,
4 or satellite communication that has all the following characteristics:
5 a. Refers to a clearly identified candidate for a statewide office or
6 the General Assembly.
7 b. Is made within one of the following time periods:
8 (i) 60 days before a general or special election for the office
9 sought by the candidate, or
10 (ii) 30 days before a primary election or a convention of a
11 political party that has authority to nominate a candidate
12 for the office sought by the candidate.
13 c. Is targeted to the relevant electorate.
- 14 (3) The term 'electioneering communication' does not include any of the
15 following:
16 a. A communication appearing in a news story, commentary, or
17 editorial distributed through the facilities of any broadcasting
18 station, unless those facilities are owned or controlled by any
19 political party, political committee, or candidate.
20 b. A communication that constitutes an expenditure or
21 independent expenditure under Article 22A of this Chapter.
22 c. A communication that constitutes a candidate debate or forum
23 conducted pursuant to rules adopted by the Board, or that solely
24 promotes that debate or forum and is made by or on behalf of
25 the person sponsoring the debate or forum.
- 26 (4) The term 'prohibited source' means any corporation, insurance
27 company, labor union, or professional association. The term
28 'prohibited source' does not include an entity that meets all the criteria
29 set forth in G.S. 163-278.19(f).
- 30 (5) The term 'targeted to the relevant electorate' means a communication
31 which refers to a clearly identified candidate for statewide office or the
32 General Assembly and which can be received by 50,000 or more
33 individuals in the State in the case of a candidacy for statewide office
34 and 7,500 or more individuals in the district in the case of a candidacy
35 for General Assembly.
- 36 (6) The term '501(c)(4) organization' means either of the following:
37 a. An organization described in section 501(c)(4) of the Internal
38 Revenue Code of 1986 and exempt from taxation under section
39 501(a) of that Code.
40 b. An organization that has submitted an application to the Internal
41 Revenue Service for determination of its status as an
42 organization described in sub-subdivision a. of this subdivision.
- 43 (7) Except as otherwise provided in this Article, the definitions in Article
44 22A of this Chapter apply in this Article.

"§ 163-278.81. Disclosure of Electioneering Communications.

(a) Statement Required. – Every individual, committee, association, or any other organization or group of individuals that makes a disbursement for the direct costs of producing and airing electioneering communications in an aggregate amount in excess of \$10,000 during any calendar year shall, within 24 hours of each disclosure date, file with the Board a statement containing the information described in subsection (b) of this section.

(b) Contents of Statement. – Each statement required to be filed by this section shall be made under the penalty of perjury in G.S. 14-209 and shall contain the following information:

- (1) The identification of the entity making the disbursement, of any entity sharing or exercising direction or control over the activities of that entity, and of the custodian of the books and accounts of the entity making the disbursement.
- (2) The principal place of business of the entity making the disbursement, if the entity is not an individual.
- (3) The amount of each disbursement of more than \$1,000 during the period covered by the statement and the identification of the entity to whom the disbursement was made.
- (4) The elections to which the electioneering communications pertain and the names, if known, of the candidates identified or to be identified.
- (5) If the disbursements were paid out of a segregated bank account that consists of funds contributed solely by individuals directly to that account for electioneering communications, the names and addresses of all contributors who contributed an aggregate amount of more than \$1,000 during the period beginning on the first day of the preceding calendar year and ending on the disclosure date. Nothing in this subdivision is to be construed as a prohibition on the use of funds in such a segregated account for a purpose other than electioneering communications.
- (6) If the disbursements were paid out of funds not described in subdivision (5) of this subsection, the names and addresses of all contributors who contributed an aggregate amount of more than \$1,000 to the entity making the disbursement during the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

"§ 163-278.82. Prohibition of corporate and labor disbursements for electioneering communications.

(a) Prohibition. – No prohibited source may make any disbursement for the costs of producing or airing any electioneering communication. No individual, committee, association, or any other organization or group of individuals, including but not limited to a political organization (as defined in section 527(e)(1) of the Internal Revenue Code of 1986), which has received any payment from a prohibited source may make any disbursement for the costs of producing and airing any electioneering communication.

1 For the purpose of this section, the term 'electioneering communication' does not
2 include a communication by a section 501(c)(4) organization or a political organization
3 (as defined in section 527(e)(1) of the Internal Revenue Code of 1986) if the
4 communication is paid for exclusively by funds provided by individuals and the
5 disbursements for costs of producing and airing the communication are paid out of a
6 segregated bank account that consists of funds contributed solely by individuals directly
7 to that account.

8 (b) Direct or Indirect Disbursement. – An electioneering communication shall be
9 treated as made by a prohibited source if the prohibited source directly or indirectly
10 disburses any amount for any of the costs of the communication.

11 **"§ 163-278.83. Penalties.**

12 Except as otherwise provided in this Article, a violation of this Article is a Class 2
13 misdemeanor. The State Board of Elections has the same authority to compel from any
14 organization covered by this Article the disclosures required by this Article that the
15 Board has to compel from a political committee the disclosures required by Article 22A
16 of this Chapter. The civil penalties in G.S. 163-278.34 shall apply to violations of this
17 Article, and where those provisions apply to violations involving contributions and
18 expenditures they shall apply in the same manner to payments and disbursements in
19 violation of G.S. 163-278.82."

20 **SECTION 2.** Chapter 163 of the General Statutes is amended by adding a
21 new Article to read:

22 **"Article 22F.**

23 **Mass Mailings and Telephone Banks: Electioneering Communications.**

24 **"§ 163-278.90. Definitions.**

25 As used in this Article, the following terms have the following definitions:

26 (1) The term 'disclosure date' means either of the following:

27 a. The first date during any calendar year when an electioneering
28 communication is transmitted after an entity has made
29 disbursements for the direct costs of producing or transmitting
30 electioneering communications aggregating in excess of
31 \$10,000.

32 b. Any other date during that calendar year by which an entity has
33 made disbursements for the direct costs of producing or
34 transmitting electioneering communications aggregating in
35 excess of \$10,000 since the most recent disclosure date for that
36 calendar year.

37 (2) The term 'electioneering communication' means any mass mailing or
38 telephone bank that has all the following characteristics:

39 a. Refers to a clearly identified candidate for a statewide office or
40 the General Assembly.

41 b. Is made within one of the following time periods:

42 (i) 60 days before a general or special election for the office
43 sought by the candidate, or

- 1 (ii) 30 days before a primary election or a convention of a
2 political party that has authority to nominate a candidate
3 for the office sought by the candidate.
- 4 c. Is targeted to the relevant electorate.
- 5 (3) The term 'electioneering communication' does not include any of the
6 following:
- 7 a. A communication appearing in a news story, commentary, or
8 editorial distributed through any newspaper or periodical,
9 unless that publication is owned or controlled by any political
10 party, political committee, or candidate.
- 11 b. A communication that constitutes an expenditure or
12 independent expenditure under Article 22A of this Chapter.
- 13 c. A communication that constitutes a candidate debate or forum
14 conducted pursuant to rules adopted by the Board, or that solely
15 promotes that debate or forum and is made by or on behalf of
16 the person sponsoring the debate or forum.
- 17 (4) The term 'mass mailing' means any mailing by United States mail or
18 facsimile that is targeted to the relevant electorate and is made by a
19 commercial vendor or made from any commercial list. Part 1A of
20 Article 22A of this Chapter has its own internal definition of 'mass
21 mailing' under the definition of 'print media,' and that definition does
22 not apply in this Article.
- 23 (5) The term 'prohibited source' means any corporation, insurance
24 company, labor union, or professional association. The term
25 'prohibited source' does not include an entity that meets all the criteria
26 set forth in G.S. 163-278.19(f).
- 27 (6) The term 'targeted to the relevant electorate' means a communication
28 which refers to a clearly identified candidate for statewide office or the
29 General Assembly and which,
- 30 a. If transmitted by mail or facsimile in connection with a clearly
31 identified candidate for statewide office, is transmitted to
32 50,000 or more addresses in the State, by the transmission of
33 identical or substantially similar matter within any 30-day
34 period, or, in connection with a clearly identified candidate for
35 the General Assembly, is transmitted to 5,000 or more
36 addresses in the district, by the transmission of identical or
37 substantially identical matter within any 30-day period.
- 38 b. If transmitted by telephone, in connection with a clearly
39 identified candidate for statewide office, more than 50,000
40 telephone calls in the State of an identical or substantially
41 similar nature within any 30-day period, or in the case of a
42 clearly identified candidate for the General Assembly, more
43 than 5,000 calls in the district of an identical or substantially
44 similar nature within any 30-day period.

(7) The term 'telephone bank' means telephone calls that are targeted to the relevant electorate, except when those telephone calls are made by volunteer workers, whether or not the design of the telephone bank system, development of calling instructions, or training of volunteers was done by paid professionals.

(8) The term '501(c)(4) organization' means either of the following:

a. An organization described in section 501(c)(4) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code.

b. An organization that has submitted an application to the Internal Revenue Service for determination of its status as an organization described in sub-subdivision a. of this subdivision.

(9) Except as otherwise provided in this Article, the definitions in Article 22A of this Chapter apply in this Article.

"§ 163-278.91. Disclosure of Electioneering Communications.

(a) Statement Required. – Every individual, committee, association, or any other organization or group of individuals who makes a disbursement for the direct costs of producing and transmitting electioneering communications in an aggregate amount in excess of \$10,000 during any calendar year shall, within 24 hours of each disclosure date, file with the Board a statement containing the information described in subsection (b) of this section.

(b) Contents of Statement. – Each statement required to be filed by this section shall be made under the penalty of perjury in G.S. 14-209 and shall contain the following information:

(1) The identification of the entity making the disbursement, of any entity sharing or exercising direction or control over the activities of that entity, and of the custodian of the books and accounts of the entity making the disbursement.

(2) The principal place of business of the entity making the disbursement, if the entity is not an individual.

(3) The amount of each disbursement of more than \$1,000 during the period covered by the statement and the identification of the entity to whom the disbursement was made.

(4) The elections to which the electioneering communications pertain and the names, if known, of the candidates identified or to be identified.

(5) If the disbursements were paid out of a segregated bank account that consists of funds contributed solely by individuals directly to that account for electioneering communications, the names and addresses of all contributors who contributed an aggregate amount of more than \$1,000 during the period beginning on the first day of the preceding calendar year and ending on the disclosure date. Nothing in this subdivision is to be construed as a prohibition on the use of funds in such a segregated account for a purpose other than electioneering communications.

(6) If the disbursements were paid out of funds not described in subdivision (5) of this subsection, the names and addresses of all contributors who contributed an aggregate amount of more than \$1,000 to the entity making the disbursement during the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

"§ 163-278.92. Prohibition of corporate and labor disbursements for electioneering communications.

(a) Prohibition. – No prohibited source may make any disbursement for the costs of producing or airing any electioneering communication. No individual, committee, association, or any other organization or group of individuals, including but not limited to a political organization (as defined in section 527(e)(1) of the Internal Revenue Code of 1986), which has received any payment from a prohibited source may make any disbursement for the costs of producing and airing any electioneering communication. For the purpose of this section, the term 'electioneering communication' does not include a communication by a section 501(c)(4) organization or a political organization (as defined in section 527(e)(1) of the Internal Revenue Code of 1986) if the communication is paid for exclusively by funds provided by individuals and the disbursements for costs of producing and airing the communication are paid out of a segregated bank account that consists of funds contributed solely by individuals directly to that account.

(b) Direct or Indirect Disbursement. – An electioneering communication shall be treated as made by a prohibited source if the prohibited source directly or indirectly disburses any amount for any of the costs of the communication.

"§ 163-278.93. Penalties.

Except as otherwise provided in this Article, a violation of this Article is a Class 2 misdemeanor. The State Board of Elections has the same authority to compel from any organization covered by this Article the disclosures required by this Article that the Board has to compel from a political committee the disclosures required by Article 22A of this Chapter. The civil penalties in G.S. 163-278.34 shall apply to violations of this Article, and where those provisions apply to violations involving contributions and expenditures they shall apply in the same manner to payments and disbursements in violation of G.S. 163-278.92."

SECTION 3. G.S. 163-278.6(6) reads as rewritten:

"(6) The terms 'contribute' or 'contribution' mean any advance, conveyance, deposit, distribution, transfer of funds, loan, payment, gift, pledge or subscription of money or anything of value whatsoever, to a candidate to support or oppose the nomination or election of one or more clearly identified candidates, to a political committee, to a political party, or to a referendum committee, whether or not made in an election year, and any contract, agreement, promise or other obligation, whether or not legally enforceable, to make a contribution. These terms include, without limitation, such contributions as labor or personal services, postage, publication of campaign literature or materials, in-kind

transfers, loans or use of any supplies, office machinery, vehicles, aircraft, office space, or similar or related services, goods, or personal or real property. These terms also include, without limitation, the proceeds of sale of services, campaign literature and materials, wearing apparel, tickets or admission prices to campaign events such as rallies or dinners, and the proceeds of sale of any campaign-related services or goods. Notwithstanding the foregoing meanings of "contribution," the word shall not be construed to include services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate, political committee, or referendum committee. The term 'contribution' does not include an 'independent expenditure.' If:

a. Any individual, person, committee, association, or any other organization or group of individuals, including, but not limited to, a political organization (as defined in section 527(e)(1) of the Internal Revenue Code of 1986) makes, or contracts to make, any disbursement for any electioneering communication, as defined in G.S. 163-278.80(2) and (3) and G.S. 163-278.90(2) and (3); and

b. That disbursement is coordinated with a candidate, an authorized political committee of that candidate, a State or local political party or committee of that party, or an agent or official of any such candidate, party, or committee

that disbursement or contracting shall be treated as a contribution to the candidate supported by the electioneering communication or that candidate's party and as an expenditure by that candidate or that candidate's party."

SECTION 4. G.S. 163-278.12A is repealed.

SECTION 5.(a) G.S. 163-278.8(c) is repealed.

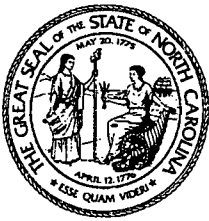
SECTION 5.(b) G.S. 163-278.14(b) reads as rewritten:

"(b) ~~No individual or person entity~~ shall give, and no candidate, committee or treasurer shall accept, any monetary contribution in excess of one hundred dollars (\$100.00) unless such contribution be in the form of a check, draft, money order, credit card charge, debit, or other noncash method that can be subject to written verification. The State Board of Elections may prescribe guidelines as to the reporting and verification of any method of contribution payment allowed under this Article. For a contribution made by credit card, the credit card account number of a contributor is not a public record."

SECTION 5.(c) This section applies to any contribution made on or after January 1, 2003.

SECTION 6. The provisions of this act are severable. If any provision of this act is held invalid by a court of competent jurisdiction, the invalidity does not affect other provisions of the act that can be given effect without the invalid provision."

1 **SECTION 7.** This act is effective when it becomes law, except as otherwise
2 provided in this act, and except that any criminal penalty resulting from this act
3 becomes effective October 1, 2004.
4
5



HOUSE BILL 737: Constitutional Limits

BILL ANALYSIS

Committee: Senate Rules
Date: July 17, 2004
Version: H737-CSRR-52[v.9]

Introduced by: Rep. Miller
Summary by: William R. Gilkeson
Staff Attorney

SUMMARY: *This PCS for House Bill 737 would apply to statewide and legislative elections disclosure requirements and corporate/union prohibitions patterned after those in BCRA (the Bipartisan Campaign Reform Act of 2002, or "McCain-Feingold"). It would apply those regulations to spending for "electioneering communications," ads that avoid strict words of electoral advocacy but that refer to a candidate shortly before an election.*

BACKGROUND on BCRA. BCRA, in addition to its well-known prohibition of national party soft money, regulates "electioneering communications" in federal elections. Electioneering communications go beyond what was in recent years considered "express advocacy," basically magic words such as "vote for" and "defeat." Until last year those magic words appeared to be the constitutional limits of what could be regulated under campaign finance laws. But the 2003 US Supreme Court decision of McConnell v. FEC expanded the limits of what can be regulated.

"Electioneering communications" are defined in BCRA as any broadcast, cable, or satellite communication that refers to a clearly identified candidate for federal office within 30 days before a primary or convention, or within 60 days before a general election, and is targeted to the relevant electorate (50,000 people in the congressional district or State). News accounts, editorials, and debates are exempted.

BCRA prohibits the use of corporate or union funds for "electioneering communications."

BCRA also requires an entity spending \$10,000 or more on "electioneering communications" to make a report to the Federal Election Commission within 24 hours of each such expenditure. The report must contain basic information about the organization making the expenditure, and must report the name of each contributor who gave more than \$1,000 to the spending organization. Expenditures of more than \$200 must be detailed. Many of the organizations that conduct such campaigns are organized as nonprofit corporations under Internal Revenue Code Sections 527 or 501(c)(4) or both.

"Electioneering communications" under BCRA are something other than conventional "contributions" and "expenditures" governed by the strict rules of the Federal Election Campaign Act – unless the "electioneering communication" is coordinated with a candidate or a political party. If there is such coordination, the spending for the "electioneering communication" is treated as a contribution to the candidate or party and is governed by the stricter reporting and regulations.

Those provisions of BCRA were challenged as violations of the First Amendment, but in late 2003 were upheld by the US Supreme Court in McConnell v. FEC. That decision opened the door for State regulations of campaign ads that avoid using the magic words of electoral advocacy, but that constitute campaign ads nonetheless.

Section 1 of the PCS closely applies BCRA's treatment of "electioneering communications" to North Carolina candidates for statewide State office and to the General Assembly. This section applies only to broadcast, cable, and satellite communications. The measure of what is "targeted to the relevant electorate" is adapted to the different scale of legislative districts. Congressional districts are 619,178 population, while State Senate districts are 160,986 and State House districts 67,078. Accordingly, the 50,000 count is left the same as in BCRA for a statewide race, but for legislative races the population number is dropped to 7,500.

Otherwise the "electioneering communications" provisions are applied to NC statewide and legislative races in much the same way BCRA applies them to federal races. The disclosure provisions are similar (with the higher threshold of \$1,000, rather than the BCRA's \$200) for detailing expenditures, and the corporate and union prohibitions are the same. (NC campaign finance law actually has a broader prohibited-source rule, encompassing partnerships and sole proprietorships)

HOUSE BILL 737

Page 2

as well as corporations, but the draft, in an attempt to hew closely to BCRA, limits its prohibition of "electioneering communications" to corporations, insurance companies, unions, and professional associations.)

The State Board of Elections is given authority to compel disclosure from organizations such as 527s that make electioneering communications. The criminal and civil remedies of the conventional NC campaign finance act are applied to violations of Electioneering Communications article.

Section 2 of the PCS applies the "electioneering communications" regulation of BCRA to "mass mailings" and "telephone banks." The Federal Election Campaign Act regulates those activities, but does not apply BCRA's "electioneering communications" regulation to them. The NC draft defines "mass mailing" to be US mail or fax that refers to a candidate for statewide office and is sent within a 30-day period to 50,000 people in the State, or that refers to a legislative candidate and is sent within a 30-day period to 5,000 people in the district. The draft uses the same 30 days/50,000/5,000 pattern for telephone calls in its "telephone bank" definition.

Section 3 provides that electioneering communications that are coordinated with a candidate or party are contributions, and are subject to the limits and bans of the regular NC campaign finance act.

Section 4 repeals a statute the General Assembly enacted in 1997 to address the same kind of campaign activity the electioneering communications statute addresses. That statute, G.S. 163-278.12A, has been held unconstitutional by a lower federal court, but the McConnell decision called into question whether it is still unconstitutional. Its repeal signals that the McConnell-approved approach replaces it.

Section 5 repeals a statute that the State Board of Elections has interpreted to require that a contribution from an out-of-state contributor must be accompanied by a signed statement from the contributor. Regulation would instead rely on a provision that says all contributors of over \$100 – regardless of where they live – must give by check or some other noncash method that can be subject to written verification. This is made effective for all contributions made on or after January 1, 2003, so that it is a curative to contributions made since then.

The bill is made effective when it becomes law, but the criminal penalties are not applicable until Oct. 1, 2004.

COMMITTEE ON RULES AND OPERATIONS OF THE SENATE

MINUTES

JULY 17, 2004

The Senate Committee on Rules and Operations of the Senate met in Room 2023 of the Legislative Building at 3:00 p.m. on July 17, 2004. Ten members of the committee were present.

Senator Rand presented the Committee with a proposed committee substitute for:

S.B. 1152 – LEGISLATIVE STUDY COMM./GUARDIANSHIP.

Senator Dalton moved to bring the proposed committee substitute before the committee.

Senator Rand explained the bill at length.

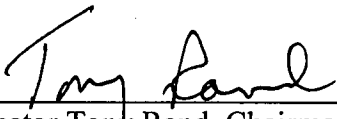
Senator Albertson offered an amendment to the bill. Senator Albertson explained his amendment which deals with Stormwater Issues. This amendment is made a part of these minutes and is identified as "Amendment No. 1".

Senator Soles offered "Amendment #2" dealing with "Workers Comp/Trucking Companies" (H.B. 1370). This amendment is also made a part of these minutes.

Senator Hoyle moved for the adoption of the proposed committee substitute, as amended. This motion was seconded by Senator Kinnaird.

The committee gave the proposed committee substitute, as amended, a 'favorable report'.

The meeting adjourned at 3:30 p.m.



Senator Tony Rand, Chairman



Evelyn Costello, Committee Ass't.

**NORTH CAROLINA GENERAL ASSEMBLY
SENATE**

**RULES AND OPERATIONS OF THE SENATE COMMITTEE REPORT
Senator Tony Rand, Chair**

Friday, July 16, 2004

Senator RAND,
submits the following with recommendations as to passage:

**UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO COMMITTEE SUBSTITUTE BILL,
AS AMENDED**

S.B.	1152	Legislative Study Comm./Guardianship.	
		Draft Number:	PCS 85368
		Sequential Referral:	None
		Recommended Referral:	None
		Long Title Amended:	Yes

TOTAL REPORTED: 1

Committee Clerk Comments:



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1152*

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

S1152-ARW-49 [v.1]

Page 1 of 1

Date July 16, 2004

Comm. Sub. [YES]
Amends Title [NO]
First Edition

Senator Albertson

1 moves to amend the bill by adding at the end of Part XIX a new section to read:

2
3 "SECTION 19.12. Stormwater Issues.—(~~Chapter~~) The Commission may study various
4 approaches to prevent and reduce stormwater pollution throughout the State, including but
5 not limited to: low impact design as a stormwater management technique; financial and
6 regulatory incentives for the use of innovative stormwater management techniques;
7 technical assistance for local governments in implementing successful stormwater
8 management programs or collaborative regional programs; State and local efforts to reduce
9 sedimentation pollution; potential funding sources for improved stormwater management;
10 and protection of highly sensitive waters such as shellfishing and recreational waters and
11 trout streams."
12
13

SIGNED Thomas W. Albright
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. _____

S. B. No. 1152

COMMITTEE SUBSTITUTE _____

DATE

July 16, 2004Amendment No. 2(to be filled in by
Principal Clerk)

Rep.) _____

Sen.) _____

1 moves to amend the bill on page

2

, line

7-8

2 () WHICH CHANGES THE TITLE

3 by

adding between those lines:

4

"(b)workers comp. / trucking ~~iss~~
companies (H.B. 1370) "

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SIGNED

[Signature]ADOPTED ✓

FAILED _____

TABLED _____

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

S

D

SENATE BILL 1152*
PROPOSED COMMITTEE SUBSTITUTE S1152-PCS85368-RW-92

Short Title: Studies Act of 2004.

(Public)

Sponsors:

Referred to:

May 18, 2004

A BILL TO BE ENTITLED
AN ACT CONCERNING STUDIES.
The General Assembly of North Carolina enacts:
PART I. TITLE

SECTION 1. This act shall be known as "The Studies Act of 2004".

PART II. LEGISLATIVE RESEARCH COMMISSION

SECTION 2.1. The Legislative Research Commission may study the topics listed below. When applicable, the bill or resolution that originally proposed the issue or study and the name of the sponsor is listed. Unless otherwise specified, the listed bill or resolution refers to the measure introduced in the 2003 or 2004 Regular Session of the 2003 General Assembly. The Commission may consider the original bill or resolution in determining the nature, scope, and aspects of the study. The following groupings are for reference only:

(1) Government Regulatory Issues:

- a. Fire safety in local confinement facilities
- b. Regulating ticket brokers
- c. Light pollution (Queen)
- d. Urban cores (Queen)
- e. Legislative and Executive branch lobbying (Kinnaired)
- f. Alcoholic beverage control
- g. State fire protection (S.B. 1377 – Kinnaired)

(2) Transportation Issues:

- a. Purchasing alternative-fuel or low-emission school buses (S.J.R. 768 – Bingham)

- b. Commercial drivers license requirements and emergency situations (Sloan)
- (3) Consumer Issues:
- a. Debt collection practices (Rand)
- (4) Insurance Issues:
- a. Workers' compensation/agricultural employment (S.B. 632 – Clodfelter)
- (5) Criminal Law Issues:
- a. Review of sentencing guidelines
- b. Judicial approval for pleas in certain cases (Clodfelter)
- (6) State Employee Issues:
- a. Pay equity (S.B. 747 – Lucas)
- b. Job sharing
- c. Reemployment of retirees (S.B. 10 – Garwood)
- d. Postretirement Earnings (S.B. 1313 – Dorsett)
- (7) Other:
- a. Guardianship (S.B. 1152 – Swindell, Purcell)
- b. Immigration (S.J.R. 553 – Albertson)
- c. Marine fisheries (S.B. 838 – Albertson)
- d. Casino nights for nonprofit organizations
- e. Soil and water conservation issues
- f. Trafficking of persons (S.B. 1197 – Kinnaird)
- g. Regulation of sellers of timeshares (Rand)
- h. Attorney solicitation regulation (S.B. 1317 – Rand)

SECTION 2.1.(a) Size/Scope of Boards and Commissions (S.J.R. 924 – Rand) – The Commission may study boards and commissions. If this study is undertaken, the Commission shall establish a schedule for reviewing boards and commissions so that approximately twenty-five percent (25%) of the total number of State boards and commissions are reviewed each year for the next four years. In reviewing boards and commissions, the Commission shall consider the following:

- (1) The consolidation of boards and commissions, where appropriate.
- (2) Reducing the number of members serving on boards and commissions.
- (3) Reducing the number of meetings of boards and commissions.
- (4) The scope and authority of boards and commissions.
- (5) The elimination of boards and commissions, where appropriate.

SECTION 2.1.(b) Availability of Health Insurance for Small Businesses and Trade Associations (S.B. 758 – Rand, Clodfelter, Soles) – The Commission may study the availability of health insurance for small employers. The Commission shall examine the Small Employer Group Health Insurance Reform Act to determine whether its provisions should be revised to increase the availability of health insurance offered to small employers in North Carolina. The Commission shall also examine whether North Carolina laws conflict with federal law regarding the ability of a trade association to obtain health insurance through a commercial carrier.

1 **SECTION 2.1.(c)** Availability of Health Insurance for Uninsurable
2 Individuals (Rand) – The Commission may study ways to make insurance available to
3 individuals who have difficulty obtaining health insurance coverage. In conducting the
4 study, the Commission shall consider methods employed by other states to meet this
5 need, and possible administrative structures, funding mechanisms, and coverages.

6 **SECTION 2.1.(d)** Pawnbrokers – The Commission may study the laws
7 regulating pawnbrokers and those nonregulated retail outlets engaging in similar
8 business and acting as pawnbrokers. If undertaken by the Commission, the study shall
9 include an examination of the advisability, viability, and cost of all of the following
10 modifications to existing law with the goal of more efficiently monitoring pawnshop
11 businesses that are engaging in similar business and to more effectively aid in the
12 speedy recovery of stolen property:

- 13 (1) Picture identification of sellers or pledgers.
- 14 (2) Thumbprints on each pawn or sales receipt.
- 15 (3) Machine-printed or otherwise legible pawn and sales receipts.
- 16 (4) Requirements for time and date on pawn or sales receipts.
- 17 (5) Recordation of any visible owner-applied numbers or markings on
18 property.
- 19 (6) Prohibition on receipt and sale of new property.
- 20 (7) Authorization of fees to support local pawnbroker-related law
21 enforcement.
- 22 (8) Computerization of pawnshop records.
- 23 (9) Requirement that pawnbroker records be made available to law
24 enforcement.

25 **SECTION 2.1.(e)** Medicaid Funding – The Commission may study the
26 feasibility of eliminating county financial participation in the Medicaid program. In
27 conducting the study, the Commission may consider alternative funding methods to
28 ensure that the short- and long-term impact on State funds of eliminating county
29 financial participation in Medicaid is revenue neutral when calculated on a statewide
30 basis. The Commission may also consider retaining the county contribution to
31 administrative costs of the Medicaid program. In making its recommendations to the
32 General Assembly, the Commission shall include a fiscal analysis of the impact on State
33 revenue and Medicaid expenses estimated to result from eliminating county
34 participation in the Medicaid program.

35 **SECTION 2.1.(f)** Study VoCATS – The Commission may study the
36 VoCATS program, which is the accountability system for vocational education courses.
37 If it undertakes this study, the Commission shall consider the following:

- 38 (1) Whether the State-developed tests are the appropriate means to
39 measure student mastery of the knowledge and skills taught in
40 vocational education courses, with specific focus on the agriculture
41 curriculum.
- 42 (2) The system for development of appropriate tests and methods of
43 measuring student achievement and program performance in
44 vocational and technical education.

(3) The public school system of measuring student performance in the vocational and technical area as compared to the community college system of measuring student performance in the vocational and technical area.

(4) Alternatives to the current tests, methods, and techniques provided through VoCATS.

SECTION 2.1.(g) Availability and Delivery of Government Services to Hispanics (Reeves, Malone) – The Commission may study the current State and local policies regarding the availability and delivery of government services to the State's increasing Hispanic population, the issues confronted by governmental agencies in effectively delivering those services, and the issues confronted by members of the Hispanic community in obtaining those services. If it undertakes this study, the Commission shall focus particularly on services in the areas of education, health, and public safety. As part of its study, the Commission may consider how all of the following complicate the delivery and receipt of government services within the State's Hispanic community:

(1) Cultural differences.

(2) Language barriers.

(3) Difficulties encountered by members of the Hispanic community in obtaining the personal identification documents that are often required to obtain government services.

(4) Difficulties encountered by members of the Hispanic community in obtaining drivers licenses, occupational licenses, professional licenses, and other types of licenses required to qualify for governmental services or to do business in the State.

(5) Federal immigration laws, the failure to comply with those laws, and how the fear of discovery of noncompliance with federal immigration laws affects the delivery and receipt of services, and in some instance even the willingness to apply for those services.

(6) The increasing economic, personnel, and time demands placed on State and local government agencies in responding to the growing needs for governmental services.

(7) Any other issue relevant to this study.

If it undertakes this study, the Commission shall also identify those issues that are best addressed at the local level, those that are best addressed at the State level, and those best addressed at the federal level.

SECTION 2.1.(h) Office of State Energy – The Commission may study the functions, duties, and responsibilities of the Office of State Energy and may make a determination of whether those functions, duties, and responsibilities support the legislative purpose for the Office or whether the purpose should be modified.

SECTION 2.1.(i) Comprehensive Statewide Emergency Communications Planning (Clodfelter) – The Commission may study and recommend legislation, funding needs, interoperability, and policy to:

(1) Enact a comprehensive first and second responder statewide communications goals list and plan that includes, at a minimum, law enforcement, fire, medical, utilities, and emergency management agencies.

(2) Coordinate and assist grant applications from State and local organizations for federal communications funding.

SECTION 2.1.(j) School Calendar/Later First Instructional Day/Workdays –
The Commission may study whether the first instructional day of the school year should be later than the current practice. The Commission may also study the number of teacher workdays. If the Commission undertakes this study, the Speaker of the House of Representatives shall appoint six members of the House of Representatives, and the President Pro Tempore of the Senate shall appoint six members of the Senate to conduct the study, with one chair designated from among the appointees of each appointing officer. In the course of the study, the Commission shall consult with representatives of North Carolina's public schools, including the North Carolina School Boards Association, North Carolina Association of Educators, North Carolina Association of School Administrators, and parent organizations, as well as representatives of the tourism and hospitality industries. The Commission shall consider the following:

- (1) The economic impact of setting the first instructional day of the school year later than the current practice.
- (2) The impact on elementary school students.
- (3) The impact of the school calendar on the quality of education.
- (4) The performance of students on block schedules as compared to students on traditional schedules.
- (5) The performance of students who take examinations before Christmas as compared to those who take exams after Christmas.
- (6) The impact on the schedule for high school and middle school athletic events.
- (7) The impact on school personnel, particularly those who must coordinate their schedules with institutions of higher education to maintain their certification.
- (8) The school calendars of other states.
- (9) The impact of weather on lost school days.
- (10) The impact of an early August school start on family economics and culture.
- (11) The impact on teacher workdays.

The Commission may also study the value of the teacher workdays now included in the school calendar and whether North Carolina students could benefit by converting a number of those workdays to additional days of instruction.

SECTION 2.1.(k) Naturopathy (S.B.1268 – Kinnaird) – The Commission may study the practice of naturopathy in North Carolina and make recommendations as to whether it would be in the public interest for practitioners to be licensed or otherwise appropriately regulated.

In conducting the study, the Commission may consider the following:

- (1) The definition and components of naturopathy and naturopathic therapies.
- (2) The health, cultural, and social significance of naturopathy in North Carolina and nationally.
- (3) The distinctions and similarities between naturopathic therapies and conventional medical treatments.
- (4) The education and training of practitioners and the quality of that education and training, the extent to which the practice of naturopathy requires specialized skills or training, and the standards for determining the level of education and qualifications that should be required for licensure.
- (5) The extent to which there is, and can be, integration and coordination of natural therapies and conventional medical treatments.
- (6) The regulation and enforcement related to naturopathy in North Carolina and nationally, the need for regulation, and the extent and impact of previous regulatory efforts.
- (7) Whether, without licensure, the general public possesses the ability to determine whether a practitioner is competent.
- (8) Whether substantial harm to the public health, safety, and welfare exists if the practice of naturopathy is unregulated.
- (9) The appropriate structure, composition, and responsibilities of a regulatory board pertaining to the practice of naturopathy, the extent to which the responsibilities of a board can be fulfilled, and whether board operations can reasonably be financed through licensing fees.
- (10) The extent to which naturopathy is regulated in other states, and the impact of that regulation.
- (11) The scope of practice applicable to practitioners of naturopathy.
- (12) Whether practitioners of naturopathy in North Carolina have, or propose to have, a code of ethics, a voluntary certification program, or other measures to ensure minimum quality of service.
- (13) The kinds of regulatory provisions that exist in other states.
- (14) How the practice of naturopathy will be regulated, including the qualifications and disciplinary proceedings to be applied to practitioners.
- (15) How the public will benefit from licensure or other regulation.
- (16) The fiscal impact of licensure or other regulation upon the State.
- (17) Any other information the Commission considers relevant.

SECTION 2.1.(l) Equity-Building Homes (S.B. 894 – Queen) – The Commission may study methods to substantially increase the number of North Carolinians who own equity-building homes. As part of the study, the Commission may:

- (1) Determine the extent to which the public is knowledgeable about housing products that are likely to build equity over time.

- (2) Identify State, federal, and local barriers to constructing equity-building homes in both high-demand locations and rural areas.
- (3) Investigate the adequacy and funding of programs and counseling services that are available to educate consumers about home financing products, credit remediation, home maintenance, and foreclosure prevention strategies.

As used in this section, the term "equity-building home" means a residential structure that will be the purchaser's primary residence and that meets the State and local building code standards in place at the time of construction, or if there were no building codes in effect at the time of construction, that was constructed on-site. An equity-building home will also have characteristics that are likely to cause it to appreciate in value over time.

SECTION 2.1.(m) Funding/Budgeting of Occupational Licensing Boards (Hagan) – The Commission may study the funding mechanisms of all of the occupational licensing boards and commissions in the State and shall consider options for funding and budgeting those boards and commissions more effectively and efficiently, including funding and budgeting those board and commissions through the General Fund.

SECTION 2.1.(n) State-Local Relationships (S.B. 1336 – Hoyle, Foxx) – The Commission may study the relationship between the State and local governments with respect to the provision of services. The study shall address the following issues:

- (1) Mandates that the State has placed on local governments regarding the provision of services to State residents. This study shall include a review of which mandates are a result of State law, which mandates are a result of federal law, and which mandates are a result of a combination of State and federal law.
- (2) Funding sources for local governments. The study shall include a review of all appropriations made from the State to local governments, all revenues shared between the State and local governments, and all methods of raising revenue allowed by the State to local governments.
- (3) A comparison of the State-local relationship in North Carolina with the state-local relationships in other states. In particular, the study shall compare the percentage of the costs of services borne by the State in comparison to the percentage of similar costborne by other states.
- (4) A comparison of local governments with regard to the burden on local budgets of mandated programs. This study shall look at the property tax rates in different jurisdictions and the percentage of local budgets that support various programs.
- (5) A comparison of the combined State-local tax burden on individuals and businesses in comparison with those in other states.

In considering appointees to the committee to study this matter, the appointing authorities shall consider inclusion of local government representatives.

1 **SECTION 2.2.** For each Legislative Research Commission committee
2 created during the 2003-2005 biennium, the cochairs of the Legislative Research
3 Commission shall appoint the committee membership.

4 **SECTION 2.3.** For each of the topics the Legislative Research Commission
5 decides to study under this part or pursuant to G.S. 120-30.17(1), the Commission may
6 report its findings, together with any recommended legislation, to the 2005 General
7 Assembly upon its convening.

8 **SECTION 2.4.** From the funds available to the General Assembly, the
9 Legislative Services Commission may allocate additional monies to fund the work of
10 the Legislative Research Commission.

11
12 **PART III. JOINT LEGISLATIVE GROWTH STRATEGIES OVERSIGHT**
13 **COMMITTEE**

14
15 **SECTION 3.1.** The Joint Legislative Growth Strategies Oversight
16 Committee may study the issues of:

- 17 (1) Delegation of authority to cities and counties (S.B. 160 – Clodfelter).
18 (2) Modernizing city and county planning (S.B. 914 – Clodfelter).
19 (3) Transferable development rights.

20 **SECTION 3.2.** Section 3.3 of S.L. 2001-491 reads as rewritten:

21 **"SECTION 3.3.** This Part becomes effective January 15, 2002, and expires January
22 16, ~~2005-2007~~. Prior to its expiration on January 16, ~~2005-2007~~, the Committee shall
23 report to the General Assembly on its activities conducted pursuant to this Part."
24

25 **PART IV. STUDY COMMISSION ON RESIDENTIAL AND URBAN**
26 **DEVELOPMENT ENCROACHMENT ON MILITARY BASES AND TRAINING**
27 **AREAS (Rand)**

28
29 **SECTION 4.1.** There is created the Study Commission on Residential and
30 Urban Development Encroachment on Military Bases and Training Areas. The
31 Commission shall consist of 17 members as follows:

- 32 (1) Two county commissioners appointed by the President Pro Tempore of
33 the Senate.
34 (2) Two county commissioners appointed by the Speaker of the House of
35 Representatives.
36 (3) The commanding generals of Fort Bragg, Pope Air Force Base,
37 Seymour Johnson Air Force Base, Camp Lejeune, and Cherry Point
38 Air Station, or the general's designee.
39 (4) Three Senators appointed by the President Pro Tempore of the Senate.
40 (5) Three Representatives appointed by the Speaker of the House of
41 Representatives.
42 (6) One elected or appointed municipal official appointed by the President
43 Pro Tempore of the Senate.

- (7) One elected or appointed municipal official appointed by the Speaker of the House of Representatives.

The Speaker of the House of Representatives shall appoint a cochair and the President Pro Tempore of the Senate shall appoint a cochair for the Commission. The Commission may meet at any time upon the joint call of the cochairs. Vacancies on the Commission shall be filled by the same appointing authority as made the initial appointment.

SECTION 4.2. The Commission shall study the following concerning residential and urban development encroachment on military bases and training areas:

- (1) Restricting the zoning in the areas around military bases and training areas.
- (2) How encroachment affects deed registration.
- (3) Protecting the areas around military bases and training areas by purchasing development rights and buffers using all available State trust funds and other available funding mechanisms.
- (4) Any other issue the Commission considers relevant.

SECTION 4.3. The Commission, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02.

Subject to the approval of the Legislative Services Commission, the Commission may meet in the Legislative Building or the Legislative Office Building. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Commission in its work. The House of Representatives' and the Senate's Supervisors of Clerks shall assign clerical support staff to the Commission, and the expenses relating to the clerical employees shall be borne by the Commission. Members of the Commission shall receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate.

SECTION 4.4. The Commission shall submit a final report of its findings and recommendations, including any legislative recommendations, to the 2005 General Assembly upon its convening. The Commission shall terminate upon the convening of the 2005 General Assembly.

SECTION 4.5. Of the funds appropriated to the General Assembly, the Legislative Services Commission shall allocate funds for the expenses of the Commission established by this Part.

PART V. LEGISLATIVE STUDY COMMISSION ON STATE PERSONNEL STATUTES (S.B. 1378 – Reeves)

SECTION 5.1. The General Assembly shall study issues related to the State Personnel Act. The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall designate an appropriate committee to conduct the study. The Committee may make an interim report to the 2005 General Assembly and shall make its final report to the 2006 Regular Session of the 2005 General Assembly.

PART VI. ELECTRONIC RECORDATION AND REVISION OF NOTARY LAWS (S.B. 1094–Berger)

SECTION 6.1. The General Statutes Commission shall study the issue of electronic recordation, specifically with regard to real property documents and other documents filed with registers of deeds. The Commission shall study methods for establishing uniform legal standards for the receipt, recordation, authentication, preservation, and retrieval of electronic documents. The Commission shall include in its study consideration of the Uniform Real Property Electronic Recordation Act drafted by the National Conference of Commissioners on Uniform State Laws as well as other resources on electronic recording standards from national organizations such as the Property Records Industry Association (PRIA) and the Mortgage Industry Standards Maintenance Organization (MISMO). The General Statutes Commission shall report its findings and recommendations and any legislative proposals to the 2005 General Assembly upon its convening.

SECTION 6.2. The Secretary of State shall study the issue of amending the notary public laws in order to modernize and simplify their administration. The study shall also address the issue of electronic notarization. The Secretary of State shall report its findings and recommendations and any legislative proposals to the 2005 General Assembly upon its convening.

PART VII. UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION ACT

SECTION 7.1. The General Statutes Commission is directed to study the Uniform Unincorporated Nonprofit Association Act in consultation with interested parties and to report to the 2005 General Assembly on the Commission's recommendations and legislative proposals.

PART VIII. INNOVATIVE PEAT-BASED WASTEWATER SYSTEMS STUDY

SECTION 8.1. The Commission for Health Services shall evaluate the desirability and feasibility of developing and implementing a pilot program whereby any individual seeking to use an innovative wastewater system, under G.S. 130A-343(g), that employs peat-based technology, at the individual's residence shall be required to use a wastewater system that satisfies all of the following:

- (1) The peat-based wastewater system complies with Standard 40, a standard developed by the National Sanitation Foundation, Inc. (NSF), an independent testing and research organization.
- (2) The peat-based wastewater system has a mandatory maintenance agreement developed by the manufacturer of the system that is part of the purchase contract for the system.

1 **SECTION 8.2.** As part of the evaluation required by Section 8.1 of this act,
2 the Commission shall identify two or more counties that would participate in the pilot
3 program.

4 **SECTION 8.3.** The Commission for Health Services shall report the results
5 of its evaluation to the Senate and House of Representatives Appropriations
6 Subcommittees on Natural and Economic Resources, the Fiscal Research Division, and
7 the Environmental Review Commission on or before January 15, 2005.

8
9 **PART IX. JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE**

10
11 **SECTION 9.1.** The Joint Legislative Utility Review Committee may study
12 the economic, environmental, and social issues associated with the development and use
13 of renewable and alternative energy in the State including, but not limited to, the
14 following:

- 15 (1) The environmental benefits of renewable and alternative energy
16 development, including the reduction of: emissions such as sulfur
17 dioxides, nitrogen oxides, and mercury and greenhouse gases; waste
18 ash in landfills; and water and air quality degradation associated with
19 the extraction and transport of fossil fuels.
- 20 (2) The environmental benefits of conserving rural lands for traditional
21 uses.
- 22 (3) The environmental challenges to renewable and alternative energy
23 development in the State, including existing laws, aesthetic issues, the
24 impact on birds and the ecology, and secondary development
25 associated with alternate energy development.
- 26 (4) The potential for renewable and alternative energy to support rural
27 economic development by broadening the tax base and creating new
28 jobs.
- 29 (5) Initiatives taken in other states to address renewable and alternative
30 energy development.
- 31 (6) Options for permitting renewable and alternative energy in the State,
32 including suggestions for public involvement and environmental
33 review.
- 34 (7) Opportunities for renewable and alternative energy pilot projects in the
35 State.

36 In conducting the study, the Committee may solicit input from renewable and
37 alternative energy industry representatives, utility representatives, the State Energy
38 Office, conservationists, environmentalists, leaders in rural economic development,
39 tourism industry representatives, academics, local elected officials, and legislators from
40 the eastern and western regions of the State.

41
42 **PART X. NORTH CAROLINA BUILDING CODE COUNCIL STUDY (Queen)**
43

1 **SECTION 10.1.** The General Assembly finds that the affordability of
2 housing is an important issue and that the State should endeavor to ensure that State
3 regulation does not unnecessarily increase the cost of housing. To that end, the North
4 Carolina Building Code Council shall study the Residential Building Code to determine
5 which provisions, if any, are unnecessary, outdated, overly stringent, or otherwise
6 unduly increase the cost of housing.

7 **SECTION 10.2.** The Building Code Council may submit a report of the
8 findings of its study, including any recommendations for statutory changes, to the 2005
9 General Assembly upon its convening.

10
11 **PART XI. LOCAL SCHOOL CONSTRUCTION FINANCING STUDY**
12 **COMMISSION (S.B. 1372 – Clodfelter)**

13
14 **SECTION 11.1.** Establishment of the Commission. – The Local School
15 Construction Financing Study Commission is established.

16 **SECTION 11.2.** Membership. – The Commission shall be composed of 18
17 members, as follows:

- 18 (1) One member appointed by the Governor, after consultation with the
19 President Pro Tempore of the Senate and the Speaker of the House of
20 Representatives, who shall serve as chair;
- 21 (2) Eight members appointed by the President Pro Tempore of the Senate:
22 two members of the Senate from urban areas, two members of the
23 Senate from rural areas, one member representing a large,
24 fast-growing, urban school administrative unit that is a plaintiff in the
25 Leandro school-financing litigation, one member from the financial
26 services industry, one county commissioner, and one educator;
- 27 (3) Eight members appointed by the Speaker of the House of
28 Representatives: two members of the House of Representatives from
29 urban areas, two members of the House of Representatives from rural
30 areas, one member representing a rural school administrative unit that
31 is a plaintiff in the Leandro school-financing litigation, one member
32 who is knowledgeable about municipal and school finance, one school
33 board member, and one educator; and
- 34 (4) The State Treasurer or the Treasurer's designee.

35 Vacancies shall be filled by the appointing authority.

36 **SECTION 11.3.** Duties of the Commission. – The Commission shall
37 examine the present system of local financing for school facilities and shall study
38 alternative options for financing local school construction, renovation, repair, and
39 maintenance. The Commission may study and consider public-private partnerships for
40 school construction and facility ownership, sale lease-back arrangements, private and
41 commercial financing arrangements, design standards for school facilities that may
42 facilitate alternative financing techniques, alternative local revenue sources for
43 financing school facilities, the use of real estate investment trusts, State and local

1 construction bond pools, and any other financing issues deemed pertinent by the
2 Commission.

3 **SECTION 11.4. Expenses of Members.** – Members of the Commission shall
4 receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1,
5 138-5, or 138-6, as appropriate.

6 **SECTION 11.5. Consultants and Other Staff.** – The Commission may hire
7 consultants to provide research, staff support, and information about school financing in
8 other states to the Commission, in accordance with G.S. 120-32.02. The Legislative
9 Services Office, with the prior approval of the Legislative Services Commission, shall
10 also assign professional and clerical staff to assist the Commission in its work.

11 **SECTION 11.6. Cooperation by Government Agencies.** – The Commission
12 may call upon any department, agency, institution, or officer of the State or any political
13 subdivision of the State for facilities, data, or other assistance. All State departments and
14 agencies, local governments, and their subdivisions shall cooperate with the
15 Commission and, upon request, shall furnish the Commission and its staff any
16 information in their possession or available to them.

17 **SECTION 11.7. Meetings During Legislative Session.** – The Commission
18 may meet during a regular or extra session of the General Assembly.

19 **SECTION 11.8. Meeting Location.** – The Legislative Services Commission
20 shall grant adequate meeting space to the Commission in the State Legislative Building
21 or the Legislative Office Building. The Commission may also meet at various locations
22 around the State in order to promote greater public participation in its deliberations.

23 **SECTION 11.9. Reports.** – The Commission shall make an interim report to
24 the 2005 General Assembly no later than January 31, 2005, and a final report to the
25 2006 Regular Session of the 2005 General Assembly no later than March 31, 2006. The
26 final report shall contain recommendations for legislation to implement
27 recommendations made by the Commission. The interim report may also contain
28 recommendations for legislation. The Commission shall terminate on March 31, 2006.

29 **SECTION 11.10.** Of the funds appropriated to the General Assembly, the
30 Legislative Services Commission shall allocate funds for the expenses of the
31 Commission established by this Part.

32 **PART XII. VOTER PAPER TRAIL STUDY (S.B. 1415 – Kinnaird, Lucas)**

33
34
35 **SECTION 12.1.** There is established the Electronic Voting Systems Study
36 Commission. That Commission shall consist of nine members to be appointed as
37 follows:

- 38 (1) Four members shall be appointed by the President Pro Tempore of the
39 Senate. One shall be a county commissioner. One shall be a county
40 election director. One shall be a citizen of North Carolina who does
41 not hold public office and who has been an active advocate on the
42 issue of prohibiting direct record voting equipment without
43 voter-verifiable paper records.

(2) Four members shall be appointed by the Speaker of the House of Representatives. One shall be a member of the State Board of Elections. One shall be a county election board member. One shall be a person with expertise in computer security.

(3) The Executive Director of the State Board of Elections.

SECTION 12.2. The Electronic Voting Systems Study Commission shall study the issue of whether direct record electronic (DRE) voting system should be prohibited in North Carolina unless each unit of the system produces a voter-verifiable paper record that is suitable for a recount or a manual audit and that is equivalent or superior to the paper record produced by a paper ballot system.

In conducting the study, the Commission shall consider any input it deems useful concerning DRE voting systems, concerning compliance with the Help America Vote Act of 2002 (HAVA) and with voting-systems standards to be adopted under HAVA, including that the procedure provides sufficient opportunity for access and participation, including privacy and independence, to all voters regardless of disability. The Commission shall consider any other issue related to the use of electronic voting systems. The Commission shall make a final report to the 2005 General Assembly upon its convening. The report shall contain the Commission's findings and recommendations. The Commission shall terminate on the earlier of the filing of its final report or the convening of the 2005 General Assembly.

SECTION 12.3. The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall each appoint a cochair for the Commission. The Commission may contract for consultant services as provided by G.S. 120-32.02. Upon approval by the Legislative Services Commission, the Legislative Services Officer shall assign professional and clerical staff to assist in the work of the Commission. Clerical staff shall be furnished to the Commission through the offices of the House of Representatives and Senate Supervisor of Clerks. The Commission may meet in the Legislative Building or the Legislative Office Building upon the approval of the Legislative Services Commission. The Commission, while in discharge of official duties, may exercise all the powers provided under the provisions of G.S. 120-19 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and departments of the State to provide any information, data, or documents within their possession, ascertainable from their records, or otherwise available to them, and the power to subpoena witnesses. Members of the Commission shall receive per diem, subsistence, and travel allowances at the rate established in G.S. 120-3.1, 138-5, or 138-6, as appropriate. Vacancies shall be filled by the appointing authority.

SECTION 12.4. Of the funds appropriated to the General Assembly, the Legislative Services Commission shall allocate funds for the expenses of the Commission established by this Part.

PART XIII. JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE STUDIES

1 **SECTION 13.1.** The Joint Legislative Education Oversight Committee may
2 study the topics listed in this part and report its findings, together with any
3 recommended legislation, to the 2005 Regular Session of the 2005 General Assembly
4 upon its convening.

5 **SECTION 13.2.** Teacher assistant salary schedule– The Committee may
6 study establishing a salary schedule for teacher assistants.

7 **SECTION 13.3.** Rural schools (S.B.703 – Swindell, Holloman) – The
8 Committee may study the unique issues that concern the rural schools in this State.

9 **SECTION 13.4.** Physical restraints/seclusion in schools (S.B. 977 – Dorsett)
10 – The Committee may study the use of physical restraints and seclusion in public
11 schools.

12 **SECTION 13.5.** High school graduation rate incentives (S.B. 949 – Lucas) –
13 The Committee may study whether bonuses should be paid to principals for increased
14 graduation rates.

15 **SECTION 13.6.** At-risk students single funding stream (S.B. 954 – Lucas) –
16 The Committee may study whether a single funding stream should be targeted to at-risk
17 students.

18 **SECTION 13.7.** Close achievement gap (S.B. 599 – Lucas) – The
19 Committee may study the best practices and methodologies for closing the achievement
20 gap among children of various demographic groups who are performing below grade
21 level.

22 **SECTION 13.8.** E-textbooks for students – The Committee may study
23 issues related to the availability and use of electronic copies of textbooks for public
24 school students.

25 **SECTION 13.9.** Attracting teachers to become coaches (Nesbitt) – The
26 Committee may study the need to attract teachers into assuming additional duties of
27 coaching interscholastic athletic teams in middle and high schools. If it undertakes this
28 study, the Committee shall consider the feasibility of establishing a coaching fellowship
29 program to attract students preparing to enter teaching through higher education
30 coursework into coaching.

31 **SECTION 13.10.** Kindergarten admission requirements – The Committee
32 may study the issue of modifying kindergarten admission requirements as it relates to
33 student readiness to enter kindergarten.

34 **SECTION 13.11.** Update the job description for school counselors – The
35 Committee may study updating and clarifying the job description for public school
36 guidance counselors.

37 **SECTION 13.12.** Testing reform (Lucas, Apodaca) – The Committee may
38 study the State's testing program. If it undertakes this study, the Committee shall
39 consider:

- 40 (1) The number of tests currently mandated at the State level and the
41 process and cost of developing, validating, and scoring them.
- 42 (2) Whether the State should consider the use of nationally developed tests
43 as a substitute to State developed tests. In particular, the Committee
44 shall determine whether this use would: affect the ABCs Program;

adequately measure student achievement and performance; provide more than minimum levels of achievement; provide a better comparison to student achievement and performance in other states; be practical for high school courses or higher level courses; reduce the need for field testing; and offer any cost savings to the State.

(3) The number of grades in which State tests are given. The Committee shall determine the necessity for testing all grades in third through eighth grades, whether a reduction in the grades tested would affect the receipt of federal money, and the extent to which a reduction would impair the State's ability to identify schools under the ABCs Program.

(4) The high school courses for which State tests are given and whether there is an appropriate distribution of tests across grades nine through 12 and that test an appropriate array of the minimum courses required for admission to the constituent institutions of The University of North Carolina. In addition, the Committee shall examine whether students who take higher level courses and students in 12th grade are held accountable for their academic growth and performance.

(5) The advantages and disadvantages of using a composite of end-of-course tests or other tests such as the SAT, AP tests, or other nationally standardized tests in high school rather than developing a high school exit exam. If the Committee finds a high school exit exam is preferable, then it shall determine whether it must be administered to all students or limited to certain students, for example, those who do not take the SAT or a certain number of courses for which there are end-of-course tests.

(6) The extent to which additional testing, including field testing, practice testing, and locally mandated testing, is occurring and whether this should be limited or prohibited.

(7) Evaluate alternative schools to determine how educational achievement is being advanced in these alternative school programs and that placement in these programs is to improve student performance rather than improve the performance of the school in which the student originally was assigned.

(8) The number of school days that are spent on testing.

(9) Any other issue the Committee considers relevant.

SECTION 13.13. Total Teacher Program – The Committee may study the Total Teacher Program, which is an instructional program designed to be used with the North Carolina public school curriculum. In the course of the study, the Committee may consider the effectiveness of the Program, the experience of schools in other states in using the Program, the cost and potential cost savings due to the Program, and other matters related to the Program.

SECTION 13.14. School construction (Garrou) – The Committee may study issues relating to school construction and school capacity.

1 **SECTION 13.15.** Computer-based math and literacy programs for children
2 under age 6 – The Committee may study ways to improve math and literacy skills in
3 children age 18 months to six years of age through the use of innovative computer based
4 software.

5 **SECTION 13.16.** Appropriate education for students on long-term
6 suspension – The Committee may study whether and to what extent North Carolina
7 should mandate the following:

- 8 (1) Local school administrative units in North Carolina shall provide or
9 cause to be provided an appropriate education for all students
10 recommended for a long-term suspension.
- 11 (2) Each student recommended for long-term suspension shall receive a
12 multidisciplinary assessment and evaluation to (i) ascertain his or her
13 educational history, needs, and special learning problems and (ii)
14 assess the risk the child poses to staff and other students. The
15 assessment and evaluation shall include feedback and
16 recommendations from local mental health and juvenile justice
17 professionals.
- 18 (3) An individualized education and service plan shall be developed for all
19 students recommended for long-term suspension by a committee that
20 includes education, mental health, and juvenile justice professionals,
21 the child's parent or guardian, and any other person the committee
22 considers appropriate. The chair of the Juvenile Crime Prevention
23 Council or a designee shall serve as chair of this committee.
- 24 (4) All efforts shall be made to reduce the risk the child poses to staff and
25 other students and to allow the child to continue his or her education in
26 his or her regular school without disruption. These efforts shall include
27 the provision of related services and interventions from other agencies
28 when considered necessary by the committee.
- 29 (5) During the first 10 days of suspension, the local school administrative
30 unit shall place the student recommended for suspension in a
31 diagnostic setting for purposes of ensuring there is no disruption to the
32 student's education and to complete the assessment process.
- 33 (6) The local education agency shall contract with private or public
34 agencies if an appropriate education cannot be provided within the
35 school system. Funds appropriated to a local school administrative unit
36 for the education of the child shall be used to pay for the program in
37 which the child is placed.
- 38 (7) The child's parent or guardian shall have the right to appeal the
39 recommendation for the long-term suspension or any placement
40 decision made by the local school administrative unit.
- 41 (8) No child shall be rejected for education and services by a local school
42 administrative unit unless a district court judge places the child in a
43 juvenile justice program or facility. In that circumstance, the

Department of Juvenile Justice and Delinquency Prevention is responsible for providing the child's education.

SECTION 13.17. School nutrition/physical activity – The Committee may study school nutrition and opportunities for physical activity to keep children healthy.

PART XIV. REVENUE LAWS STUDY COMMITTEE

SECTION 14.1. The Revenue Laws Study Committee may study the topics listed in this part and report its findings, together with any recommended legislation, to the 2005 General Assembly upon its convening.

SECTION 14.2. Valuation of Lots in Subdivisions (S.B. 520 – Dalton) – The Committee may study the valuation of partially improved, undeveloped lots in subdivisions.

SECTION 14.3. Private Activity Bonds (Rand) – The Committee may study private activity bonds.

SECTION 14.4. Conform Bank Expense Deduction – The Committee may study whether the State income tax on banks should be conformed to the federal income tax.

SECTION 14.5. Subsidiary Dividend Taxes – The Committee may study whether the expense attribution law as it applies to deductible dividends should be modified.

SECTION 14.6. Income Tax Derived From Manufacturing – The Committee may study whether income derived from manufacturing should be exempt from income taxation.

SECTION 14.7. Tax Foreclosures – The Property Tax Subcommittee of the Revenue Laws Study Committee may study the issue of foreclosures on tax liens, including proposals for expediting the foreclosure action.

SECTION 14.8. Comparative Tax Burden – The Committee may study the comparative tax burden on residents of South Carolina and residents of North Carolina.

SECTION 14.9. Tax Incentives to Promote Preservation of Open Spaces (S.B. 950 – Lucas) – The Committee may study whether tax incentives should be provided to promote the preservation of open spaces.

SECTION 14.10. Sales and Use Tax Exemption (Kerr) – The Committee may study the issue of allowing local school administrative units a sales and use tax exemption instead of a sales and use tax refund and methods to fund this change.

SECTION 14.11. Tax Preferences – The Committee may study whether tax expenditures should be reviewed at least once every 10 years.

SECTION 14.12. Reduce Utility Equipment Sales Tax – The Committee may study whether light construction equipment should be given preferential sales and use tax treatment.

SECTION 14.13. Business Taxation (S.B. 1330 – Clodfelter) – The Committee may study comprehensive reform and simplification of the existing State taxes on business entities, including corporations, limited liability companies,

1 partnerships, business trusts, associations, and other entities engaged in business. The
2 elements of the plan to be studied shall include the following:

- 3 (1) Repealing the corporate income tax, Part 1 of Article 4 of Chapter 105
4 of the General Statutes.
- 5 (2) Including all types of business entities under a revised form of the
6 franchise tax, Article 3 of Chapter 105 of the General Statutes.
- 7 (3) Limiting the annual filing fee for all business entities to the amount of
8 the filing fee for corporations.
- 9 (4) Revising the current franchise tax to include two components, an
10 assessment based on asset values and an assessment based on gross
11 income or receipts from business activities.
- 12 (5) The revised franchise tax would be calculated and applied on a
13 consolidated basis for members of a related or affiliated group of
14 business entities, allocated and apportioned to this State using existing
15 formulas for allocating and apportioning corporate income.
- 16 (6) The tax rates to be applied to these components would be the rates that
17 are determined to yield revenue equal to the current combined revenue
18 from corporate income and franchise taxes.
- 19 (7) The Department of Revenue would annually review the revenue
20 generated by the new simplified tax to determine if rate adjustments
21 are necessary to preserve the revenue-neutrality of the simplification.
- 22 (8) Any other issues or elements the Study Committee considers
23 appropriate.

24 **SECTION 14.14. Tax Credits for Certain Real Property Donations (S.B.**
25 **1214 – Clodfelter) –** The Committee may study real property donation tax credits,
26 including the credits specified in G.S. 105-130.34 and G.S. 105-151.12. The study may
27 address the following issues:

- 28 (1) The coordination between the Department of Environment and Natural
29 Resources and the Department of Revenue in administering the credits.
- 30 (2) The criteria by which the Department of Environment and Natural
31 Resources determines whether a donation provides public benefits.
- 32 (3) The integrity of appraisals submitted by donors and procedures for
33 preventing abuse of the credits.
- 34 (4) Qualifications and certifications of the government and nonprofit
35 agencies that receive the donations.
- 36 (5) Long-term stewardship of conservation easements.
- 37 (6) Rising land prices and the effect of the credit caps on the amount of
38 credit that can be claimed.
- 39 (7) Options for carryforward, refundability, and transfer of the credits.
- 40 (8) Any other issues the Committee considers relevant to tax incentives
41 for encouraging farmers, landowners, and developers to conserve land.

42 As a part of this study, the Committee shall consult with the Farm Bureau, the
43 Executive Director of the Clean Water Management Trust Fund, the Executive Director
44 of the Wildlife Resources Commission, the Secretary of the Department of Environment

and Natural Resources or his designee, the Conservation Fund, and Sustainable North Carolina.

SECTION 14.15. Travel and Tourism Capital Investment – The Commission shall study the establishment of a Travel and Tourism Capital Investment Program in the Department of Commerce.

PART XV. JOINT LEGISLATIVE HEALTH CARE OVERSIGHT COMMITTEE

SECTION 15.1. The Joint Legislative Health Care Oversight Committee may study the topics listed in this part and report its findings, together with any recommended legislation, to the 2005 General Assembly upon its convening.

SECTION 15.2. Benefits for State Employee Dependents (Rand) – The Committee may study alternative benefit plans for dependents of State employees.

SECTION 15.3. Consolidation of State Health Care Services (Rand) – The Committee may study whether a State entity should be established to purchase health care services provided with State funds and to administer data consolidation and claims processing systems in order to enhance quality of care, promote cost containment, and achieve administrative efficiency and effectiveness in the system of services provided by the State.

PART XVI. STUDY OF VARIOUS WAYS TO PROMOTE GOVERNMENT EFFICIENCY AND SAVINGS IN STATE SPENDING (Rand)

SECTION 16.1. The University of North Carolina (through the Office of the President), the Judicial Branch (through the Administrative Office of the Courts), the Executive Branch (through the Department of Administration), the Legislative Branch (through the Legislative Services Office), the Community College System (through the President's Office), and the Department of Public Instruction shall jointly study various ways to promote government efficiency and savings on State spending, including the following proposals:

- (1) Consolidate Administrative Functions (S.B. 805, S.B. 808 – Rand)
- (2) Statewide Benefit Committee Established
- (3) DMV-NCDL/Registration Extensions (S.B. 804 – Rand)
- (4) Combine State Safety Programs (S.B. 807 – Rand)
- (5) Increase Use of Public Defenders (S.B. 810 – Rand)
- (6) Controller's Fee – (S.B. 813 – Rand)
- (7) Deferred Retirement Option Program (S.B. 817 – Rand)

SECTION 16.2. The Department of Administration shall report the results of this study to the Legislative Research Commission by January 15, 2005.

PART XVII. JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE STUDIES

1 **SECTION 17.1.** The Joint Legislative Transportation Oversight Committee
2 may study the topics listed in this part and report its findings, together with any
3 recommended legislation, to the 2005 General Assembly upon its convening.

4 **SECTION 17.2.** I-95 Tolls (Rand) – The Committee may study the
5 feasibility of establishing tolls on Interstate 95 from the South Carolina to Virginia
6 borders.

7 **SECTION 17.3.** Alternative Fuels – The Committee may study the use,
8 availability, benefits, and disadvantages of alternative fuels. The study may include
9 consideration of the following issues:

- 10 (1) The existence and availability of federal grants or other incentive
11 programs for alternative fuels and alternative fuel vehicles and the
12 impact of these programs on the need or desirability for a State
13 program.
- 14 (2) The impact of increased alternative fuel vehicle use on the collection
15 of motor fuel taxes and highway use taxes and whether the taxation of
16 alternative fuels or vehicles using nonliquid or hybrid fuels needs to be
17 modified.

18 **SECTION 17.4.** Comprehensive Transportation Issues (S.B. 1015 – Berger)
19 – The Committee may study all aspects of transportation, including planning and
20 scheduling of projects, legislative and executive oversight, revenues, funding, and
21 expenditures of the Highway Fund, the Highway Trust Fund, and Federal Aid programs
22 for transportation. The study shall include an examination of all the following:

- 23 (1) The effectiveness of legislative oversight of the Department of
24 Transportation and all other transportation-related programs in North
25 Carolina.
- 26 (2) The gap between transportation funding structures and the actual
27 transportation needs of the State.
- 28 (3) Historical and projected application of funds within the several
29 transportation funding sources.
- 30 (4) Deficiencies in matching funding and expenditures between the
31 several Funds.
- 32 (5) Economic feasibility of alternate transportation modes, including
33 cost/benefit comparisons of planning, construction, and operation of
34 alternate transportation programs.
- 35 (6) Alternative methods of funding, financing, and planning transportation
36 construction, maintenance, and operations.
- 37 (7) Delivery of construction and maintenance projects, including
38 alternative management structures, outsourcing, and privatization.
- 39 (8) Any other issue related to transportation, transportation funding,
40 project planning, and management of transportation programs.

41
42 **PART XVIII. STUDY FINANCING OF MENTAL HEALTH,**
43 **DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES**
44

SECTION 18.1. The Department of Health and Human Services shall study the financing of mental health, developmental disabilities, and substance abuse services. The study shall include the following:

- (1) An examination of all sources of funds used in the delivery of mental health, developmental disabilities, and substance abuse services throughout the Department.
- (2) An examination of alternative financing mechanisms for funding mental health, developmental disabilities, and substance abuse services, including Medicaid.
- (3) Recommendations for feasible alternative financing mechanisms.

The Department shall report its findings and recommendations to the Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services, the House of Representatives Appropriations Subcommittee on Health and Human Services, the Senate Appropriations Committee on Health and Human Services, and the Fiscal Research Division no later than July 1, 2005.

PART XIX. ENVIRONMENTAL REVIEW COMMISSION STUDIES

SECTION 19.1. The Environmental Review Commission may study the topics listed in this part and report its findings, together with any recommended legislation, to the 2005 General Assembly upon its convening.

SECTION 19.2. Effectiveness of Environmental Programs – The Commission may study the overall effectiveness of the State's efforts to protect the environment and conserve the natural resources of North Carolina. This study should include a comprehensive evaluation of the implementation of existing legal mandates and of the organizational structure of the Department of Environment and Natural Resources. This study should also consider:

- (1) The adequacy of current funding levels, additional funding needs, and funding options, including increasing fees to cover the cost of permitting, inspections, and enforcement.
- (2) Options to improve efficiency and reduce costs, including the consolidation of permitting, inspection, and enforcement functions.
- (3) The adequacy of current staffing levels.
- (4) Options to improve coordination among programs.
- (5) The adequacy of current inspection and enforcement activities and options to improve compliance with environmental laws and rules, including improvements in the use of civil penalties.

SECTION 19.3. Plan to Share Floodplain Mapping Information – The Commission may study whether the information compiled on a regular basis by the Statewide Floodplain Mapping Unit would be useful and relevant to dam operators, local agencies, and State agencies with regard to making decisions about coordinating and controlling water releases from dams, flood control, floodplain management, and emergency evacuation procedures. If it undertakes this study, the Commission may consider the type of information compiled by the Statewide Floodplain Mapping Unit

1 and the value of that information in assisting with decisions regarding flood control
2 techniques, floodplain management, and the time, frequency, and manner of water
3 releases from dams. The Commission may also consider the feasibility of making that
4 information readily available to dam operators, appropriate local agencies, and
5 appropriate State agencies. The Commission may also consider whether it is appropriate
6 to incorporate the information available from the Statewide Floodplain Mapping Unit
7 into local emergency management plans and downstream inundation maps. The
8 Commission may also study any other issues relevant to this topic.

9 **SECTION 19.4.** Water Restriction Guidelines – The Commission may study
10 water restriction guidelines created by the Department of Environment and Natural
11 Resources and implemented by local governments. If it undertakes this study, the
12 Commission shall consider the State's role and authority to regulate water usage during
13 times of drought conditions and shall also consider:

- 14 (1) The economic impact of water conservation measures.
- 15 (2) The balance between protecting water supply and economic impact on
16 local communities.
- 17 (3) Recommendations on establishing consistency across the State with
18 respect to classes of water use, specifically the use of the terms
19 essential and nonessential use.

20 **SECTION 19.5.** Regional Water Supplies (S.B. 1409 – Shaw) – The
21 Commission may study the issue of the development and funding of regional water
22 supply systems.

23 **SECTION 19.6.** Clean Air Trust Fund – The Commission may study
24 establishing a Clean Air Trust Fund.

25 **SECTION 19.7.** Fair Bargain Act (S.B. 878 – Horton) – The Commission
26 May study evocation of contracts under certain circumstances.

27 **SECTION 19.8.** Deterrents to Stormwater Runoff (Horton) – The
28 Commission may study the feasibility of encouraging permeable surfaces as a deterrent
29 to stormwater runoff.

30 **SECTION 19.9.** Protecting Property Owners Adjacent to Activities for
31 which a Stormwater Permit is Issued (S.B. 888 – Rucho) – The Commission may study
32 ways to protect a property owner whose land is adjacent to or downstream from a site
33 on which alterations of the existing flow of stormwater will occur.

34 **SECTION 19.10.** Highway Use Tax Based on Efficiency/Vehicle
35 Registration Based on Vehicle Miles Traveled (S.B. 1374 – Clodfelter) – The
36 Commission shall study both of the following:

- 37 (1) Whether the State should modify the current highway use tax so that
38 all or a portion of the highway use tax paid on a private passenger
39 vehicle is based on the fuel efficiency rating of the vehicle.
- 40 (2) Whether the State should modify the current vehicle registration fee so
41 that all or a portion of the annual vehicle registration renewal fee for a
42 passenger vehicle is based on the vehicle miles traveled by the vehicle.

43 In its conduct of these studies, the Commission shall consider whether the
44 modifications studied under subsection (a) of this section should be made on a

revenue-neutral basis or should be made so as to generate additional revenue to be used to fund initiatives designed to improve air quality and the efficiency of the transportation system in the State.

SECTION 19.11. State Parks and Recreations Areas (S.B. 1270 – Kinnaird)
The Commission may study the addition of the Lower Haw River State Natural Area to the State Parks system and the establishment of a State Recreation Area at Blewett Falls Lake.

PART XX. HIGHWAY TRUST FUND STUDY COMMITTEE EXTENDED

SECTION 20.1. Section 29.12 of S.L. 2003-284 reads as rewritten:

"SECTION 29.12.(k) Report. – The Study Committee may make interim reports and shall make a final report to the Joint Legislative Transportation Oversight Committee no later than ~~November 1, 2004.~~ January 31, 2005. Regardless of whether it has filed an interim or final report, the Committee shall terminate on ~~November 1, 2004.~~ January 31, 2005."

PART XXI. DEPARTMENT OF ADMINISTRATION STUDY (Nesbitt)

SECTION 21.1. The Department of Administration may study retainage from payment on public construction projects. If it undertakes this study, the Department shall consider the following:

- (1) Retainage by public owners from payment to contractors and retainage by those contractors from payment to subcontractors.
- (2) Retainage from periodic progress payments and final payment, including a maximum allowable amount of retainage.
- (3) A time certain for the owner's release of retainage, based upon the owner's occupancy, substantial completion of the work, or the owner's use of the improvements for the purposes intended.
- (4) A time certain for the contractor's release of retainage to a subcontractor, based upon the contractor's receipt of retainage.
- (5) Conditions permitting withholding of retention beyond the date of release, including those stated in G.S. 143-134.1(d), and limits on the amount of retainage for a condition permitting withholding.
- (6) Interest on wrongfully withheld retainage and conditions for the payment of attorneys' fees for the collection of wrongfully withheld retainage.
- (7) Line-item release of retainage, based upon a schedule of values, for specific work that has been completed by the contractor and approved by the owner.
- (8) Any other matters relating to the withholding and release of retainage on public construction projects.

SECTION 21.2. The Department shall report the results of its study to the 2005 General Assembly upon its convening.

PART XXII. UNC BOARD OF GOVERNORS STUDY COMMISSION

SECTION 22.1. There is created the UNC Board of Governors Study Commission. The Commission shall consist of 10 members appointed as follows: five by the President Pro Tempore of the Senate and five by the Speakers of the House of Representatives. The Speakers of the House of Representatives shall appoint a cochair and the President Pro Tempore of the Senate shall appoint a cochair for the Commission. Vacancies on the Commission shall be filled by the appointing authority. The Commission shall meet upon the call of the chairs. A majority of the members of the Commission shall constitute a quorum.

SECTION 22.2. The Commission shall study the method of election or appointment of members of the Board of Governors, the length of members' terms, the number of terms a member may serve, and the size of the Board of Governors. As part of the study, the Commission may examine the governing boards of other states' institutions of higher education. The Commission shall report its findings and any recommendations to the 2005 Regular Session of the General Assembly.

SECTION 22.3. Members of the Commission shall receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as appropriate.

SECTION 22.4. Subject to the approval of the Legislative Services Commission, the Commission may meet in the State Legislative Building or the Legislative Office Building. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist in the work of the Commission. The House of Representatives' and the Senate's Supervisors of Clerks shall assign clerical staff to the Commission, and the expenses relating to the clerical employees shall be borne by the Commission. All State departments and agencies and local governments and their subdivisions shall furnish the Commission with information in their possession or available to them. Of the funds appropriated to the General Assembly, the Legislative Services Commission shall allocate funds for the expenses of the Commission established by this part.

SECTION 22.5. The Commission shall terminate upon the filing of its final report.

PART XXIII. NORTH CAROLINA STUDY COMMISSION ON AGING STUDY

SECTION 23.1. The North Carolina Study Commission on Aging may study the topic listed in this part and report its findings, together with any recommended legislation, to the 2005 General Assembly upon its convening.

SECTION 23.2. Long-term care remediation (S.B. 206 – Swindell, Purcell) – The Commission may study the feasibility of implementing a remediation program for long-term care facilities in this State that is similar to the Collaborative Remediation Project in Michigan.

1 **SECTION 23.3.** Mentally ill long-term care residents (S.B. 1150 –
2 Swindell) – The Commission may study issues related to mentally ill residents in
3 long-term care facilities.

4
5 **PART XXIV. JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON**
6 **MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE**
7 **ABUSE SERVICES STUDIES**

8
9 **SECTION 24.1.** The Joint Legislative Oversight Committee on Mental
10 Health, Developmental Disabilities, and Substance Abuse Services may study the topics
11 listed in this part and report its findings, together with any recommended legislation, to
12 the 2005 General Assembly upon its convening.

13 **SECTION 24.2.** Integration of care for children with multiple system
14 service needs (S.B. 262 – Foxx, Allran, Dannelly, Lucas, Purcell) – The Committee
15 shall conduct a comprehensive review of the State's system of care for children with
16 multiple system service needs. The purpose of the comprehensive review is to
17 determine the extent to which children who need services from multiple State and local
18 agencies in this system are or are not receiving those services in a timely manner, the
19 effectiveness of the services provided, the potential long-term impact on the children,
20 their families, and State and local resources of not providing all services in a timely and
21 cost-effective manner, and to make detailed recommendations on the system changes
22 necessary to address the problems identified as quickly as possible. Recommendations
23 on system changes shall include programmatic and funding changes, and an analysis
24 and estimate of implementation costs and projected cost-savings to the State in future
25 years. In order to ensure a dedicated focus and appropriate expertise for the
26 comprehensive review, the Committee shall convene a task force to conduct the review.
27 The task force shall be comprised of the cochairs of the Oversight Committee, the Joint
28 Legislative Education Oversight Committee, the Joint Legislative Corrections, Crime
29 Control, and Juvenile Justice Oversight Committee, the Joint Legislative Health Care
30 Oversight Committee, and other individuals appointed by the cochairs of the Oversight
31 Committee upon recommendation of the other members of the task force.

32 In conducting its review, the task force shall consider thoroughly all of the
33 following:

- 34 (1) State-of-the-art approaches to services to children with multiple
35 system service needs as the basis of reform in North Carolina.
36 (2) Evidence-based best practices in North Carolina and elsewhere for
37 potential systemwide adoption.
38 (3) Barriers to access for developing a uniform access process to
39 implement a "no wrong door" policy such that children and families
40 may enter any service access point but will be afforded seamless
41 access to all necessary services.
42 (4) Initiatives taken or under consideration in other states to ensure a
43 unified approach to system services, including the feasibility of
44 establishing a funding consortium for pooling resources of all involved

1 agencies in order to streamline access to the system by children and
2 involvement in the system by service providers.

3 (5) Ways to improve the multidisciplinary identification and evaluation of
4 children's multiple service needs and the communication of those
5 needs to all appropriate service providers.

6 (6) The extent to which children currently in the juvenile justice system
7 have not received adequate and appropriate educational, mental health,
8 or other health services, and the reasons why the children have not
9 been adequately served.

10 (7) Information from the Department of Public Instruction and other
11 organizations showing the number of children who have been
12 suspended or expelled from public school, the reasons for the
13 suspension or expulsion, the number of these children who have
14 received alternative placements to ensure that they are being
15 adequately and appropriately served by State and local service
16 systems.

17 (8) Necessary changes to North Carolina service systems involving mental
18 health, developmental disabilities, and substance abuse services, social
19 services, education services, juvenile justice, and other related service
20 systems that will enable these systems to work together to ensure
21 effective and timely access to services for children and their families.

22 The Oversight Committee, subject to the provisions of G.S. 120-32.02, may
23 hire a consultant to assist the task force in its comprehensive review. The Oversight
24 Committee shall establish interim and final reporting time lines for the consultant's
25 findings and recommendations, and, subject to the requirements of this section, for
26 meetings and reports of the task force.

27 **SECTION 24.3.** Mental health in prisons – The Committee may study the
28 incidence of mental illness and substance abuse problems among inmates in the North
29 Carolina prison and juvenile justice systems.

30
31 **PART XXV. JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND**
32 **AQUACULTURE STUDY**

33
34 **SECTION 25.1.** The Joint Legislative Commission on Seafood and
35 Aquaculture may study whether it should be unlawful to take shrimp with trawl nets in
36 certain inland waters. The Commission may report the results of its findings, together
37 with any recommended legislation, to the 2005 General Assembly upon its convening.

38
39 **PART XXVI. ADMINISTRATIVE OFFICE OF THE COURTS/DEPARTMENT**
40 **OF CORRECTION STUDY**

41
42 **SECTION 26.1.** The Administrative Office of the Courts and the
43 Department of Correction shall jointly study the processes for the collection and
44 payment of restitution in this State, and shall determine methods for reducing the

number of restitution payments that go unclaimed. The Administrative Office of the Courts and the Department of Correction shall report their findings and recommendations to the 2005 General Assembly upon its convening.

PART XXVII. MARINE FISHERIES COMMISSION STUDY OF SHELLFISH CULTIVATION LEASES (S.B. 1071 – Albertson)

SECTION 27.1. The Marine Fisheries Commission may study whether and how to establish a process by which shellfish cultivation leases that are terminated pursuant to G.S. 113-202(l) may be leased to an applicant for a shellfish cultivation lease without the leasehold reverting to public bottom. If the Commission conducts a study pursuant to this section, it shall report its findings, recommendations, and legislative proposals, if any, to the Joint Legislative Commission on Seafood and Aquaculture no later than December 1, 2004.

SECTION 27.2. The Marine Fisheries Commission may study issues related to the corporate ownership of shellfish cultivation leases. If the Commission conducts a study pursuant to this section, it shall report its findings, recommendations, and legislative proposals, if any, to the Joint Legislative Commission on Seafood and Aquaculture no later than December 1, 2004.

PART XXVIII. OFFICE OF STATE BUDGET AND MANAGEMENT STUDY

SECTION 28.1. The Office of State Budget and Management shall conduct an analysis of the structure and operation of the Department of Public Instruction. The analysis shall identify potential efficiencies and savings in the operation of the Department. The analysis may consider consolidation of functions with other agencies and automation of functions.

SECTION 28.2. The Office of State Budget and Management shall report its findings to the State Board of Education. The Office of State Budget and Management and the State Board of Education shall jointly report to the Joint Legislative Education Oversight Committee by January 15, 2005, on the results of the analysis.

PART XXIX. UNC BOARD OF GOVERNORS STUDY FEASIBILITY OF FORGIVENESS OF STUDENT DEBT PROGRAM

SECTION 29.1. The Board of Governors of The University of North Carolina, in conjunction with the North Carolina State Education Assistance Authority, may study the feasibility of a program that would forgive student indebtedness for teachers who have continuing certification in and are teaching in the disciplines of mathematics, science, or special education. The Board shall report the results of its study to the Joint Legislative Education Oversight Committee by January 15, 2005.

PART XXX. STATE BOARD TEACHER RETENTION TASK FORCE

1 **SECTION 30.1.** The State Board of Education shall form a Task Force
2 cochaired by the State Board of Education Chairman or designee and the Lt. Governor
3 or designee to study issues related to effective recruitment and retention of teachers for
4 the North Carolina public schools. The Task Force shall include practicing public
5 school teachers, principals, superintendents, local boards of education, and
6 representatives from the University System, the Community College System, and others
7 as deemed appropriate by the cochairs. In the course of this study, the State Board of
8 Education shall consider:

- 9 (1) Impediments to effective teacher recruitment and retention;
- 10 (2) Strategies for increasing the effectiveness or recruitment and retention
11 efforts;
 - 12 a. Modifications to teacher salaries and benefits that will ensure
13 that teacher compensation in North Carolina remains at or
14 above the national average, thereby better enabling the public
15 schools to recruit and retain highly qualified teachers. The State
16 Board may consider:
 - 17 1. Increased salaries for beginning teachers to make the
18 profession more attractive at the entry level;
 - 19 2. Increased salaries for teachers at those points at which
20 higher numbers of teachers leave the teaching
21 profession;
 - 22 3. Retirement options for teachers with 30 years of
23 experience that will provide opportunities for those
24 highly skilled and experienced teachers to continue in
25 service;
 - 26 4. Differentiated salary opportunities for teachers who
27 demonstrate exemplary teaching skills, work in certain
28 areas of certification, work in hard-to-staff schools, or
29 serve as mentors, school improvement team leaders, or
30 serve as leaders in a Quality Teacher as Leader Program;
 - 31 5. Other modifications to teacher salaries and benefits
32 necessary to recruit and retain highly qualified teachers
33 in the public schools.
 - 34 b. Tax incentives to encourage experienced teachers to remain in
35 the teaching profession;
 - 36 c. Locally designed initiatives to facilitate teacher recruitment and
37 retention;
 - 38 d. Strategies for increasing the number of highly qualified
39 beginning teachers such as:
 - 40 1. Expanding teacher preparation programs;
 - 41 2. Expanding scholarship loan programs for prospective
42 teachers to recruit the most qualified high school
43 students to the teaching profession; and

3. Ensuring that graduates of teacher preparation programs are well prepared to meet teacher-certification requirements.
- e. Strategies for giving beginning teachers the opportunity to develop into skilled professionals such as assigning them to teach only in their area of certification and minimizing their noninstructional duties;
- f. Strategies for ensuring that school-based administrators are adequately trained to provide support for both experienced and inexperienced teachers and that they provide that support;
- g. Strategies for ensuring that teachers are treated respectfully by students, such as a Teachers' Bill of Rights;
- h. Increased expectations regarding parental involvement in and support of their children's education;
- i. The availability of communications devices in the classroom;
- j. Strategies for a Quality Teacher as Leader Program as a career option that compensates teachers for accomplished teaching and values teachers as leaders; and
- k. Strategies for ensuring that schools are staffed appropriately and teachers have the time necessary to meet the State, federal and local demands for quality teaching and learning environments.

SECTION 30.2. The State Board of Education shall report its findings and recommendations to the Joint Legislative Education Oversight Committee prior to February 15, 2005. These recommendations may include changes to laws and policies.

SECTION 30.3. The Department of Public Instruction shall provide staff to support the work of the Task Force upon the request of the cochairs or staff and consultants may be hired from funds designated to support the work of the Task Force.

SECTION 30.4. The State Board of Education shall use federal funds to support the work of the Task Force.

PART XXXI. JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE (S.B. 1014 – Berger)

SECTION 31.1. The Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee may study the confinement of inmates who are irreversibly, physically incapacitated due to chronic illness or disability. The Committee's study may include, but is not limited to, a review of current policies, a calculation of potential population figures and medical care costs, a determination of possible alternatives to incarceration and accompanying costs, and a consideration of procedures for termination or commutation of sentences.

SECTION 31.2. The Committee shall report its findings and recommendations, including any proposed legislation, no later than the convening of the 2005 General Assembly.

PART XXXII. AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION STUDIES

SECTION 32.1. The Agriculture and Forestry Awareness Study Commission may study the topics listed in this part and report its findings, together with any recommended legislation, to the 2005 General Assembly upon its convening.

SECTION 32.2. Agriculture Commodity Incentives (Albertson) – The Commission may study the possibility of establishing incentive programs to benefit firms purchasing additional large quantities of North Carolina farm commodity products when an overabundance of a specific commodity is designated by the State Department of Agriculture and Consumer Services to be available for sale.

SECTION 32.3. Food Safety and Security (S.B. 834 – Albertson) – The Commission may study ways to protect the State's food supply system and the agricultural industry base.

SECTION 32.4. Dairy Industry (Albertson; Rand) – The Commission shall study the condition of the dairy industry in the State. As a part of its study, the Commission shall examine:

- (1) The short-term and long-term problems associated with maintaining a viable dairy industry and supplying the needed quantity of milk in the State.
- (2) Ways to sustain the existing dairy industry in the State.
- (3) Opportunities for expanding the dairy industry, including attracting both new dairy producers and new processors into the State.
- (4) The contribution of dairy farmers to the maintenance of prime agricultural lands, and working lands, and the quality of life in the State.
- (5) The need for programs that stabilize the pricing of milk at the farm level, such as counter-cyclical or safety net type programs in the Farm Security and Rural Investment Act of 2002, or a milk transportation grant program to maintain a local supply of fresh milk for processing and consumption, programs that facilitate the entry of young farmers into the dairy industry, and programs that preserve dairy green space along the urban fringe.
- (6) Other factors impacting the dairy industry in North Carolina.

PART XXXIII. COMMITTEE ON EMPLOYEE HOSPITAL AND MEDICAL BENEFITS STUDY NEWBORN COVERAGE (S.B. 1421 – Kinnaird)

SECTION 33.1. The Committee on Employee Hospital and Medical Benefits may study the following issues pertaining to benefits under the Teachers' and State Employees' Comprehensive Major Medical Plan ("Plan"):

- (1) Whether to repeal or otherwise modify G.S. 135-40.6(7) that limits coverage for examination and supervision of a normal newborn infant

1 to only when the mother of the infant is receiving maternity benefits
2 under the Plan.

3 (2) Whether to adopt a federally qualified health reimbursement
4 arrangement as an additional component of the Plan.

5 (3) Whether deductibles and co-payment amounts applicable under the
6 Plan should be based on income of the Plan member, with
7 lower-income Plan members paying less than higher-income Plan
8 members.

9
10 **PART XXXIV. HURRICANE EVACUATION STANDARDS STUDY**
11 **COMMISSION**

12
13 **SECTION 34.1.** The Hurricane Evacuation Standards Study Commission is
14 established. The Commission shall consist of six members to be appointed as follows:

15 (1) Three members of the House of Representatives to be appointed by the
16 Speaker of the House of Representatives; and

17 (2) Three members of the Senate to be appointed by the President Pro
18 Tempore of the Senate.

19 **SECTION 34.2.** The Commission shall study the development and
20 establishment of hurricane evacuation standards for the State. The Commission shall
21 consider and recommend to the General Assembly those legislative actions necessary to
22 implement its recommendations.

23 **SECTION 34.3.** The following State employees shall attend each meeting of
24 the Commission and shall provide technical support and expertise to the Commission to
25 develop appropriate State hurricane evacuation standards:

26 (1) Director, Division of Emergency Management, Department of Crime
27 Control and Public Safety.

28 (2) Chief of Logistics, Division of Emergency Management, Department
29 of Crime Control and Public Safety.

30 (3) State Roadway Design Engineer, Department of Transportation.

31 (4) Assistant State Roadway Design Engineer, Department of
32 Transportation.

33 (5) Division Engineer, Division 1, Department of Transportation.

34 (6) Division Engineer, Division 2, Department of Transportation.

35 (7) Division Engineer, Division 3, Department of Transportation.

36 (8) Division Traffic Engineer, Division 1, Department of Transportation.

37 (9) Division Traffic Engineer, Division 2, Department of Transportation.

38 (10) Division Traffic Engineer, Division 3, Department of Transportation.

39 **SECTION 34.4.** Upon approval of the Legislative Services Commission, the
40 Legislative Services Officer shall assign professional and clerical staff to assist in the
41 work of the Commission. Clerical staff shall be furnished to the Commission through
42 the offices of the House of Representatives and Senate Supervisors of Clerks. The
43 Commission may meet in the Legislative Building or the Legislative Office Building
44 upon the approval of the Legislative Services Commission. The members of the

Commission, while in the discharge of official duties, may exercise all the powers provided under the provisions of G.S. 120-19 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and departments of the State to provide any information, data, or documents within their possession, ascertainable from their records, or otherwise available to them, and the power to subpoena witnesses. Members of the Commission shall receive per diem, subsistence, and travel allowances at the rate established in G.S. 120-3.1.

SECTION 34.5. The Commission shall report its findings and any recommendations to the Governor and the Joint Legislative Transportation Oversight Committee of the General Assembly by January 15, 2005. Upon the earlier of the filing of its final report or the convening of the 2005 General Assembly, the Commission shall terminate.

SECTION 34.6. From funds appropriated to the General Assembly, the Legislative Services Commission shall allocate funds for the expenses of the Hurricane Evacuation Standards Commission.

PART XXXV. JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY

SECTION 35.1. Chapter 120 of the General Statutes is amended by creating a new Article to read:

"Article 30.

"Joint Legislative Oversight Committee on Information Technology.

"§ 120-261. Committee established; purpose; organization.

(a) Establishment. – There is established the Joint Legislative Oversight Committee on Information Technology (Committee).

(b) Purpose. – The Committee shall examine, on a continuing basis, systemwide issues affecting State government information technology, including, but not limited to, State information technology operations, infrastructure, development, financing, administration, and service delivery. The Committee may examine State agency or enterprise-specific information technology issues. The Committee shall make ongoing recommendations to the General Assembly on ways to improve the effectiveness, efficiency, and quality of State government information technology.

(c) Membership. – The Committee shall consist of 16 members as follows:

(1) Eight members of the Senate appointed by the President Pro Tempore of the Senate. At least two appointees shall be members of the Senate Appropriations Committee.

(2) Eight members of the House of Representatives appointed by the Speaker of the House of Representatives. At least two appointees shall be members of the House of Representatives Appropriations Committee.

The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each select a member from their appointees to serve as cochair of the Committee.

(d) Terms. – Members of the Committee shall serve two-year terms beginning at the convening of the General Assembly in each odd-numbered year, with no prohibition against being reappointed, except for the terms of the initial members which shall begin on appointment and end on the day of convening of the 2005 General Assembly. A member continues to serve until the member's successor is appointed. Members may complete a term of service on the Committee even if they do not seek reelection or are not reelected to the General Assembly, but resignation or removal from service in the General Assembly constitutes resignation or removal from service on the Committee. The officer who made the original appointment shall fill any vacancy within 30 days.

(e) Quorum. – A majority of the members of the Committee shall constitute a quorum for the transaction of business. The affirmative vote of a majority of the members present at meetings of the Committee shall be necessary for action to be taken by the Committee.

(f) Subcommittees. – The Committee cochairs may establish subcommittees for the purpose of making special studies pursuant to its duties, and may appoint non-Committee members to serve on each subcommittee as resource persons. Resource persons shall be voting members of the subcommittee and shall receive subsistence and travel expenses in accordance with G.S. 138-5 and G.S. 138-6.

"§ 120-262. Assistance; per diem; subsistence; and travel allowances.

(a) The Committee may contract for consulting services as provided by G.S. 120-32.02. Upon approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional and clerical staff to assist in the work of the Committee. The professional staff shall include the appropriate staff from the Fiscal Research, Research, Legislative Drafting, and Information Systems Divisions of the Legislative Services Office of the General Assembly. Clerical staff shall be furnished to the Committee through the offices of the Senate and the House of Representatives Supervisors of Clerks. The expenses of employment of the clerical staff shall be borne by the Committee. The Committee may meet in the Legislative Building or the Legislative Office Building upon the approval of the Legislative Services Commission.

(b) Members of the Committee shall receive per diem, subsistence, and travel allowances as follows:

- (1) Committee members who are members of the General Assembly, at the rate established in G.S. 120-3.1.
- (2) Committee members and resource persons who are officials or employees of the State or of local government agencies, at the rate established in G.S. 138-6.
- (3) All other Committee members and resource persons, at the rate established in G.S. 138-5.

"§ 120-263. Reports.

The Committee shall submit annual reports to the General Assembly on or before the convening of the regular session of the General Assembly each year. The Committee may submit interim reports at any time it deems appropriate.

"§ 120-264. Authority.

1 The Committee has the authority to obtain information and data from all State
2 officers, agents, agencies, and departments, while in discharge of its duties, pursuant to
3 G.S. 120-19, as if it were a committee of the General Assembly."

4 **SECTION 35.2.** Article 26 of Chapter 120 of the General Statutes is
5 repealed.

6
7 **PART XXXVI. STREAM MAPPING**

8
9 **SECTION 36.1.** The Geographic Information Coordinating Council and the
10 Department of Environment and Natural Resources shall develop and recommend a
11 plan to improve the mapping and digital representation of surface waters in North
12 Carolina, including intermittent and perennial streams, lakes, and ponds, to the General
13 Assembly and the Environmental Review Commission on January 15, 2005.

14 **SECTION 36.2.** The plan shall include at a minimum: mapping
15 specifications and standards; estimated budget and schedule for statewide
16 implementation; and entry of the data into NC OneMap.

17 **SECTION 36.3.** The Geographic Information Coordinating Council and the
18 Department shall include at a minimum the Division of Emergency Management in the
19 Department of Crime Control and Public Safety, the Department of Commerce, the
20 Department of Transportation, and the US Geological Survey in the development of the
21 plan.

22 **SECTION 36.4.** The General Assembly encourages municipalities and
23 counties to share the mapping and digital representation of surface waters that they have
24 developed with the Geographic Information Coordinating Council, NC OneMap, and
25 the public.

26
27 **PART XXXVII. STUDY COMMISSION ON HEALTH CARE WORKFORCE**
28 **DEVELOPMENT**

29
30 **SECTION 37.1.** There is created the Health Care Workforce Study
31 Commission ("Commission"). The Commission shall consist of 17 members appointed
32 as follows:

- 33 (1) Five members appointed by the Governor, to include:
- 34 a. One person who is a health care provider or a pharmacist in a
35 rural community.
 - 36 b. One person who is a hospital administrator from
37 recommendations provided by the North Carolina Hospital
38 Association.
 - 39 c. One person who is a dental care provider.
 - 40 d. One person from the Office of Research, Demonstrations, and
41 Rural Health Development of the Department of Health and
42 Human Services.
 - 43 e. The Program Director of the North Carolina AHEC Program.

- 1 (2) Six members appointed by the Speakers of the House of
2 Representatives, to include:
3 a. Four members of the House of Representatives.
4 b. One person who is a nursing home administrator from
5 recommendations provided by the NC Health Care Facilities
6 Association.
7 c. One person who is a community college president from
8 recommendations provided by the President of the North
9 Carolina Community College System.
10 (3) Six members appointed by the President Pro Tempore of the Senate, to
11 include:
12 a. Four members of the Senate.
13 b. One person who operates an adult care home from
14 recommendations provided by the NC Association of Long
15 Term Care Facilities.
16 c. One person who is a university president from
17 recommendations provided by the President of The University
18 of North Carolina System.

19 **SECTION 37.2.** The purpose of the Commission is to determine methods to
20 increase the number of people providing health and dental care in this State and to
21 overcome existing barriers contributing to the health care providers shortages. In
22 undertaking this study, the Commission shall consider the following:

- 23 (1) How to cultivate an interest in health occupations programs at the
24 secondary school level.
25 (2) How to address the shortage of adequately prepared health care
26 occupations faculty at community colleges, including designating
27 health care occupation degrees as "high cost" programs and paying
28 health care occupation faculty at a higher rate, designating a salary
29 differential for faculty members who provide clinical or classroom
30 training during evening, night, and weekend shifts, and offering other
31 incentives to encourage masters trained professionals to teach at
32 community colleges.
33 (3) How to address the attrition rates for students in health care occupation
34 curriculums in community colleges.
35 (4) Resources available to assist community colleges with the purchase of
36 equipment necessary to train students for health care occupations.
37 (5) Shortages of faculty at the university level.
38 (6) Restoring funding for university level Fast Track programs.
39 (7) Whether a curriculum program that offers a baccalaureate degree in
40 respiratory therapy should be established in The University of North
41 Carolina System.
42 (8) How to improve current programs responsible for addressing dentist
43 and physician shortages, particularly in the rural parts of the State.

- (9) How to address nursing shortages, taking into consideration the Institute of Medicine's Nursing Task Force recommendations.
- (10) How to address shortages of pharmacists.
- (11) Completion of the articulation plan between NCCCS and the University of North Carolina system's health care training programs, with a set deadline for implementation.

SECTION 37.3. The Speakers of the House of Representatives shall appoint a cochair, and the President Pro Tempore of the Senate shall appoint a cochair for the Commission. The Commission may contract for consultant services as provided by G.S. 120-32.02. Upon approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional and clerical staff to assist in the work of the Commission. Clerical staff shall be furnished to the Commission through the offices of the House of Representatives and Senate Supervisors of Clerks. The Commission may meet in the Legislative Building or the Legislative Office Building upon the approval of the Legislative Services Commission. The Commission, while in discharge of official duties, may exercise all the powers provided under the provisions of G.S. 120-19 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and departments of the State to provide any information, data, or documents within their possession, ascertainable from their records, or otherwise available to them, and the power to subpoena witnesses. Members of the Commission shall receive per diem, subsistence, and travel allowances at the rate established in G.S. 120-3.1, 138-5, or 138-6, as appropriate. Vacancies shall be filled by the appointing authority.

SECTION 37.4. The Commission shall submit an interim report to the 2005 Regular Session of the 2005 General Assembly that contains its recommendations, legislative proposals, and cost analyses. The Commission shall make a final report to the 2006 Regular Session of the 2005 General Assembly and shall terminate upon the earlier of the filing of its final report or April 30, 2006.

SECTION 37.5. From the funds appropriated to the General Assembly, the Legislative Services Commission shall allocate funds for the expenses of the Commission established in this act.

PART XXXVIII. SMART START FUNDING STUDY (Hagan)

SECTION 38.1. Commission Established. – There is established a Smart Start Funding Study Commission.

SECTION 38.2. Membership. – The Commission shall be composed of 21 members as follows:

- (1) Four members of the Senate appointed by the President Pro Tempore of the Senate.
- (2) Four members of the House of Representatives appointed by the Speaker of the House of Representatives.
- (3) North Carolina Partnership for Children board member appointed by Speaker of the House of Representatives.
- (4) President of the North Carolina Partnership for Children.

- (5) Secretary of the Department of Health and Human Services or designee.
- (6) North Carolina Budget and Tax Center representative appointed by the President Pro Tempore of the Senate.
- (7) State Budget Director or designee.
- (8) Department of Social Services County Director appointed by the Speaker of the House of Representatives.
- (9) Department of Public Health County Director appointed by the President Pro Tempore of the Senate.
- (10) County Commissioner appointed by the Speaker of the House of Representatives.
- (11) Local Partnership for Children Executive Director appointed by the President Pro Tempore of the Senate.
- (12) Local Partnership for Children board chair appointed by the Speaker of the House of Representatives.
- (13) Two business leaders representing small and corporate business, one appointed by the President Pro Tempore of the Senate, and one by the Speaker of the House of Representatives.
- (14) Representative of the Rural Economic Development Center appointed by the President Pro Tempore of the Senate.

SECTION 38.3. Secretary of Health and Human Services. – The Commission shall invite the Secretary of Health and Human Services to attend each meeting of the Commission and encourage the Secretary's participation in the Commission's deliberations.

SECTION 38.4. Duties of Commission. – The Commission shall study the funding of the North Carolina Partnership for Children, Inc. In conducting the study, the Commission shall consider the following:

- (1) The current funding system of the North Carolina Partnership for Children, Inc.
- (2) Any strategies for achieving full funding and full service for North Carolina's young children and families.
- (3) Funding equity among all counties and local partnerships.
- (4) Any other information the Commission deems relevant.

SECTION 38.5. Vacancies. – Any vacancy on the Commission shall be filled by the appointing authority.

SECTION 38.6. Cochair. – Cochair of the Commission shall be designated by the President Pro Tempore of the Senate and the Speaker of the House of Representatives from among their respective appointees. The Commission shall meet upon the call of the chair.

SECTION 38.7. Expenses of Members. – Members of the Commission shall receive per diem, subsistence, and travel allowances in accordance with G.S.120-3.1, 138-5, or 138-6, as appropriate.

1 **SECTION 38.8.** Staff. – Upon the prior approval of the Legislative Services
2 Commission, the Legislative Services Officer shall assign professional staff to the
3 Commission to aid its work.

4 **SECTION 38.9.** Consultants. – The Commission may hire consultants to
5 assist with the study. Before expending any funds for a consultant, the Commission
6 shall report to the Joint Legislative Commission on Governmental Operations on the
7 consultant selected, the work products to be provided by the consultant, and the cost of
8 the contract, including an itemization of the cost components.

9 **SECTION 38.10.** Meetings During Legislative Session. – The Commission
10 may meet during a regular or extra session of the General Assembly, subject to approval
11 of the President Pro Tempore of the Senate and the Speaker of the House of
12 Representatives.

13 **SECTION 38.11.** Meeting Location. – The Commission shall meet at
14 various locations around the State in order to promote greater public participation in its
15 deliberations. Subject to the approval of the Legislative Services Commission, the
16 Commission may meet in the State Legislative Building or the Legislative Office
17 Building.

18 **SECTION 38.12.** Report. – The Commission shall make its findings and
19 recommendations in a final report to the 2005 General Assembly. Upon the earlier of
20 the filing of its final report or the convening of the 2005 General Assembly, the
21 Commission shall terminate.

22 **SECTION 38.13.** Funding. – From funds appropriated to the General
23 Assembly, the Legislative Services Commission shall allocate funds for the purpose of
24 conducting the study provided for in this section.

25
26 **PART XXXIX. JOINT LEGISLATIVE HEALTHCARE OVERSIGHT**
27 **COMMITTEE HEALTHCARE**

28
29 **SECTION 39.1.** The Joint Legislative Health Care Oversight Committee
30 may study the following:

- 31 (1) Nursing shortage (S.J.R. 142 – Forrester, Purcell)
- 32 (2) Medical errors (S.J.R. 634 – Forrester)
- 33 (3) Environmental causes of cancer (S.J.R. 143 – Forrester, Purcell)
- 34 (4) Educating the public on ovarian cancer risks and prevention (S.J.R.
35 636 – Forrester)
- 36 (5) Reducing prescription drug costs
- 37 (6) Bulk purchasing of pharmaceutical drugs (S.J.R. 968 – Kinnaird)
- 38 (7) Internet sale of prescription drugs (Rand)
- 39 (8) Pain management and palliative care
- 40 (9) Care of the mentally ill in long-term care facilities (S.B. 1148 –
41 Swindell)

42
43 **PART XL. CHILD WELFARE SYSTEM REFORM**
44

1 **SECTION 40.1.** The Department of Health and Human Services shall
2 transfer funds to the General Assembly to hire an independent consultant to evaluate
3 North Carolina's Child Welfare System at the State and local levels and provide
4 recommendations to reform that system.

5 **SECTION 40.2.** The Fiscal Research Division, through the Legislative
6 Services Office, in consultation with the Department of Health and Human Services,
7 shall issue a Request for Proposal (RFP) for an independent consultant with extensive
8 experience in child welfare systems to develop recommendations for reforming the
9 State's existing system. The contractor shall evaluate the overall administration and
10 oversight of the existing system and make specific recommendations to strengthen the
11 system. The contractor shall review North Carolina's historical performance in meeting
12 national performance outcome measurements and note any progress in taking corrective
13 action to address the areas identified as weaknesses in the existing system. The
14 contractor shall evaluate variances in resources, including staffing levels, at the local
15 level as well as the administrative structure at the State level. The contractor shall
16 review statewide abuse and neglect data to determine if the data is accurate and useful
17 and make recommendations for improving the data collection system. The contractor's
18 final report shall include recommendations to ensure accountability and consistency at
19 both the State and local levels.

20 **SECTION 40.3.** The final report from the consultant shall be presented to
21 the House of Representatives Appropriations Subcommittee on Health and Human
22 Services, the Senate Appropriations Committee on Health and Human Services, and the
23 Fiscal Research Division no later than October 1, 2005.

24 25 **PART XLI. BILL AND RESOLUTION REFERENCES**

26
27 **SECTION 41.1.** The listing of the original bill or resolution in this act is for
28 reference purposes only and shall not be deemed to have incorporated by reference any
29 of the substantive provisions contained in the original bill or resolution.

30 31 **PART XLII. EFFECTIVE DATE AND APPLICABILITY**

32
33 **SECTION 42.1.** Except as otherwise specifically provided, this act is
34 effective when it becomes law. If a study is authorized both in this act and in the
35 Current Operations and Capital Improvements Appropriations Act of 2004, the study
36 shall be implemented in accordance with the Current Operations and Capital
37 Improvements Appropriations Act of 2004 as ratified.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

S

1

SENATE BILL 1152*

Short Title: Legislative Study Comm./Guardianship. (Public)

Sponsors: Senators Swindell, Allran, Dannelly, Moore, Queen; Bingham, Dalton, Hargett, Holloman, Kerr, Kinnaid, Lucas, Malone, and Purcell.

Referred to: Rules and Operations of the Senate.

May 18, 2004

A BILL TO BE ENTITLED
AN ACT TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON STATE
GUARDIANSHIP LAWS, AS RECOMMENDED BY THE NORTH CAROLINA
STUDY COMMISSION ON AGING.

The General Assembly of North Carolina enacts:

SECTION 1.(a) There is created the Legislative Study Commission on State Guardianship Laws. The purpose of the Commission is to review State law pertaining to guardianship and its relationship to other pertinent State laws such as the health care power of attorney, the right to a natural death, and durable power of attorney.

SECTION 1.(b) The Commission shall consist of 15 members as follows:

- (1) Four members of the House of Representatives appointed by the Speaker of the House of Representatives.
- (2) Four members of the Senate appointed by the President Pro Tempore of the Senate.
- (3) The Director of the Administrative Office of the Courts, or the Director's designee.
- (4) The Director of the Division of Aging in the Department of Health and Human Services, or the Director's designee.
- (5) A county director of social services appointed by the President Pro Tempore of the Senate.
- (6) A clerk of superior court appointed by the Speaker of the House of Representatives.
- (7) A physician who specializes in geriatrics appointed by the President Pro Tempore of the Senate.
- (8) An attorney who has experience in guardianship matters appointed by the Speaker of the House of Representatives.
- (9) A representative of the Governor's Advocacy Council for Persons With Disabilities.

1 In addition, representatives designated by the following organizations shall
2 serve as ex-officio, nonvoting members of the Commission:

- 3 (a) The North Carolina Bar Association.
- 4 (b) The Arc of North Carolina.
- 5 (c) North Carolina Guardianship Association.
- 6 (d) Alzheimer's Association – Western Chapter.
- 7 (e) Alzheimer's Association – Eastern Chapter.
- 8 (f) Carolina Legal Assistance.
- 9 (g) The Area Agencies on Aging.
- 10 (h) County Departments of Aging.

11 The Speaker shall designate one Representative as cochair, and the President
12 Pro Tempore shall designate one Senator as cochair. Vacancies on the Commission
13 shall be filled by the same appointing authority as made the initial appointment. The
14 Commission shall expire upon delivering its final report.

15 The Commission, while in the discharge of its official duties, may exercise all
16 powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The
17 Commission may meet at any time upon the joint call of the cochairs. The Commission
18 may meet in the Legislative Building or the Legislative Office Building. The
19 Commission may contract for professional, clerical, or consultant services as provided
20 by G.S. 120-32.02.

21 The Legislative Services Commission, through the Legislative Services
22 Officer, shall assign professional staff to assist the Commission in its work. The House
23 of Representatives' and the Senate's Supervisors of Clerks shall assign clerical staff to
24 the Commission, and the expenses relating to the clerical employees shall be borne by
25 the Commission. Members of the Commission shall receive subsistence and travel
26 expenses at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate.

27 **SECTION 1.(c)** In conducting the study, the Commission shall consider the
28 following:

- 29 (1) Whether guardianship should be a remedy of last resort used only if
30 less restrictive alternatives are insufficient.
- 31 (2) The definition of incompetency.
- 32 (3) Whether courts should be required to make express findings regarding
33 the extent of a person's incapacity and limit the scope of the
34 guardianship accordingly.
- 35 (4) Legal rights retained or lost as a result of being adjudicated
36 incompetent.
- 37 (5) The proper role of attorneys and guardians ad litem in guardianship
38 proceedings.
- 39 (6) The role of public human services agencies in providing guardianship
40 services.
- 41 (7) Legal procedures and protections in guardianship proceedings.
- 42 (8) Public monitoring of guardianship.
- 43 (9) Funding for guardianship services provided by public and nonprofit
44 agencies.

- (10) Educating citizens with respect to guardianship and alternatives to guardianship.
- (11) Prudent investor rules.
- (12) Powers, duties, and liabilities of guardians.
- (13) Review of the State's adult protective services law.
- (14) Enactment of the Uniform Guardianship and Protective Proceedings Act (UGPPA).
- (15) Whether guardianship statutes need revision to provide greater protection of the health and welfare of incapacitated adults.
- (16) Whether the State should track the number of people under private guardianship and, if so, proposed methods for the tracking.

SECTION 2. The Legislative Study Commission on State Guardianship Laws may make an interim report to the 2005 General Assembly not later than the convening of the 2005 General Assembly, and shall make its final report to the 2005 General Assembly, Regular Session 2006 upon its convening.

SECTION 3. All State departments and agencies and local governments and their subdivisions shall furnish the Commission with any information in their possession or available to them.

SECTION 4. There is appropriated from the General Fund to the General Assembly the sum of thirty thousand dollars (\$30,000) for the 2004-2005 fiscal year and the sum of thirty thousand dollars (\$30,000) for the 2005-2006 fiscal year to carry out the purposes of this act.

SECTION 5. This act becomes effective July 1, 2004.

MINUTES

RULES AND OPERATIONS OF THE SENATE

JULY 17, 2004

The Committee on Rules and Operations of the Senate met on Saturday, July 17, 2004 at 5:00 p.m. during a recess of the Senate. Senator Rand presided. There were 9 members of the committee present.

. H. B. 1671 - MOORESVILLE STREETS AND SIDEWALKS.

Senator Forrester moved for the adoption of the above bill. This motion was seconded by Senator Hoyle. The committee gave the bill a favorable report.

. S.B. 64 – PRO TEM APPOINTMENTS.

Senator Rand presented the proposed committee substitute for the above bill to the committee. The bill increased the members of the NC States Ports Authority from 11 to 13. It directs the General Assembly to appoint 6 members , 3 by the Speaker and 3 by the President Pro-Tempore.


Senator Kinnaird moved for the adoption of the committee substitute. This motion was seconded by Senator Hoyle and the committee gave the proposed committee substitute a favorable report.

. SJR 1445 - ADJOURNMENT SINE DIE 2003.

Senator Rand presented the committee with the Adjournment Resolution which provides for adjournment sine die on July 18, 2004, rather than July 17, 2004.

Senator Dalton moved for the adoption of the proposed committee substitute for the above bill and this motion was seconded by Senator Soles. The committee gave the proposed committee substitute a favorable report.

The meeting adjourned at 5:30 p.m.



Senator Tony Rand, Chairman



Evelyn Costello, Committee Ass't

**NORTH CAROLINA GENERAL ASSEMBLY
SENATE**

**RULES AND OPERATIONS OF THE SENATE COMMITTEE REPORT
Senator Tony Rand, Chair**

Saturday, July 17, 2004

Senator RAND,
submits the following with recommendations as to passage:

FAVORABLE

H.B.	1671	Mooreville Streets and Sidewalks.	
		Sequential Referral:	None
		Recommended Referral:	None

UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO COMMITTEE SUBSTITUTE BILL

S.B.	64	Pro Tem Appointments Bill - 2.	
		Draft Number:	PCS 85270
		Sequential Referral:	None
		Recommended Referral:	None
		Long Title Amended:	Yes

**UNFAVORABLE AS TO JOINT RESOLUTION, BUT FAVORABLE AS TO COMMITTEE
SUBSTITUTE JOINT RESOLUTION**

S.JR.	1445	Adjournment Sine Die 2003.	
		Draft Number:	PCS 64577
		Sequential Referral:	None
		Recommended Referral:	None
		Long Title Amended:	No

TOTAL REPORTED: 3

Committee Clerk Comments:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2003

H

1

HOUSE BILL 1671*

Short Title: Mooresville Streets and Sidewalks.

(Local)

Sponsors: Representatives Ray; and Setzer.

Referred to: Finance.

May 26, 2004

A BILL TO BE ENTITLED

AN ACT REPEALING ARTICLE VIII OF THE CHARTER OF THE TOWN OF
MOORESVILLE, SO THAT THE GENERAL LAW ON STREET AND
SIDEWALK IMPROVEMENTS WILL APPLY.

The General Assembly of North Carolina enacts:

SECTION 1. Article VIII of the Charter of the Town of Mooresville, as
enacted by Section 1 of S.L. 1975-239, entitled "Street and Sidewalk Improvements", is
repealed in its entirety.

SECTION 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2003

S

D

SENATE BILL 64

PROPOSED COMMITTEE SUBSTITUTE S64-PCS85370-LG-39

Short Title: 2004 Pro Tem Appointments Bill.

(Public)

Sponsors:

Referred to:

February 18, 2003

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 VARIOUS CHANGES TO BOARDS AND COMMISSIONS.

Whereas, G.S. 120-121 authorizes the General Assembly to make certain
appointments to public offices upon the recommendation of the President Pro Tempore
of the Senate; and

Whereas, the President Pro Tempore of the Senate has made
recommendations; Now, therefore,
The General Assembly of North Carolina enacts:

PART I. PRESIDENT PRO TEMPORE'S RECOMMENDATIONS.

SECTION 1.1.(a) Ken Morehead of Durham County is appointed to the
Acupuncture Licensing Board for a term expiring on June 30, 2006.

SECTION 1.1.(b) Barbara Berry of Wake County is appointed to the
Acupuncture Licensing Board for a term expiring on June 30, 2007.

SECTION 1.2. Robert Timberlake, Jr. of Wake County, Jimmy A. Harrell,
Jr. of Camden County, and Deborah Mae Johnson of Sampson County are appointed to
the North Carolina Agricultural Finance Authority for terms expiring on June 30, 2007.

SECTION 1.3.(a) Ralph Brown of Iredell County is appointed to the Alarm
Systems Licensing Board for a term expiring on June 30, 2005.

SECTION 1.3.(b) Anita Pfaff of Forsyth County is appointed to the Alarm
Systems Licensing Board for a term expiring on June 30, 2007.

SECTION 1.4. Henry Faircloth of Sampson County is appointed to the
North Carolina Appraisal Board for a term expiring on June 30, 2005.

SECTION 1.5.(a) Gladys Brooks of Buncombe County is appointed to the
Board of Directors of the North Carolina Arboretum for a term expiring on June 30,
2006.

1 **SECTION 1.5.(b)** Honor Moor of Buncombe County is appointed to the
2 Board of Directors of the North Carolina Arboretum for a term expiring on June 30,
3 2008.

4 **SECTION 1.6.** Lloyd Meekins, Jr. of Robeson County is appointed to the
5 North Carolina Auctioneers Commission for a term expiring on June 30, 2006.

6 **SECTION 1.7.(a)** Dr. W. Eric Loch of Cumberland County is appointed to
7 the North Carolina Board of Athletic Trainer Examiners for a term expiring on July 31,
8 2005.

9 **SECTION 1.7.(b)** Florence C. Moses of Wake County and Rick Proctor of
10 Guilford County are appointed to the North Carolina Board of Athletic Trainer
11 Examiners for terms expiring on July 31, 2006.

12 **SECTION 1.8.** John Houser of Gaston County is appointed to the State
13 Banking Commission for a term expiring on March 31, 2008.

14 **SECTION 1.9.** Frances Walker of Currituck County is appointed to the
15 North Carolina Bridge Authority for a term expiring on June 30, 2007.

16 **SECTION 1.10.(a)** Willy E. Stewart of Wake County is appointed to the
17 State Building Commission for a term expiring on June 30, 2005.

18 **SECTION 1.10.(b)** Alan Lassiter of Perquimans County is appointed to the
19 State Building Commission for a term expiring on June 30, 2006.

20 **SECTION 1.10.(c)** Paul Boney of New Hanover County is appointed to the
21 State Building Commission for a term expiring on June 30, 2007.

22 **SECTION 1.11.** George Matthew Wood of Pasquotank County, Reef C.
23 Ivey of Wake County, Wendell Murphy of Duplin County, George Daniel of Caswell
24 County, and Frank Daniels, III of Wake County are appointed to the Centennial
25 Authority for terms expiring on June 30, 2007.

26 **SECTION 1.12.** Margaret Ann Biddle of Wake County and Beth Rector of
27 Columbus County are appointed to the North Carolina Child Care Commission for
28 terms expiring on June 30, 2006.

29 **SECTION 1.13.** Richard P. Coleman of Columbus County is appointed to
30 the Clean Water Management Trust Fund Board of Trustees for a term expiring on June
31 30, 2007, to fill the unexpired term of Alex McFadyen.

32 **SECTION 1.14.(a)** James Kennedy of Forsyth County and Lisa Privette of
33 Harnett County are appointed to the North Carolina Code Officials Qualification Board
34 for terms expiring on June 30, 2005.

35 **SECTION 1.14.(b)** Deborah Simpson of Cumberland County is appointed to
36 the North Carolina Code Officials Qualification Board for a term expiring on June 30,
37 2006.

38 **SECTION 1.15.** Anna McCoy Smith of Forsyth County is appointed to the
39 State Board of Cosmetic Art Examiners for a term expiring on June 30, 2005.

40 **SECTION 1.16.** Joyce Cutler of Beaufort County is appointed to the Crime
41 Victims Compensation Commission for a term expiring on June 30, 2005.

42 **SECTION 1.17.** Wade Anders of Cumberland County, Terry Waterfield of
43 Pasquotank County, Robert C. Lewis of Wake County, and Bonnie Boyette of Nash

County are appointed to the North Carolina Criminal Justice Education and Training Standards Commission for terms expiring on June 30, 2005.

SECTION 1.18. T. Craig Wright of Columbus County is appointed to the Criminal Justice Information Network Governing Board for a term expiring on June 30, 2005.

SECTION 1.19. Marguerite P. Watts of Pasquotank County is appointed to the Disciplinary Commission of the North Carolina State Bar for a term expiring on June 30, 2007.

SECTION 1.20.(a) Barbara Arnold of Wayne County, Jan Capps of Durham County, Dr. Deborah Weismann of Orange County, and Lynn Bryant of Dare County are appointed to the Domestic Violence Commission for terms expiring on August 31, 2005.

SECTION 1.20.(b) Effective September 1, 2004, Sharon Hunt of Robeson County, Senator Ellie Kinnaird of Orange County, Sergeant John Guard of Pitt County, The Honorable Colon Willoughby, Jr. of Wake County, and The Honorable Dina Foster of Cleveland County are appointed to the Domestic Violence Commission for terms expiring on August 31, 2006.

SECTION 1.21. Thelma White of Guilford County and Margaret Wingate of Mecklenburg County are appointed to the North Carolina Board of Electrolysis Examiners for terms expiring on June 30, 2005.

SECTION 1.22. Dr. Steven Edward Landau of Johnston County is appointed to the Emergency Medical Services Advisory Council for a term expiring on June 30, 2005.

SECTION 1.23. Jon Hamm of Wake County is appointed to the e-NC Authority for a term expiring on December 31, 2004.

SECTION 1.24. The Honorable Thomas K. Jenkins of Macon County is appointed to the Environmental Management Commission for a term expiring on June 30, 2005.

SECTION 1.25. Reverend David Franzen of Durham County is appointed to the North Carolina State Board of Examiners of Fee-Based Practicing Pastoral Counselors for a term expiring on September 30, 2006.

SECTION 1.26. M. Durwood Stephenson of Johnston County, Reginald Kenan of Duplin County, and Dell Murphy of Duplin County are appointed to the North Carolina Global TransPark Authority for terms expiring on June 30, 2007.

SECTION 1.27. Bobby Bollinger of Mecklenburg County, Jo Anne Jeffries of Durham County, Emily Moore of Lenoir County, Marva M. Robinson of Brunswick County, and Louise Fisher of Wake County are appointed to the Governor's Advocacy Council for Persons with Disabilities for terms expiring on June 30, 2007.

SECTION 1.28. Effective July 1, 2004, if Senate Bill 1223 of the 2004 Regular Session of the 2003 General Assembly becomes law, Bruce Beasley of Wilson County is appointed to the North Carolina Health Insurance Innovations Commission for a term expiring on June 30, 2006.

SECTION 1.29. Kathryn Ahlport of Guilford County, Jesse Basnight of Orange County, Marian Duncan of Columbus County, Senator William Purcell of

1 Scotland County, Senator Eric Reeves of Wake County, and Carolyn Tracy of
2 Cumberland County are appointed to the Justus-Warren Heart Disease and Stroke
3 Prevention Task Force for terms expiring on June 30, 2005.

4 **SECTION 1.30.** David G. Jones of Orange County is appointed to the North
5 Carolina Home Inspector Licensure Board for a term expiring on June 30, 2007.

6 **SECTION 1.31.** Patricia Garrett of Mecklenburg County, William D.
7 Hedgepath of Cumberland County, and Robert Yatko of Gaston County are appointed
8 to the North Carolina Housing Finance Agency Board of Directors for terms expiring on
9 June 30, 2007.

10 **SECTION 1.32.** Dean Carpenter of Gaston County, Gerald Holleman of
11 Wake County, Ed Moran of Craven County, Jeffrey Null of Cumberland County, and
12 Jeanne Tedrow of Wake County are appointed to the North Carolina Housing
13 Partnership for terms expiring on August 31, 2005.

14 **SECTION 1.33.** Paul Brooks of Robeson County is appointed to the North
15 Carolina State Commission of Indian Affairs for a term expiring on June 30, 2005.

16 **SECTION 1.34.** Effective September 1, 2004, Sean P. Devereux of
17 Buncombe County is appointed to the Commission on Indigent Defense Services for a
18 term expiring on August 31, 2008.

19 **SECTION 1.35.** Janet Smith of Forsyth County is appointed to the
20 Information Resource Management Commission for a term expiring on June 30, 2007.

21 **SECTION 1.36.** Jane Griffin of Martin County is appointed to the State
22 Judicial Council for a term expiring on December 31, 2005.

23 **SECTION 1.37.** Ronald Cox of Wake County is appointed to the North
24 Carolina Locksmith Licensing Board for a term expiring on December 31, 2006.

25 **SECTION 1.38.** Johnnie Burgess of Onslow County and Larry Garner of
26 Mecklenburg County are appointed to the North Carolina Manufactured Housing Board
27 for terms expiring on June 30, 2007.

28 **SECTION 1.39.** Wayne Paul Seville of Guilford County is appointed to the
29 North Carolina Board of Massage and Bodywork Therapy for a term expiring on June
30 30, 2006.

31 **SECTION 1.40.** Bernard Sullivan of Gaston County and Porter McAteer of
32 Gaston County are appointed to the Commission for Mental Health, Developmental
33 Disabilities, and Substance Abuse Services for terms expiring on June 30, 2005.

34 **SECTION 1.41.** Elizabeth Wellons of Johnston County is appointed to the
35 Board of Trustees of the North Carolina Museum of Art for a term expiring on June 30,
36 2005.

37 **SECTION 1.42.** The Honorable Robert B. Spivey of Bertie County, Ray
38 Hollowell of Dare County, Ernie Bowden of Dare County, Elsie Griggs Hollowell Pugh
39 of Camden County, Ben Berry of Pasquotank County, and Larry Johnson of Camden
40 County are appointed to the Northeastern North Carolina Regional Economic
41 Development Commission for terms expiring on June 30, 2005.

42 **SECTION 1.43.** Effective January 1, 2005, Martha Ann Harrell of
43 Cumberland County is appointed to the North Carolina Board of Nursing for a term
44 expiring December 31, 2008.

1 **SECTION 1.44.** Susan Neeley of Gaston County is appointed to the Board
2 of Directors for the North Carolina Center for Nursing for a term expiring on June 30,
3 2006, to fill the unexpired term of Marti Davies.

4 **SECTION 1.45.** Wanda Boyette of Sampson County is appointed to the
5 North Carolina Nursing Scholars Commission for a term expiring on June 30, 2007.

6 **SECTION 1.46.(a)** Edwin Holbrook of Cleveland County is appointed to
7 the North Carolina Parks and Recreation Authority for a term expiring on June 30,
8 2005.

9 **SECTION 1.46.(b)** Harriet Farrior of Duplin County is appointed to the
10 North Carolina Parks and Recreation Authority for a term expiring on June 30, 2006.

11 **SECTION 1.46.(c)** Timothy L. Aydtlett of Perquimans County is appointed
12 to the North Carolina Parks and Recreation Authority for a term expiring on June 30,
13 2007.

14 **SECTION 1.47.** Tannis F. Nelson of New Hanover County is appointed to
15 the Board of Directors of the North Carolina Partnership for Children, Inc., for a term
16 expiring on December 31, 2004, to fill the unexpired term of Susan Eaves.

17 **SECTION 1.48.** Robin Adams Anderson of Wake County is appointed to
18 the State Personnel Commission for a term expiring on June 30, 2009.

19 **SECTION 1.49.** William Witherspoon of Wake County, Douglas Howey of
20 Wake County, Tom C. Mehder of Mecklenburg County, Michael Richard Hare of
21 Perquimans County, and Anne Coan of Wake County are appointed to the North
22 Carolina Petroleum Underground Storage Tank Funds Council for terms expiring on
23 June 30, 2005.

24 **SECTION 1.49A.(a)** Daryl Garner of Carteret County is appointed to the
25 North Carolina State Ports Authority for a term expiring on June 30, 2005.

26 **SECTION 1.49A.(b)** Laura Wilson of New Hanover County and Jeff Turner
27 of Lenoir County are appointed to the North Carolina State Ports Authority for terms
28 expiring on June 30, 2006.

29 **SECTION 1.50.** Cecilie Lewis of Wake County is appointed to the North
30 Carolina Principal Fellows Commission for a term expiring on June 30, 2007.

31 **SECTION 1.51.(a)** Richard Allen of Anson County, Keith Shannon of
32 Mecklenburg County, and Mack Donaldson of Guilford County are appointed to the
33 Private Protective Services Board for terms expiring on June 30, 2006.

34 **SECTION 1.51.(b)** Sheriff Rodney Midgett of Dare County is appointed to
35 the Private Protective Services Board for a term expiring on June 30, 2006, to fill the
36 unexpired term of Sheriff Bert Austin.

37 **SECTION 1.52.** Terry Wheeler of Dare County is appointed to the Property
38 Tax Commission for a term expiring on June 30, 2007.

39 **SECTION 1.53.** Richard Burton of Durham County is appointed to the
40 Board of Trustees of the North Carolina Public Employee Deferred Compensation Plan
41 for a term expiring on June 30, 2005.

42 **SECTION 1.54.** David Walker of Robeson County is appointed to the
43 Public Officers and Employees Liability Insurance Commission for a term expiring on
44 June 30, 2007.

1 **SECTION 1.55.** Tom Morrow of Wake County and Anthony Copeland of
2 Wake County are appointed to the Board of Public Telecommunications Commissioners
3 of the North Carolina Agency for Public Telecommunications for terms expiring on
4 June 30, 2005.

5 **SECTION 1.56.** Beverly McCracken of Guilford County is appointed to the
6 Board of Trustees of the University of North Carolina Center for Public Television for a
7 term expiring on June 30, 2005.

8 **SECTION 1.57.** Robert Bleeker of Cumberland County and Murray
9 Greason of Forsyth County are appointed to the North Carolina Railroad Board of
10 Directors for terms expiring on June 30, 2007.

11 **SECTION 1.58.** Marsha Jordan of Lincoln County and Janie Waff of
12 Chowan County are appointed to the North Carolina Real Estate Commission for terms
13 expiring on July 31, 2005.

14 **SECTION 1.59.** Bruce Rubin of Forsyth County and Ralph Webb of Pitt
15 County are appointed to the North Carolina Respiratory Care Board for terms expiring
16 on October 31, 2006.

17 **SECTION 1.60.(a)** Tod B. Clissold of Dare County and Moncie L. Daniels
18 of Dare County are appointed to the Roanoke Island Commission for terms expiring on
19 June 30, 2005.

20 **SECTION 1.60.(b)** William Kealy of Dare County, The Honorable Bobby
21 Owens of Dare County, and Joanne Williams of Dare County are appointed to the
22 Roanoke Island Commission for terms expiring on June 30, 2006.

23 **SECTION 1.61.(a)** David R. Twiddy of Pasquotank County, Thomas
24 Hilliard, III of Wake County, and Jim Funderburke of Gaston County are appointed to
25 the Rules Review Commission for terms expiring on June 30, 2005.

26 **SECTION 1.61.(b)** Robert Saunders of Wake County is appointed to the
27 Rules Review Commission for a term expiring on June 30, 2006.

28 **SECTION 1.62.** David Smith of Durham County is appointed to the Board
29 of Trustees of the North Carolina School of Science and Mathematics for a term
30 expiring on June 30, 2007.

31 **SECTION 1.63.** Kirk Alan Preiss of Wake County is appointed to the North
32 Carolina Board of Science and Technology for a term expiring on June 30, 2005.

33 **SECTION 1.64.** Russell Lee Stetson of Dare County is appointed to the
34 North Carolina Seafood Industrial Park Authority for a term expiring on June 30, 2005.

35 **SECTION 1.65.** Michael Robertson of Lee County is appointed to the North
36 Carolina Sheriff's Education and Training Standards Commission for a term expiring on
37 June 30, 2005.

38 **SECTION 1.66.(a)** Edward Hearn of Wake County is appointed to the North
39 Carolina Board for Licensing of Soil Scientists for a term expiring on June 30, 2005.

40 **SECTION 1.66.(b)** Charles Martin of Franklin County is appointed to the
41 North Carolina Board for Licensing of Soil Scientists for a term expiring on June 30,
42 2007.

1 **SECTION 1.67.** Dr. Delilah Blanks of Columbus County and J. C.
2 Batchelor, Jr. of Cumberland County are appointed to the Southeastern North Carolina
3 Regional Economic Development Commission for terms expiring on June 30, 2007.

4 **SECTION 1.68.** Howard Nifong of Mecklenburg County and William Tesh
5 of Cumberland County are appointed to the Structural Pest Control Committee for terms
6 expiring on June 30, 2006.

7 **SECTION 1.69.** David Turpin of Wake County is appointed to the North
8 Carolina Substance Abuse Professional Certification Board for a term expiring on June
9 30, 2005.

10 **SECTION 1.70.(a)** Dr. Joseph Jenkins of Cumberland County is appointed
11 to the Board of Trustees of the Teachers' and State Employees' Comprehensive Major
12 Medical Plan for a term expiring on June 30, 2005.

13 **SECTION 1.70.(b)** Glenn Marek of Orange County is appointed to the
14 Board of Trustees of the Teachers' and State Employees' Comprehensive Major Medical
15 Plan for a term expiring on June 30, 2006.

16 **SECTION 1.71.** John H. Cilley, IV of Catawba County is appointed to the
17 Board of Trustees of the Teachers' and State Employees' Retirement System for a term
18 expiring on June 30, 2005.

19 **SECTION 1.72.(a)** Colleen Lanier of Forsyth County is appointed to the
20 North Carolina Teaching Fellows Commission for a term expiring on June 30, 2007.

21 **SECTION 1.72.(b)** Franz Holscher of Gaston County is appointed to the
22 North Carolina Teaching Fellows Commission for a term expiring on June 30, 2008.

23 **SECTION 1.73.(a)** Wilson Martin of Iredell County is appointed to the Well
24 Contractors Certification Commission for a term expiring on June 30, 2005.

25 **SECTION 1.73.(b)** Michael Floyd of Mecklenburg County is appointed to
26 the Well Contractors Certification Commission for a term expiring on June 30, 2006.

27 **SECTION 1.74.** J.W. Davis of Henderson County, Jewell Wilson of
28 Buncombe County, and Tommy Jenkins of Macon County are appointed to the Western
29 North Carolina Regional Economic Development Commission for terms expiring on
30 June 30, 2007.

31 **SECTION 1.75.** John Pechmann of Cumberland County, Bobby Purcell of
32 Wake County, Russell Maughn Hull, Jr. of Pasquotank County, and Eugene Price of
33 Wayne County are appointed to the Wildlife Resources Commission for terms expiring
34 on April 24, 2005.

35 **SECTION 1.76.** Belinda Gurkins of Pitt County, Leigh Horner of Orange
36 County, and James R. Montgomery of Catawba County are appointed to the Wireless
37 911 Board for terms expiring on June 30, 2006.

38
39 **PART II. BOARD AND COMMISSION CHANGES.**

40 **SECTION 2.1.** G.S. 143B-452(a) reads as rewritten:

41 "(a) The North Carolina State Ports Authority is hereby created. It shall be
42 governed by a board composed of nine members and hereby designated as the
43 Authority. Effective July 1, 1983, it shall be governed by a board composed of ~~11~~13
44 members and hereby designated as the Authority. The General Assembly suggests and

1 recommends that no person be appointed to the Authority who is domiciled in the
2 district of the North Carolina House of Representatives or the North Carolina Senate in
3 which a State port is located. The Governor shall appoint seven members to the
4 Authority, and the General Assembly shall appoint two members of the Authority.
5 ~~Effective July 1, 1983,~~ July 1, 2004, the Authority shall consist of seven persons
6 appointed by the Governor, and ~~four~~ six persons appointed by the General Assembly.
7 Effective July 1, 1989, the Governor shall appoint six members to the Authority, in
8 addition to the Secretary of Commerce, who shall serve as a voting member of the
9 Authority by virtue of his office. The Secretary of Commerce shall fill the first vacancy
10 occurring after July 1, 1989, in a position on the Authority over which the Governor has
11 appointive power."

12 **SECTION 2.2.** G.S. 143B-452(e) reads as rewritten:

13 "(e) ~~The General Assembly shall appoint two persons to serve terms expiring June~~
14 ~~30, 1983. The General Assembly shall appoint four persons to serve terms beginning~~
15 ~~July 1, 1983, to serve until June 30, 1985, and successors shall serve for two year terms.~~
16 ~~Of the two appointments to be made in 1982, one shall be made upon the~~
17 ~~recommendation of the Speaker, and one shall be made upon the recommendation of the~~
18 ~~President of the Senate. Of the four appointments made in 1983 and biennially~~
19 ~~thereafter, two shall be made upon the recommendation of the President of the Senate,~~
20 ~~and two shall be made upon the recommendation of the Speaker. To stagger further the~~
21 ~~terms of members:~~

22 (1) ~~Of the members appointed upon the recommendation of the Speaker to~~
23 ~~replace the members whose terms expire on June 30, 1991, one~~
24 ~~member shall be appointed to a term of one year, to expire on June 30,~~
25 ~~1992; the other member shall be appointed to a term of two years, to~~
26 ~~expire on June 30, 1993;~~

27 (2) ~~Of the members appointed upon the recommendation of the President~~
28 ~~of the Senate to replace the members whose terms expire on June 30,~~
29 ~~1991, one member shall be appointed to a term of one year, to expire~~
30 ~~on June 30, 1992; the other member shall be appointed to a term of~~
31 ~~two years, to expire on June 30, 1993. Successors to these persons for~~
32 ~~terms beginning on or after January 1, 1997, shall be appointed by the~~
33 ~~General Assembly upon the recommendation of the President Pro~~
34 ~~Tempore of the Senate.~~

35 ~~Thereafter, at the expiration of each stipulated term of office all appointments made by~~
36 ~~the General Assembly shall be for terms of two years.~~ Effective June 30, 2004, the
37 General Assembly shall appoint six members as follows:

38 (1) Upon the recommendation of the Speaker of the House of
39 Representatives, one member who shall serve for a term of one year
40 and two members who shall serve for a term of two years.

41 (2) Upon the recommendation of the President Pro Tempore of the Senate,
42 one member who shall serve for a term of one year and two members
43 who shall serve for a term of two years.

1 Thereafter, at the expiration of each stipulated term of office all appointments made
2 by the General Assembly shall be for terms of two years."

3 **SECTION 2.3.** The prefatory language of G.S. 160A-480(b) reads as
4 rewritten:

5 "(b) Membership. – An authority shall have ~~eight~~ 10 or ~~19~~ 21 members. Members
6 shall be chosen for terms as follows:"

7 **SECTION 2.4.** G.S. 160A-480.3(b)(1) reads as rewritten:

8 "(1) ~~Four~~ Five shall be appointed by the General Assembly upon the
9 recommendation of the Speaker of the House of Representatives in
10 accordance with G.S. 120-121, at least one of whom shall be a resident
11 of the territorial jurisdiction of the authority, and at least one other of
12 whom shall have been recommended by the board of trustees of the
13 constituent institution of The University of North Carolina whose main
14 campus is located within the county;"

15 **SECTION 2.5.** G.S. 160A-480.3(b)(2) reads as rewritten:

16 "(2) ~~Four~~ Five shall be appointed by the General Assembly upon the
17 recommendation of the President Pro Tempore of the Senate in
18 accordance with G.S. 120-121, at least one of whom shall be a resident
19 of the territorial jurisdiction of the authority, and at least one other of
20 whom shall have been recommended by the Board of Trustees of the
21 constituent institution of The University of North Carolina whose main
22 campus is located within the county; and"

23
24 **PART III. EFFECTIVE DATE.**

25 **SECTION 3.1.** The headings to the parts and sections of this act are a
26 convenience to the reader and are for reference only.

27 **SECTION 3.2.** Except as otherwise provided in this act, this act is effective
28 when it becomes law.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

S

1

SENATE BILL 64

Short Title: Pro Tem Appointments Bill - 2.

(Public)

Sponsors: Senator Rand.

Referred to: Rules and Operations of the Senate.

February 18, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE
3 RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE
4 SENATE.

5 Whereas, G.S. 120-121 authorizes the General Assembly to make certain
6 appointments to public offices upon the recommendation of the President Pro Tempore
7 of the Senate; and

8 Whereas, the President Pro Tempore of the Senate has made
9 recommendations; Now, therefore,
10 The General Assembly of North Carolina enacts:

11 **SECTION 1.** Unless otherwise provided for in this act, appointments are for
12 terms to begin July 1, 2003.

13 **SECTION 2.** This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2003

H

1

HOUSE BILL 1671*

Short Title: Mooresville Streets and Sidewalks.

(Local)

Sponsors: Representatives Ray; and Setzer.

Referred to: Finance.

May 26, 2004

A BILL TO BE ENTITLED

AN ACT REPEALING ARTICLE VIII OF THE CHARTER OF THE TOWN OF
MOORESVILLE, SO THAT THE GENERAL LAW ON STREET AND
SIDEWALK IMPROVEMENTS WILL APPLY.

The General Assembly of North Carolina enacts:

SECTION 1. Article VIII of the Charter of the Town of Mooresville, as
enacted by Section 1 of S.L. 1975-239, entitled "Street and Sidewalk Improvements", is
repealed in its entirety.

SECTION 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

S

D

SENATE JOINT RESOLUTION 1445
PROPOSED COMMITTEE SUBSTITUTE S1445-PCS65477-LB-124

Sponsors:

Referred to:

July 17, 2004

- 1 A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE
2 REGULAR SESSION OF THE GENERAL ASSEMBLY.
3 Be it resolved by the Senate, the House of Representatives concurring:
4 **SECTION 1.** When the Senate and the House of Representatives,
5 constituting the 2003 Session of the General Assembly, adjourn on Sunday, July 18,
6 2004, they stand adjourned sine die.
7 **SECTION 2.** This resolution is effective upon ratification.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

S

1

SENATE JOINT RESOLUTION 1445

Sponsors: Senators Rand; Blake and Dannelly.

Referred to: Rules and Operations of the Senate.

July 17, 2004

1 A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE
2 REGULAR SESSION OF THE GENERAL ASSEMBLY.

3 Be it resolved by the Senate, the House of Representatives concurring:

4 **SECTION 1.** When the Senate and the House of Representatives,
5 constituting the 2003 Session of the General Assembly, adjourn on Saturday, July 17,
6 2004, they stand adjourned sine die.

7 **SECTION 2.** This resolution is effective upon ratification.

COMMITTEE ON RULES AND OPERATIONS OF THE SENATE

MINUTES

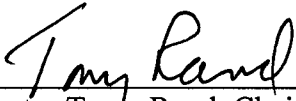
JULY 17, 2004

The Senate Committee on Rules and Operations of the Senate met in the Senate Chamber at Senator Rand's desk at 8:00 P.M. on July 17, 2004. Nine members of the committee were present.

.H.B. 208 (CS#1) MANAGED CARE/HLTH BENEFITS CLARIFYING – AB.

Senator Rand presented the proposed committee substitute for HB 208 (CS#1) explaining that this bill would make the General Assembly more efficient by having bills introduced and electing officers during the two week period before convening. Senator Hoyle moved to bring the Committee Substitute before the committee. The Committee Substitute (#2) – **Convening Organizational Session** – provides for an organizational session of the General Assembly on the second Monday in January and for adjournment until the third Monday after the initial convening when a House has completed its organizational tasks. Senator Forrester moved for the adoption of the Committee Substitute (#2). The committee gave the Committee Substitute (#2) – **Convening Organizational Session** a favorable report.

The meeting adjourned at 8:20 p.m.



Senator Tony Rand, Chairman



Evelyn Costello, Committee Assistant

**NORTH CAROLINA GENERAL ASSEMBLY
SENATE**

**RULES AND OPERATIONS OF THE SENATE COMMITTEE REPORT
Senator Tony Rand, Chair**

Saturday, July 17, 2004

Senator RAND,
submits the following with recommendations as to passage:

**UNFAVORABLE AS TO COMMITTEE SUBSTITUTE BILL NO. 1, BUT FAVORABLE AS TO
SENATE COMMITTEE SUBSTITUTE BILL**

H.B.(CS #1) 208	Managed Care/Hlth Benefits Clarifying-AB.
	Draft Number: PCS 30588
	Sequential Referral: None
	Recommended Referral: None
	Long Title Amended: Yes

TOTAL REPORTED: 1

Committee Clerk Comments:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2003

H

2

HOUSE BILL 208

Committee Substitute Favorable 4/29/03

Short Title: Managed Care/Hlth Benefits Clarifying.-AB

(Public)

Sponsors:

Referred to:

March 5, 2003

A BILL TO BE ENTITLED

AN ACT TO AMEND THE PROMPT PAY LAW TO CLARIFY THAT A "CLAIMANT" UNDER THE LAW INCLUDES AN "INSURED", THAT REFERENCES TO THIRTY DAYS ARE TO THIRTY "CALENDAR" DAYS, THAT AN INSURER MUST PROVIDE NOTICE OF A PROBLEM WITH A CLAIM WITHIN FIFTEEN DAYS OF RECEIPT OF THE CLAIM, AND THAT THE NINETY-DAY DEADLINE FOR RESPONDING TO ADDITIONAL INFORMATION REQUESTS FROM AN INSURER ONLY APPLIES TO CLAIMS NOT ALREADY DENIED; TO REQUIRE, UNDER THE PROMPT PAY LAWS, A STATUS REPORT WHEN CLAIMS ARE NOT PAID OR DENIED WITHIN SIXTY DAYS EVEN WHEN THE INSURER IS AWAITING INFORMATION REQUESTED FROM THE CLAIMANT; TO REMOVE FROM THE UNIFORM CREDENTIALING STATUTE AN UNNECESSARY PROVISION; AND TO AMEND UTILIZATION REVIEW LAWS TO CLARIFY THAT A SECOND-LEVEL GRIEVANCE REVIEW PANEL CAN CONSIST OF ONE OR MORE PERSONS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 58-3-225(a)(1) reads as rewritten:

"§ 58-3-225. Prompt claim payments under health benefit plans.

(a) As used in this section:

(1) "Claimant" includes the insured or a health care provider or facility that is responsible or permitted under contract with the insurer or by valid assignment of benefits for directly making the claim with an insurer.

...."

SECTION 1.(b) G.S. 58-3-225(b) through (g) read as rewritten:

"§ 58-3-225. Prompt claim payments under health benefit plans.

...

(b) An insurer shall, within 30 calendar days after receipt of a claim, send by electronic or paper mail to the ~~claimant~~: claimant the payment or notice stated in subdivisions (1) and (2) of this subsection, as applicable. An insurer shall, within 15 calendar days after receipt of a claim, send by electronic or paper mail to the claimant the notice stated in subdivisions (3) through (6) of this subsection, as applicable.

(1) Payment of the claim.

(2) Notice of denial of the claim.

(3) Notice that the proof of loss is inadequate or incomplete.

(4) Notice that the claim is not submitted on the form required by the health benefit plan, by the contract between the insurer and health care provider or health care facility, or by applicable law.

(5) Notice that coordination of benefits information is needed in order to pay the claim.

(6) Notice that the claim is pending based on nonpayment of fees or premiums.

For purposes of this section, an insurer is presumed to have received a written claim five business days after the claim has been placed first-class postage prepaid in the United States mail addressed to the insurer or an electronic claim transmitted to the insurer or a designated clearinghouse on the day the claim is electronically transmitted. The presumption may be rebutted by sufficient evidence that the claim was received on another day or not received at all.

(c) If the claim is denied, the notice shall include all of the specific good faith reason or reasons for the denial, including, without limitation, coordination of benefits, lack of eligibility, or lack of coverage for the services provided. If the claim is contested or cannot be paid because the proof of loss is inadequate or incomplete, or not paid pending receipt of requested coordination of benefits information, the notice shall contain the specific good faith reason or reasons why the claim has not been paid and an itemization or description of all of the information needed by the insurer to complete the processing of the claim. If all or part of the claim is contested or cannot be paid because of the application of a specific utilization management or medical necessity standard is not satisfied, the notice shall contain the specific clinical rationale for that decision or shall refer to specific provisions in documents that are made readily available through the insurer which provide the specific clinical rationale for that decision; however, if a notice of noncertification has already been provided under G.S. 58-50-61(h), then the specific clinical rationale for the decision is not required under this subsection. If the claim is contested or cannot be paid because of nonpayment of premiums, the notice shall contain a statement advising the claimant of the nonpayment of premiums. If a claim is not paid pending receipt of requested coordination of benefits information, the notice shall so specify. If a claim is denied or contested in part, the insurer shall pay the undisputed portion of the claim within 30 calendar days after receipt of the claim and send the notice of the denial ~~or contested status within 30 calendar days~~, or the notice of contested status within 15 calendar days, after receipt of the claim. If a claim is contested or cannot be paid because the claim was not submitted on the required form, the notice shall contain the required form, if the form is other than a UB or HCFACMS

1 form, and instructions to complete that form. Upon receipt of additional information
2 requested in its notice to the claimant, the insurer shall continue processing the claim
3 and pay or deny the claim within 30 calendar days after receiving the additional
4 information.

5 (d) If a claim has not already been denied, an insurer requests additional
6 information under subsection (c) of this ~~section~~section, and the insurer does not receive
7 the additional information within 90 calendar days after the request was made, the
8 insurer shall deny the claim and send the notice of denial to the claimant in accordance
9 with subsection (c) of this section. The insurer shall include the specific reason or
10 reasons for denial in the notice, including the fact that information that was requested
11 was not provided. The insurer shall inform the claimant in the notice that the claim will
12 be reopened if the information previously requested is submitted to the insurer within
13 one year after the date of the denial notice closing the claim.

14 (e) Health benefit plan claim payments that are not made in accordance with this
15 section shall bear interest at the annual percentage rate of eighteen percent (18%)
16 beginning on the date following the day on which the claim should have been paid. If
17 additional information was requested by the insurer under subsection (b) of this section,
18 interest on health benefit claim payments shall begin to accrue on the 31st calendar day
19 after the insurer received the additional information. A payment is considered made on
20 the date upon which a check, draft, or other valid negotiable instrument is placed in the
21 United States Postal Service in a properly addressed, postpaid envelope, or, if not
22 mailed, on the date of the electronic transfer or other delivery of the payment to the
23 claimant. This subsection does not apply to claims for benefits that are not covered by
24 the health benefit plan; nor does this subsection apply to deductibles, co-payments, or
25 other amounts for which the insurer is not liable.

26 (f) Insurers may require that claims be submitted within 180 calendar days after
27 the date of the provision of care to the patient by the health care provider and, in the
28 case of health care provider facility claims, within 180 calendar days after the date of
29 the patient's discharge from the facility. However, an insurer may not limit the time in
30 which claims may be submitted to fewer than 180 calendar days. Unless otherwise
31 agreed to by the insurer and the claimant, failure to submit a claim within the time
32 required does not invalidate or reduce any claim if it was not reasonably possible for the
33 claimant to file the claim within that time, provided that the claim is submitted as soon
34 as reasonably possible and in no event, except in the absence of legal capacity of the
35 insured, later than one year from the time submittal of the claim is otherwise required.

36 ..."

37 **SECTION 1.(c)** G.S. 58-3-225(g) reads as rewritten:

38 "(g) If a claim for which the claimant is a health care provider or health care
39 facility has not been paid or denied within 60 calendar days after receipt of the initial
40 claim, the insurer shall send a claim status report to the insured. ~~Provided, however, that~~
41 ~~the claims status report is not required during the time an insurer is awaiting information~~
42 ~~requested under subsection (c) of this section.~~ The report shall indicate that the claim is
43 under review and the insurer is communicating with the health care provider or health
44 care facility to resolve the matter. While a claim remains unresolved, the insurer shall

1 send a claim status report to the insured with a copy to the provider 30 calendar days
2 after the previous report was sent."

3 **SECTION 2.** G.S. 58-3-230(a) reads as rewritten:

4 "(a) An insurer that provides a health benefit plan and that credentials providers
5 for its networks shall maintain a process to assess and verify the qualifications of a
6 licensed health care practitioner, ~~or applicant for licensure as a health care practitioner,~~
7 practitioner within 60 days of receipt of a completed provider credentialing application
8 form approved by the Commissioner. When a health care practitioner joins a practice
9 that is under contract with an insurer to participate in a health benefit plan, the effective
10 date of the health care practitioner's participation in the health benefit plan network shall
11 be the date the insurer approves the practitioner's credentialing application."

12 **SECTION 3.** G.S. 58-50-62(f) reads as rewritten:

13 "(f) Second-Level Grievance Review. – An insurer shall establish a second-level
14 grievance review process for covered persons who are dissatisfied with the first-level
15 grievance review decision or a utilization review appeal decision. A covered person or
16 the covered person's provider acting on the covered person's behalf may submit a
17 second-level grievance.

18 (1) An insurer shall, within 10 business days after receiving a request for a
19 second-level grievance review, make known to the covered person:

- 20 a. The name, address, and telephone number of a person
21 designated to coordinate the grievance review for the insurer.
22 b. A statement of a covered person's rights, which include the
23 right to request and receive from an insurer all information
24 relevant to the case; attend the second-level grievance review;
25 present his or her case to the review panel; submit supporting
26 materials before and at the review meeting; ask questions of any
27 member of the review panel; and be assisted or represented by a
28 person of his or her choice, which person may be without
29 limitation to: a provider, family member, employer
30 representative, or attorney. If the covered person chooses to be
31 represented by an attorney, the insurer may also be represented
32 by an attorney.

33 (2) An insurer shall convene a second-level grievance review panel
34 consisting of one or more persons for each request. The panel shall
35 comprise persons who were not previously involved in any matter
36 giving rise to the second-level grievance, are not employees of the
37 insurer or URO, and do not have a financial interest in the outcome of
38 the review. No person on the panel shall have been previously
39 involved in any matter giving rise to the second-level grievance, shall
40 be an employee of the insurer or URO, or shall have a financial
41 interest in the outcome of the review. A person who was previously
42 involved in the matter may appear before the panel to present
43 information or answer questions. ~~All of the persons~~ Each panel
44 member reviewing a second-level grievance involving a

1 noncertification or a clinical issue shall be ~~providers who have~~
2 ~~appropriate expertise, including a provider who has appropriate~~
3 ~~expertise, and each panel reviewing a second-level grievance involving~~
4 ~~a noncertification or a clinical issue shall include~~ at least one clinical
5 peer. Provided, however, an insurer that uses a clinical peer on an
6 appeal of a noncertification under G.S. 58-50-61 or on a first-level
7 grievance review panel under this section may use one of the insurer's
8 employees on the second-level grievance review panel in the same
9 matter if the second-level grievance review panel comprises three or
10 more persons."

11 **SECTION 4.** Section 1(c) of this act becomes effective January 1, 2004.

12 The remainder of this act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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D

HOUSE BILL 208
Committee Substitute Favorable 4/29/03
PROPOSED SENATE COMMITTEE SUBSTITUTE H208-PCS30588-LB-122

Short Title: Convening Organizational Session.

(Public)

Sponsors:

Referred to:

March 5, 2003

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR AN ORGANIZATIONAL SESSION OF THE
GENERAL ASSEMBLY ON THE SECOND MONDAY IN JANUARY AND FOR
ADJOURNMENT UNTIL THE THIRD MONDAY AFTER THE INITIAL
CONVENING WHEN A HOUSE HAS COMPLETED ITS ORGANIZATIONAL
TASKS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 120-11.1 reads as rewritten:

"§ 120-11.1. Time of meeting.

The regular session of the Senate and House of Representatives shall be held
biennially beginning at ~~12:00 noon~~ 1:00 P.M. on the ~~third Wednesday after the second~~
Monday in January next after their election. At the first daily adjournment of the Senate
after it has both elected a President Pro Tempore and adopted rules, it stands adjourned
until 7:00 P.M. on the third Monday after the initial convening. At the first daily
adjournment of the House of Representatives after it has both elected a Speaker and
adopted rules, it stands adjourned until 7:00 P.M. on the third Monday after the initial
convening."

SECTION 2. This act is effective when it becomes law.